



May 23, 2024

Planning Commission  
Village of Lake Orion  
21 E. Church St.  
Lake Orion, MI 48362

**Subject: VLO-24-02 44 E. Flint, Site Plan Review #1**

Commissioners:

We have received a site plan application from Jeff Schmitz (the “applicant/developer”) for the construction of a ±6,700 square feet, 4-story mixed-use building located at 44 E. Flint Street (the “project”). The project is in the Downtown Center (DC) District and Height Overlay District on the southwest corner of E. Flint Street and S. Anderson Street. The project is situated on two parcels (09-02-481-007 and 09-02-481-008). In July 2021, the developer received site plan approval for the construction of a paid parking lot within the project area.

In November 2022, a conceptual mixed-use proposal was brought to the Planning Commission for discussion. Conversations with Village staff picked back up in 2024 to envision a higher and better use for the site. We offer the following comments for your consideration; with underlined text denoting items that require additional information, consideration, or a waiver from the Code.

### SUMMARY OF COMPLIANCE

Additional comments and information can be found in the relevant section of this report; we recommend that the applicant revise and resubmit a complete site plan addressing comments from all plan reviewers.

Ordinance Standards	Compliance	Comments
1. Required Information	<u>Can Comply</u>	<u>Seal, scale, landscape plan, grading, utilities.</u>
2. Use & Harmonious Design	<u>Can Comply</u>	<u>Notes required for services and retail operations.</u>
3. Dimensional Standards	<u>Can Comply</u>	<u>Additional architectural details required for height allowance.</u>
4. Natural Features / Landscaping	<u>Can Comply</u>	<u>Landscape plan required; consider additional landscape opportunities.</u>
5. Access & Circulation	<u>Can Comply</u>	<u>Pedestrian safety, Village Engineer, and Fire Marshal approval req'd.</u>
6. Parking & Loading	<u>Can Comply</u>	<u>Waiver and additional on-street design considerations required.</u>
7. Building Design	<u>Can Comply</u>	<u>Additional architectural details required for mixed-use/residential bldg.</u>
8. Engineering / SWM	<u>TBD</u>	<u>See Engineer's report dated May 22, 2024.</u>
9. Lighting	<u>Can Comply</u>	<u>Traditional lighting, illumination reduction, and waiver required.</u>



# Site Plan Review

Standards for Site Plan Approval are set forth by Article 19: Administrative Procedures and Standards. This project is reviewed against the Village's [Zoning Ordinance](#), Master Plan, existing site conditions, and sound planning and design principles.

## 1. REQUIRED INFORMATION

Section 19.02(D) lists the information required of all site plans undergoing Planning Commission review. Items that are missing or in need of clarification are noted within this document, summarized below:

- Signature and seal of the design professional
- 1" to 20' scale and graphic scale
- Proposed grade changes and surface materials – it is recommended that the final topography and architectural site plan be combined on a single sheet.
- General landscape plan – street trees, planters, and screening of mechanical equipment.
- Existing and proposed utilities.

## 2. USE & HARMONIOUS DESIGN

**Standards:** *All elements of the site shall be harmoniously and efficiently designed in relation to the topography, size, and type of land, and the character of the adjacent properties and the proposed use. The site will be developed so as not to impede the normal and orderly development or improvement of surrounding properties for uses permitted on such property.*

The site is zoned the DC, Downtown Center District where the proposed mixed-use building is considered to be acceptable should the Project comply with the following standards:

- All business establishments shall be retail, service, or entertainment establishments dealing directly with consumers. All goods produced on the premises shall be sold primarily from the premises where produced. Proposed uses include ground-floor retail, second-floor office/service, and third- and fourth-floor residential. The applicant must note that goods produced on-site will primarily be sold on the premises. Further, tenants that serve liquor (bars, restaurants) must go through the special land use approval process prior to the establishment of such use(s) (Sec. 6.02(B)(6)).*
- All business, servicing, or processing (except for off-street parking or loading) shall be conducted within completely enclosed buildings, except as a permitted temporary use. The applicant must note that all business, servicing, and processing will be conducted indoors.*
- Storage of commodities shall be within buildings and shall not be visible to the public from a street or thoroughfare. The applicant must note that the storage of commodities will be indoors and screened from the view of Flint and Anderson Streets.*
- There shall be no drive-in or drive-through service with any establishment. A drive-through establishment is not proposed as part of this project.*
- No automotive uses or other uses meant to primarily service motorized vehicles such as auto dealerships, car washes or gas stations shall be permitted. No automotive uses are proposed for this project.*



The project is not expected to impede orderly development or improvement of nearby properties, provided such items underlined above are confirmed. Additional site and design considerations will be discussed further.

### 3. DIMENSIONAL STANDARDS

**Standards:** *The site plan shall comply with the district requirements for minimum floor area, height of building, lot size, yard space, density and all other requirements as set forth in the Schedule of Regulations.*

The project generally complies with the dimensional standards of the DC and Height Overlay Districts; all comments below are subject to an approved lot combination being completed prior to final approval.

Standard	Required	Proposed	Comments
Min. Lot Area	n/a	0.31 ac.	Complies
Min. Lot Width	n/a	112 ft.	Complies
Max. Front Yard Setback	10 ft	0 ft.	Complies
Max. Side Yard Setback	10 ft.	0 ft.	Complies
Max. Rear Yard Setback	n/a	~43 ft.	Complies
Max. 1 <sup>st</sup> Floor Area	20,000 sq. ft.	~6,700 sq. ft.	Complies
Max. Building Height	52 ft. / 4 stories	~51 ft. / 4 stories	Complies (Height Overlay, see below)

**Height District Overlay Standards:** *When reviewing any proposed building within the Height Overlay District, the Village shall find the proposed location for the structure, its form, and its relationship to adjacent land uses and buildings meets all of the following criteria:*

- Shall be of such orientation to adjacent land uses and buildings as to be context sensitive in design.* The proposed building generally complies with the dimensional standards above and is oriented towards Flint Street, one of the primary retail frontages downtown, consistent with the other buildings along the street. The project would create a more consistent street frontage, which is currently interrupted by a parking lot. Additionally, the proposed land uses are consistent with the area and sound planning principles; by incorporating a mix of uses, including residential, the development helps transition from the retail core to the surrounding neighborhoods.
- Shall incorporate building height modulation to reduce the building scale at the street edge(s) or lakefront (where determined), with the fourth (4) story stepped back a minimum of ten (10) feet from the main building face(s).* The fourth-floor walls fronting Flint Street are shown to be stepped back 7 feet from the front building line; this must be increased to meet this standard and repeated along Anderson Street.
- Shall incorporate architectural features, including, but not limited to: arches, arcades, porticos, repeating window patterns, and cornices. Blank walls facing streets or public areas shall be prohibited.* The applicant has incorporated several high-quality architectural features, including arches, porticos, repeating window patterns, and cornices. The sides facing Anderson Street and the alley (adjacent to Hanson's) shall have the same level of articulation as the Flint-facing side to meet this standard.



- d. *Shall have a discernible base and cap that are clearly defined by horizontal elements along the bottom and top of the building.* The proposal includes a clearly discernible cap, with charcoal-colored metal panels and heavy roof line. The ~4-ft.-high limestone base is not clearly discernible from the rest of the façade, being short relative to the height of the building and similarly lightly colored. We recommend a warmer, naturally colored primary masonry brick for the building to provide additional contrast with the limestone base and dark metal cap and to create a clearly defined horizontal base. This would also serve to soften the building's appearance and enhance compatibility with the surrounding area and historic feel without compromising the contemporary design.
- e. *Screening shall be compatible with the architectural design of the building.* The plan notes that the transformer and parking lot will be screened with a masonry screening wall on two sides; the applicant must provide a note and cross-section indicating the screening wall material will match the building.

#### 4. NATURAL FEATURES & LANDSCAPING

**Standards:** *The existing natural landscape shall be preserved in its natural state as much as possible, by minimizing tree and soil removal and by topographic modifications that result in maximum harmony with adjacent properties. There shall be reasonable visual and sound privacy. Fences, walks, barriers, and landscaping shall be used, as appropriate, for the protection and enhancement of property and the safety and privacy of occupants and users.*

Per Section 15.02, parcels located within the Downtown Center District are exempt from the requirements of Section 15.02, except for the following:

- a. *Trees shall be provided to enhance the building and street where determined appropriate by the Planning Commission.*
- b. *Planter boxes or other landscape features shall be incorporated where appropriate.*
- c. *Outdoor utility equipment, such as transformers, shall be screened to the greatest extent possible by fences, walls, planter boxes or landscape features.*

The site plan depicts renderings with landscape planters and street trees along Flint; a general landscape plan is required to identify these elements. The three existing street trees must be protected or replaced if removed. It is recommended that additional right of way landscaping be provided at the vehicle entrance to the site, just south of the five on-street parking spaces, within a curbed landscape bed to assist with stormwater management, protect the existing light pole (remove bollards), and enhance the area with additional foliage and screening of the building and parking. As discussed further below, it is also recommended that the applicant replace the two southern on-street parking spaces with additional landscaping, including one street tree, to permit clear vision while exiting the site and creating a defined, enhanced driveway – two additional off-street parking spaces are proposed along Flint St. as part of this project.

ROW landscaping and on-street parking removal are subject to review and approval by Village Council.

The proposed transformer located on the southeast corner of the property, is shown to be screened on two sides by the 6-ft. masonry screen wall enclosing the parking area. This screening wall must match the primary building material. Further, the transformer must be screened to the north, where it is visible from Anderson Street.





## 5. ACCESS & CIRCULATION

**Standards:** *All buildings or groups of buildings shall be so arranged as to permit convenient and direct emergency vehicle access. The arrangement of public or common ways for vehicular and pedestrian circulation shall respect the pattern of existing or planned streets or pedestrian or bicycle pathways in the vicinity of the site. Streets and drives that are a part of an existing or planned street system serving adjacent developments shall be of an appropriate width to the volume of traffic they are planned to carry and shall have a dedicated right-of-way equal to that specified in a recognized source of reference. There shall be a pedestrian circulation system that is insulated as completely as possible from the vehicular circulation system.*

- a. **Vehicular Access.** Vehicular access to the site is provided by a two-way, 22-ft.-wide driveway off Anderson Street, leading to off-street residential parking. Clear vision egress will be obstructed by the on-street parking to the south; it is recommended that these two parking spaces be replaced with a curbed right of way landscape bed, with an additional street tree, to create a defined access point, promote clear vision, assist with stormwater management, and enhance the area. Two additional on-street parking spaces are provided along Flint Street as part of this project. ROW landscaping and on-street parking modifications (reductions) are subject to review and approval by the Village Council.

Vehicular and emergency access for the site is subject to further review and approval by the Village Engineer and Fire Marshal. Nothing shall preclude the applicant from exploring shared access opportunities with neighboring parcel owners, including the DDA.

- b. **Cross Access.** *As a condition of site plan approval, the Planning Commission may require that cross-access drives be provided in order to reduce the number of points of ingress and egress to the property, to decrease traffic congestion and improve safety on abutting roadways.* There is no vehicular cross access proposed at this time and only one ingress/egress is proposed for the site, along the less-trafficked Anderson Street. We do not believe that cross-access is necessary given the location, uses, and geometric constraints of the site; however, nothing shall preclude the applicant from exploring shared access opportunities with neighboring parcel owners.
- c. **Pedestrian Connectivity.** The existing right of way sidewalks along Flint and Anderson will be maintained and a 5-ft. concrete walk along the south side of the building provides access to the Anderson sidewalk and rear parking area. Pedestrian access is maintained to the western alleyway, which has shared ownership with parcel 09-02-481-018 (27 S. Broadway), 09-02-481-003 (17 S. Broadway), and 09-02-481-017 (Village ROW); as well as to the parking lot to the south, which is owned by the DDA. The sidewalk along Anderson must be dimensioned; this sidewalk shall be curbed at the street for pedestrian safety, accessibility (14.04(B)(3)), and stormwater management, and, if necessary, widened to a minimum of 7 ft. to limit vehicle encroachment. Curbing should be cohesive with any additional right of way landscape beds, as previously discussed. As a matter of public welfare, curbing and sidewalk modifications do not require separate approval by the Village Council, provided these improvements are approved by the Village Engineer.

## 6. PARKING & LOADING

**Standards:** *Off-street parking, loading, and unloading areas and outside refuse storage areas, or other storage areas that face or are visible from adjacent homes, or from public thoroughfares, shall be screened by walls, fencing or landscaping of effective height.*

- a. **Parking Spaces.** Because the project is a mixed-use building, the Applicant must provide an adequate number of off-street parking spaces per use; however, in the DC District, off-street parking is not required for office or retail uses. Therefore, only parking for the multifamily residential use is required, at two spaces per dwelling unit. With ten units, 20 spaces are required – these are shown on the plan, with one space



dedicated for barrier-free, van-accessible parking. Further, two off-street parking spaces are being restored along Flint St. where the current entrance to the surface lot is.

- b. **Dimensions and Layout.** The 20 off-street parking spaces are entirely within the site, dimensioned at 9 ft. x 19 ft. with a 22-ft.-wide maneuvering lane; a scale must be provided to verify all site plan dimensions. As proposed, passenger parking is tight, particularly for the two west-most parking spaces, which run a high risk of conflict with the alley wall, building columns, and/or other parked vehicles. Although the required off-street parking is shown, we recommend that the Planning Commission grant a waiver for a reduction of up to 5 spaces, effectively requiring 1.5 spaces per dwelling unit. In doing so, additional maneuvering (and landscaping) space would be afforded; this may also free up space for an alternative trash enclosure location as discussed below. Further, as mentioned, nothing shall preclude the applicant from pursuing cross access opportunities with neighboring parcel owners.
- c. **Loading Space.** One 10 ft. x 50 ft. loading space is required (Sec. 14.05(C)) for retail space between 2,000-20,000 square feet; however, loading should not be closer than 50 ft. to a residentially zoned or used parcel. With a residential use across Anderson and the site itself being mixed-use residential, we recommend the loading requirement be waived or lessened (i.e., 10ft. x 25 ft.) by the Planning Commission; otherwise, this must be showed on a revised plan.
- d. **Trash Enclosure.** A dumpster is not shown on the site plan. The DDA owns the parking lot to the south and has indicated an interest in working with the applicant to establish shared dumpster use and access within its lot. It is encouraged that these discussions continue; the potential location of the shared dumpster (and screening) must be shown on the plan and a signed shared access and use agreement shall be executed prior to final approval. An alternative trash enclosure design shall be prepared in the event a shared dumpster cannot be achieved.

## 7. BUILDING DESIGN & ARCHITECTURE

**Standards:** *Building design and architecture shall relate to and be harmonious with the surrounding neighborhood in terms of texture, scale, mass, proportion, materials, and color. Buildings should be designed with stylistic harmony and aim to serve people of all ages and abilities.*

In addition to the specific requirements of the Height Overlay District, the building must comply with the development standards of the Downtown Center District (6.03(C)); standards requiring compliance are summarized as follows:

- a. **Complementary Character.** The Village Downtown is historic, with several excellent examples of preserved and enhanced buildings. The proposed development incorporates arches, porticoes, masonry coursework, and is oriented to the street as a tribute to this character. These elements should be repeated on all publicly visible facades. The massing and height of the building requires that additional complementary details be considered. We recommend incorporating warm-toned brick wherever possible, horizontal banding, and distinctive quoins on all corners.
- b. **Windows.** On street-facing facades, the minimum percentage of glazing on the ground floor is 50%, with windows raised two feet from the ground; on upper stories, it is 30%, with upper story windows having a vertical orientation. The Flint-facing façade comes slightly below the required standards, requiring ground floor windows to be raised and slightly more glazing. We believe vertical orientation is achieved with archways and mullions.

The Anderson-facing façade requires additional glazing, primarily on the ground floor. Distinctive mullions, archways, and window framing/coursework should be incorporated to bring depth to this façade.



- c. **Canopies.** Cloth fabric canopies are encouraged, while metal canopies are discouraged. This is not prescriptive language, and we believe the proposed metal canopies are satisfactory for the building. These shall provide 7.5-ft. clearance from the sidewalk.
- d. **Lighting.** Fixtures should be harmonious with the existing street lighting. The proposed sconce lighting is very sleek and relatively large; we recommend more traditional fixtures such as gooseneck or lantern-type lighting to complement the historic character of the area.
- e. **Facades.** Flat facades are prohibited. Architectural detailing on the Flint-facing façade must be incorporated on the Anderson-facing and alley-facing facades; the archways, reliefs, and patterns, should be replicated on public-facing corners. Currently, the alley-facing façade is entirely blank; windows should be incorporated wherever possible. Where windows are not possible or practical, modulation of the brick through reliefs and patterns must be included.

## 8. ENGINEERING / STORMWATER MANAGEMENT

**Standards:** *Appropriate measures shall be taken to ensure that the removal of stormwater will not adversely affect adjoining properties or the capacity of the public storm drainage system and shall comply with State and Federal standards. Provisions shall be made for the construction of stormwater facilities, and the prevention of erosion and dust. Surface water on all paved areas shall be collected at intervals so that it will not obstruct the flow of vehicles or pedestrian traffic and will not create nuisance ponding in paved areas. Adequate services and utilities and improvements shall be available or provided, located and constructed with sufficient capacity and durability to properly serve the development. All utilities shall be located underground. Where possible and practical, drainage design shall recognize existing natural drainage patterns.*

We provide comments for additional landscaping and curbing within this report to support stormwater management for and around the site; these modifications and all stormwater and utility requirements must be verified and addressed to the satisfaction of the Village Engineer. In addition to preliminary site plan review, the project must undergo final site plan review, including a detailed engineering review, prior to being reviewed and permitted by the Building Department.

## 9. LIGHTING

**Standards:** *Exterior lighting shall be so arranged so that it is deflected away from adjoining properties and so that it does not impede vision of drivers along adjacent streets.*

**Findings:** Both building-mounted and freestanding pole lighting are proposed for the development; a photometric plan and fixture cut sheets have been provided. Illumination requirements are as follows:

Lighting Category	Standard	Proposed	Comments
Max. Height of Fixtures	22 ft.	<u>Unknown</u>	<u>May Comply: mounting height not specified.</u>
Max. Illumination at Any Given Point	10 fc.	7.4 fc.	Complies.
Max. Illumination at the Property Line	0.5 fc.	<u>0.8 fc.</u>	<u>Can Comply: reduction and waiver required.</u>

The Planning Commission may modify lighting requirements in considering possible off-site impacts and the character of the proposed use. We recommend that the lighting along Anderson be reduced, to minimize off-site impacts. We recommend the Planning Commission grant a waiver for proposed illumination along Flint.



## RECOMMENDATION

At this time, there are several outstanding comments regarding site plan completeness, building design, site layout, access, and landscaping. At this time, we recommend that the applicant revise and resubmit a complete site plan set for the mixed-use development at 44 E. Flint Street, addressing the comments within this report and any comments from the Village Engineer or Fire Marshal.

If you have any questions, please do not hesitate to contact us. Thank you.

Respectfully submitted,

**McKENNA**

Gage Belko, AICP  
Associate Planner

Ashley E. Amey, NCI  
Assistant Planner

**CC:** **Village Manager**, Mr. Darwin McClary ([mcclaryd@lakeorion.org](mailto:mcclaryd@lakeorion.org))  
**Village Clerk**, Ms. Sonja Stout ([stouts@lakeorion.org](mailto:stouts@lakeorion.org))  
21 E. Church Street, Lake Orion, MI 48362



CIVIL ENGINEERS  
LAND SURVEYORS  
LAND PLANNERS

May 22, 2024

Planning Commission  
Village of Lake Orion  
21 E. Church St.  
Lake Orion, MI 48362

Re: 44 E. Flint Street  
Site Plan Review  
NFE Job No. N930

Dear Commissioners:

We have reviewed the Site Plan for the above referenced site. Our review is consistent with the requirements of Article 19 of the Zoning Ordinance, Section D – Required Information and relevant sections of the Zoning Ordinance related to the zoning district. We have the following comments:

1. The Site plan must be prepared superimposed on the topographic information, indicating the property lines (with bearings and distances), all existing easements, and all existing and proposed utilities.
2. No scale is indicated on the Site Plan title block.
3. Show proposed dimensions between building wall and property lines. A temporary construction easement may be required from adjacent private property owner.
4. If the building wall is placed on the east property line, the existing parking blocks in Anderson Street must be relocated eastward to act as wheel stops and prevent vehicles from overhanging the existing 4' wide sidewalk.
5. Parcel 09-02-481-007 is incorrectly labeled as -008.
6. The proposed pavement material for the parking area must be indicated on the Site Plan.
7. No storm water management is indicated on the site plan. No surface area from a parking area shall be permitted to drain on to adjoining property or across a public sidewalk.
8. The proposed building is placed over the existing electrical easement (L. 15526, P. 468, 470, 472). Provide information regarding the easement that permits the construction of a building within the easement.
9. An existing sanitary sewer easement (L7058, p 371) is indicated within the proposed building footprint. Provide information regarding the easement that permits the construction of a building within the easement.
10. The proposed transformer, curbing and concrete pad are indicated over the Ingress / Egress easement (L 4350, P. 596).
11. A six foot tall masonry screen wall is proposed at the south end of the west property line, with just a pedestrian opening to maintain access to the raised porch area of the existing building to the west. A wall on the property line would create a space approximately 1 foot wide and three feet deep between the existing porch and the new screen wall, which we do not recommend for safety and maintenance.
12. No Landscape plan is provided. It appears that at least one tree will be removed for the construction of the building.
13. Provide a pavement cross section for the proposed pavements.
14. Indicate proposed site utilities, including proposed sanitary sewer lead, water service and fire protection.

NOWAK & FRAUS ENGINEERS

48680 VAN DYKE, SUITE 200  
SHELBY TOWNSHIP, MI 48317

WWW.NOWAKFRAUS.COM

PHONE: 586.739.0939

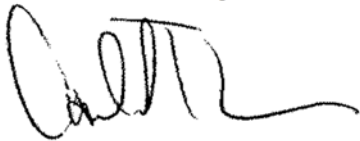
15. It must be demonstrated that adequate fire hydrant protection can be provided for the proposed building. Show nearest hydrants.
16. Expand topographic survey to show features to 100' beyond the site boundary per Article 19 requirements. Show existing screen wall along east property line. Show zoning of adjacent parcels, including across rights-of-way.
17. No method or location for trash removal is indicated on the site plan.
18. The presence or absence of wetlands and / or 100-year floodplain must be noted on the Site Plan.
19. A proposed finish floor elevation of the building is not indicated on the plan. An elevation change of approximately 1 foot occurs across the frontage of the building. Slopes to the sidewalk must meet ADA requirements.
20. We recommend that the proposed sidewalk adjacent to the parking be at least 7 foot in width to accommodate car overhang.
21. A parcel combination of Parcel 09-02-481-007 and 09-02-481-008 must be completed prior to construction.

Complete Engineering Plans meeting the requirements of Ordinance 31.26, Design and Construction Standards must be submitted for review, and no construction shall begin prior to engineering approval.

We recommend that the plan be revised and resubmitted subject to the above comments. If you have any questions, please do not hesitate to call.

Sincerely,

Nowak & Fraus Engineers



Carol P. Thurber, PE, CFM

CC: Gage Belko, McKenna  
Wesley Sanchez, DPW Director  
Todd Stanfield, Lake Orion Police  
Jeffrey Williams, Fire Marshall, Orion Township Fire Department  
John Pender, Assistant Fire Chief  
David Goodloe, Building Official, Orion Township  
Sonja Stout, Clerk, Lake Orion

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# Charter Township of Orion

3365 Gregory Rd., Lake Orion MI 48359  
www.oriontownship.org

**Fire Department**

Phone: (248) 391-0304, ext. 2000

Fax: (248) 309-6993

To: Darwin McClary, Village Manager  
From: Jeff Williams, Fire Marshal  
Re: 44 E. Flint – Commercial / Multi Family Development  
Date: 5/15/2024

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The Orion Township Fire Department has completed its review of the application for 44 E. Flint for the limited purpose of compliance with Village of Lake Orion's Ordinance's, Michigan Building Code, and all applicable Fire Codes.

Based upon the application and documentation provided, the Fire Department has the following recommendation:

Approved  
Approved with Requirements (See below)  
X Not approved

#### Requirements:

- All existing and proposed water mains and fire hydrant locations and sizes shall be indicated on the plans.
- Fire Department Connections (FDC) for sprinklers or standpipes shall be located with respect to hydrants, landscaping and fire department access roads. The Fire Department Connections shall be so located that the fire apparatus and hose connection to supply the system will not obstruct access to the building for other fire apparatus. The Fire Department Connection shall be located on the street side of the building or facing approved fire apparatus access roads, fully visible and recognizable for the street, fire apparatus access road or nearest point of the fire department vehicle access. The FDC location shall be indicated on the plans.
- The building is required to be equipped with a standpipe system installed in accordance with section 905 of the IFC and shall have a fire hydrant within 100 feet of the fire department connection.
- Overhead utilities and power lines shall not be located over aerial fire apparatus access road or between the aerial fire apparatus access road and the building, removal or revised overhead utility information shall be explained on the revised plans.

If there are any questions, the Fire Department may be reached at 248-391-0304 ext. 2004.

Sincerely,

*Jeffrey Williams*

Jeff Williams, Fire Marshal  
Orion Township Fire Department



## Village of Lake Orion

21 E. Church Street  
Lake Orion, Michigan 48362  
Tel 248.693.8391  
Fax 248.693.5874  
[www.lakeorion.org](http://www.lakeorion.org)

### SITE PLAN and / or SPECIAL LAND USE APPLICATION

#### PROPERTY INFORMATION

Site Address: 44 E. Flint St.

Parcel ID # (Refer to Tax Bill): 09-02-481-008 / 09-02-481-007 Zoning District: DC-Downtown Center

#### PROPERTY OWNER INFORMATION

Name: Jeff Schmitz Address, City, Zip: 155 Romeo, Suite 300 Rochester, MI 48307

Phone #: 248-650-9850 Owner E-Mail: angela.innaimo@jcapitol.com

#### APPLICANT INFORMATION (If applicant is NOT property owner)

Name: \_\_\_\_\_ Address, City, Zip: \_\_\_\_\_

Phone #: \_\_\_\_\_ Applicant E-Mail: \_\_\_\_\_

Applicant is: (i.e. contractor or business owner or architect, etc.) Owner

#### APPLICANT REQUEST

Site Plan Approval: \_\_\_\_\_

Use Permitted After Special Approval: \_\_\_\_\_

Use Type Requiring Special Approval: \_\_\_\_\_

#### REQUIRED INFORMATION

Please place your initials below to acknowledge that all applicable items are included with your application.

JS 1) Final Site Plan. Two (2) Copies not less than 24 inches by 36 inches in size that meet the requirements of Section 19.02.D. Including, but not limited to:

a. Dimensioned floor plans and building elevations

b. Hard surface plan identifying parking areas with dimensions and number of spaces provided

c. General landscape and lighting plan

d. Location of trash receptacle and method of screening

\_\_\_\_\_ 2) Project Narrative. A Narrative must accompany Special Land Use applications that identifies the detailed use of the property under review.

JS 3) Property Owner Verification.

JS 4) Digital copies of all documents. (Digital copies are used for Planning Commission review. They may be submitted via email to the Planning & Zoning Coordinator at [zoning@lakeorion.org](mailto:zoning@lakeorion.org), through Dropbox, or using an external USB drive.)

JS 5) Village, Planning, Engineering, and Attorney fees as necessary.

***By signing below you acknowledge all of the following:***

- The undersigned acknowledges that any lack of information which may result in a delay of the review process is the sole responsibility of the applicant.
- The undersigned deposes that the forgoing statements and answers and accompanying information are true and correct.
- The undersigned hereby authorizes Village representatives to enter the subject property in connection with this application, if necessary.

Signature of Property Owner: \_\_\_\_\_

Date: \_\_\_\_\_

Signature of Applicant/Contractor: \_\_\_\_\_

Date: \_\_\_\_\_

**TO BE COMPLETED BY VILLAGE STAFF:**

Date Received: \_\_\_\_\_

# of Hard Copies Received: \_\_\_\_\_

Electronic Copies Included: Y / N

Fee: \_\_\_\_\_

Receipt #: \_\_\_\_\_

Anticipated Meeting Date: \_\_\_\_\_

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## WARRANTY DEED

Drafted by: Jeffery S. Schmitz, 155 Romeo Road, Rochester, MI 48307

When recorded return to: JS Capitol Equities, LLC, a Michigan limited liability company, 155 Romeo Road, Rochester, MI 48307

THE GRANTOR(s): **Sharon L. Schaar Trust u/a/d July 5, 2004**

Whose address is: 919 Loretto,, Lake Orion, MI 48362

Conveys and warrants to: **JS Capitol Equities, LLC, a Michigan limited liability company**

Whose address is: 155 Romeo Road, Rochester, MI 48307

the following described premises: **See attached Exhibit A.**

Tax Parcel No: **09-02-481-008, Primary parcel, 09-02-481-007, Parking parcel**  
Commonly known as: **44 E. Flint Street, Lake Orion, MI 48362**

for the sum of **Two Hundred Seventy Five Thousand Dollars and No Cents (\$275,000.00)**

COUNTY Transfer Tax: \$302.50 /  
STATE Transfer Tax: \$2,062.50 /

Subject to easements, reservations and restrictions of record.

Grantor: Sharon L. Schaar Trust u/a/d July 5, 2004  
Grantee: Jeffrey S. Schmitz, on behalf of an entity to be formed  
Page 2 of 3

Dated: August 24, 2018

Signed and Sealed:

Sharon L. Schaar Trust u/a/d July 5,  
2004

Sharon L. Schaar Trustee  
by Sharon L. Schaar, Trustee

STATE OF MICHIGAN }  
COUNTY OF Oakland } ss

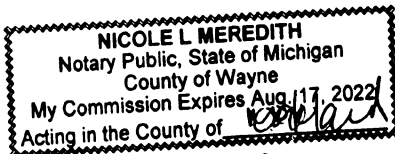
On this 24th day of August, 2018, before me personally appeared, Sharon L. Schaar Trust u/a/d July 5, 2004 by Sharon L. Schaar, Trustee, to me known to be the person(s) described in and who executed the foregoing instrument and acknowledged that he/she/they executed the same as his/her/their free act and deed.

Notary Public: Nicole L Meredith

Printed Name: Nicole L Meredith

Wayne County, MI

My Commission Expires: 8/17/2022



OAKLAND

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Grantor: Sharon L. Schaar Trust u/a/d July 5, 2004  
Grantee: Jeffrey S. Schmitz, on behalf of an entity to be formed  
Page 3 of 3

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EXHIBIT A

Land situated in the Village of Lake Orion, County of Oakland, State of Michigan, more particularly described as:

Lot 1 and Lot 2, Block 3, of "Hemingway's Plat", according to the plat thereof recorded in Liber 1, Page(s) 34 of Plats, Oakland County Records.

Subject to an easement over the South 20 feet of said Lot 1, for ingress and egress to said Lot 2.

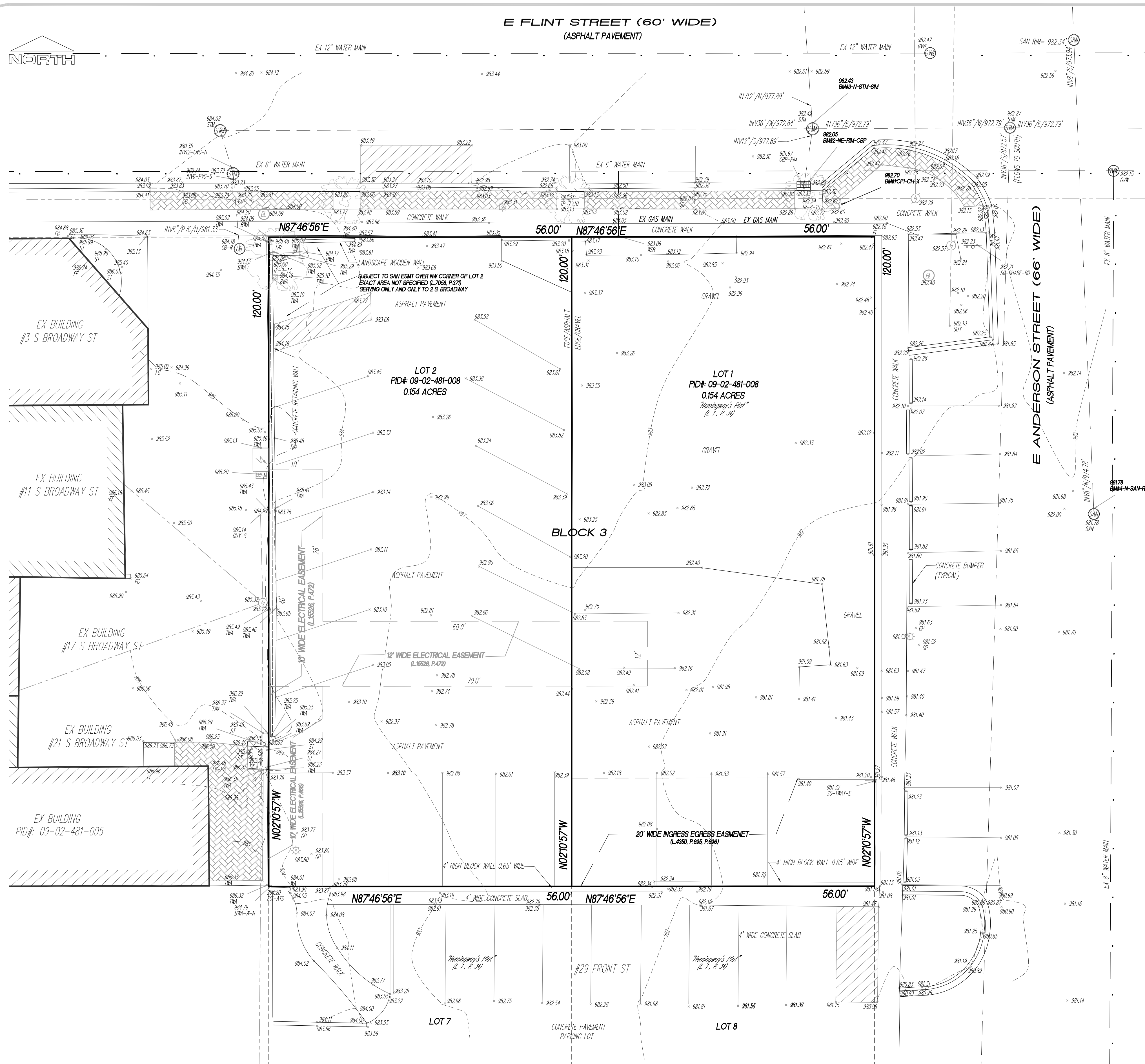
Tax Parcel No: 09-02-481-008, Primary parcel, 09-02-481-007, Parking parcel  
Commonly known as: 44 E. Flint Street, Lake Orion, MI 48362







# TOPOGRAPHIC SURVEY



### LEGEND

- UTILITY POLE
- OVER HEAD WIRE
- CHAIN LINK FENCE
- PAVEMENT CATCH BASIN/CBP
- CATCH BASIN
- EX. SANITARY M.H.
- EX. GATE VALVE & WATER
- EX. STORM M.H.
- EX. ELECTRIC MANHOLE
- EX. HYDRANT
- WATER SHUT OFF
- ELECTRIC METER
- TRANSFORMER
- PAVERS
- LIGHT POLE
- ELEVATION
- FINISH FLOOR
- FINISH GRADE
- PARCEL IDENTIFICATION NUMBER
- GUARD POST
- TR-8-8
- TREE-8" TRUNK-8FT SPREAD
- TOWN/RANGE
- L/P
- TWA/BWA
- TOP/BOTTOM OF WALL
- BM
- NAV88
- NORTH AMERICAN VERTICAL DATUM AS OF 1988
- EXISTING
- INVERT
- CHISELED "X" IN CONCRETE
- FOUND IRON/CAPPED IRON
- SIGN
- CONTROL POINT

### BENCH MARK INFORMATION

**Site Bench Mark No. 1:**  
Top of chiseled "X" in concrete walk, being 8.5 feet NW'LY from the NE corner of LOT 1 of the subject property. EL=982.70' (NAVD88).

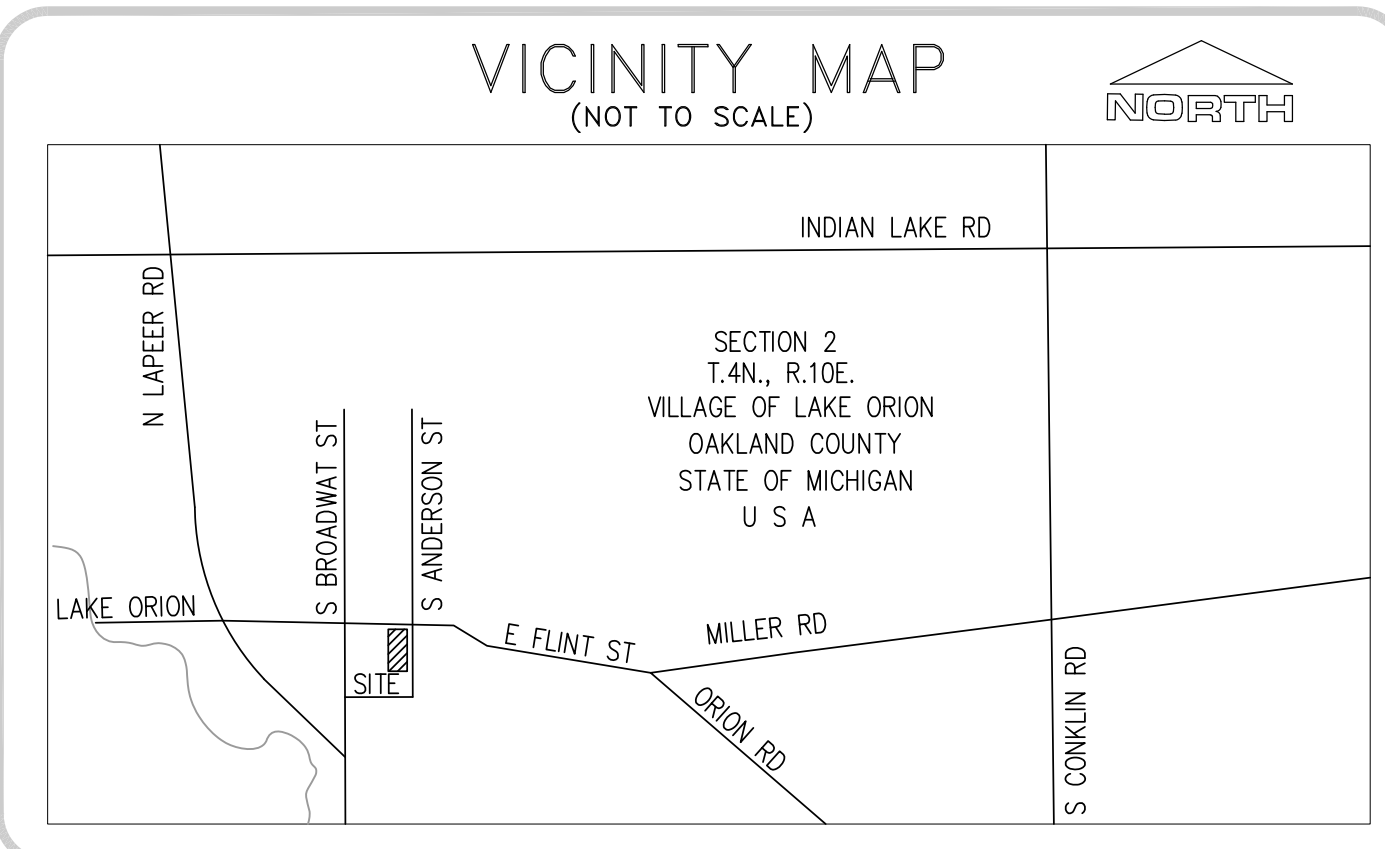
**Site Bench Mark No. 2:**  
NE rim of pavement catch basin, being 15.9 feet NW'LY from the NE corner of LOT 1 of the subject property. EL=982.05' (NAVD88).

**Site Bench Mark No. 3:**  
North rim of a storm manhole, being 10 feet N'LY from BM#2. EL=982.43' (NAVD88).

**TOTAL LAND AREA**  
13,440 ± SQUARE FEET  
0.308 ± ACRES

### FLOOD NOTE

Subject property as depicted herein, DOES NOT LIE in a Special Flood Hazard Area (SFHA), according to Flood Insurance Rate Map (FIRM) No. 260588, Panel No. 0236, Suffix "F", being effective as of September 29, 2006.



### GENERAL NOTES

- Utility information as shown herein are compilation of field observation and City's records, therefore no guarantee could be given as to their exact location and depth. An excavation might be needed in order to determine utility position.
- All measurements as shown herein are existing.
- All symbols as shown herein are not to scale.
- While surveying the property as shown herein, entire site was covered with snow and ice. AB-SB Land Survey, P.C. shall not be held liable if some of the site features were omitted.
- All measured elevations are expressed in North American Vertical Datum as of 1988. (NAVD88)
- AB-SB Land Survey, P.C. retains the sole ownership of this document as an instrument of service and it can not be reused nor reproduced without written permission and additional compensation. Copyright © 2021 AB-SB Land Survey, P.C.

### LEGAL DESCRIPTION

#44 E Flint Street, Lake Orion, MI, 48362  
Part of the E 1/2 of the SE 1/4 of Section 2, Town 4 North, Range 10 East, Village of Lake Orion, Oakland County, Michigan, being more particularly described as follows:  
LOT 1 of BLOCK 3 of "Hemingway's Plat", as being recorded in Liber 1 of Plats, on Page 34, Oakland County Records. Containing: 6,720 Square Feet---0.154 Acres, more or less. Parcel Identification Number:# 09-02-481-008. Subject to the rights of a public and any easements and/or restrictions of record or otherwise.

Vacant, E Flint Street, Lake Orion, MI, 48362  
Part of the E 1/2 of the SE 1/4 of Section 2, Town 4 North, Range 10 East, Village of Lake Orion, Oakland County, Michigan, being more particularly described as follows:  
LOT 2 of BLOCK 3 of "Hemingway's Plat", as being recorded in Liber 1 of Plats, on Page 34, Oakland County Records. Containing: 6,720 Square Feet---0.154 Acres, more or less. Parcel Identification Number:# 09-02-481-007. Subject to the rights of a public and any easements and/or restrictions of record or otherwise.

Mende Bezanovski, P.S. 49430  
Professional Surveyor in the State of Michigan

0' 5' 10' 20'

36636 North Pointe Dr. New Baltimore, MI 48067  
TEL: (586) 822-4964 FAX: (586) 591-5930  
info@ab-sb-landsurvey.com  
www.ab-sb-landsurvey.com

SCALE: 1" = 10'	PAGE: 1 OF 1
JOB NUMBER: 2021-02-04-127-SS	DRAWN: MB
FIELD: MB	CHECKED: MB
REVISIONS:	DATE: 03-07-2021
CLIENT: TRI-COUNTY ENGINEERING	
ADDRESS: 44 E Flint Street Lake Orion, MI, 48362	TEL: (810)-394-7887 FAX: (586)-566-4642



[illegible]

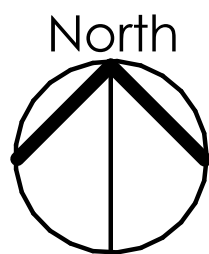
Seal:

**Note:**

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Do not scale drawings. Use calculated dimensions only. Verify existing conditions in field.

North Arrow:



Sheet Title:  
Architectural Site  
Plan

Project Number:

Project Number

Scale:

Sheet Number: \_\_\_\_\_

# C.100



<b><u>PROJECT ADDRESS:</u></b>	
44 EAST FLINT STREET LAKE ORION, MI 48362	
CURRENT ZONING:	DC (DOWNTOWN CENTER) W/ HEIGHT OVERLAY DISTRICT
LOT AREA:	13,440 SQ.FT. (0.31 ACRES)

ZONING INFORMATION BELOW IS BASED ON DC ZONING DISTRICT

FRONT SETBACK:	0' MINIMUM, 10' MAXIMUM
PROP. FRONT SETBACK:	0'-0"
REAR SETBACK:	0' MINIMUM
PROP. REAR SETBACK:	42'-7 1/8"
SIDE SETBACK:	10' MINIMUM
SIDE STREET SETBACK:	0'MINIMUM, 10' MAXIMUM
PROP. EAST SETBACK:	0'-0"
PROP. WEST SETBACK:	0'-0"

MAX. LOT COVERAGE:	100%
PROP. LOT COVERAGE:	8,386 / 13,440 = <b>62.4%</b>
MIN./MAX. BLDG. HEIGHT:	3-STORIES; 36'-0"
PROP. BLDG. HEIGHT:	4-STORIES; 52'-0" (HEIGHT OVERLAY DISTRICT) <b>4-STORIES; 52'-0"</b>
MAX. DENSITY:	NONE

<b><u>REQUIRED PARKING:</u></b>	
MULTI-FAMILY RESIDENTIAL:	2 SPACE PER UPPER LEVEL DWELLING UNIT
OFFICE:	NONE REQUIRED IN DC ZONING DISTRICT
RETAIL:	NONE REQUIRED IN DC ZONING DISTRICT
MULTI-FAMILY RESIDENTIAL:	10 UNITS X 2 =20 SPACES <b>20 SPACES REQUIRED</b>
TOTAL REQUIRED PARKING:	<b>20 PARKING SPACES</b>
PROVIDED PARKING:	<b>20 PARKING SPACES</b>

# Architectural Site Plan



VESTA  
AT7972  
WALL

PRODUCT

## SPECIFICATION DETAILS

Finish Dimensions	W 4" x H 4" x D 3.5"
Light Source	AC LED 20W
Warranty	5 Year
Total Lumen	2500lm
Efficient of Lumens	90
Temp.	100° F
Material	Aluminum
Color	Black, Nickel
Global Color Temp.	2700K, 3000K, Warmwhite, Neutral, Cool White, Quantum
LED Brand Name	Philips
Dimming	0-10V Dimmer, DALI Dimmer (not included)
Beam Angle	24°
UL Approval	None
Location	Indoor
Recyclable	80%
Roaming Type	AC 120V/60Hz
Energy Efficiency	W 0.5 L 100, E 105, L 100, E 105 x 1.05P
RoHS	RoHS, REACH, WEEE

\* For custom solutions, contact Vesta for details.

\* For currently information, please visit [www.kuzco.com/interior](http://www.kuzco.com/interior)

## DESCRIPTION

Trimless simplicity with versatile purpose is offered with this wall sconce and measures 1/2 inches in length. Vesta ensure harmonically & artistically from a mounting platform placed in the middle of the rectangular base of framed pictures. The extended LED lumens the recurring glow creating effect of light on the wall. Vesta is available in three different finishes: Black or white powder coating and Burned Nickel.

KUZCO

CANADA: 100-24 2000 AVENUE - SUITE 101 - R12 001

USA: 333 S. LOMA WILSON ROAD - LAS VEGAS, NV 89101

WWW.KUZCO.COM

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COMMENT

**General Note**

1. SEE SCHEDULE FOR LUMINAIRE MOUNTING HEIGHT.
2. SEE LUMINAIRE SCHEDULE FOR LIGHT LOSS FACTOR.
3. CALCULATIONS ARE SHOWN IN FOOTCANDLES AT: 0' - 0"

THE ENGINEER AND/OR ARCHITECT MUST DETERMINE APPLICABILITY OF THE LAYOUT TO EXISTING / FUTURE FIELD CONDITIONS. THIS LIGHTING LAYOUT REPRESENTS ILLUMINATION LEVELS CALCULATED FROM LABORATORY DATA TAKEN UNDER CONTROLLED CONDITIONS IN ACCORDANCE WITH ILLUMINATING ENGINEERING SOCIETY APPROVED METHODS. ACTUAL PERFORMANCE OF ANY MANUFACTURER'S LUMINAIRE MAY VARY DUE TO VARIATION IN ELECTRICAL VOLTAGE, TOLERANCE IN LAMPS, AND OTHER VARIABLE FIELD CONDITIONS. MOUNTING HEIGHTS INDICATED ARE FROM GRADE AND/OR FLOOR UP.

THESE LIGHTING CALCULATIONS ARE NOT A SUBSTITUTE FOR INDEPENDENT ENGINEERING ANALYSIS OF LIGHTING SYSTEM SUITABILITY AND SAFETY. THE ENGINEER AND/OR ARCHITECT IS RESPONSIBLE TO REVIEW FOR MICHIGAN ENERGY CODE AND LIGHTING QUALITY COMPLIANCE.

UNLESS EXEMPT, PROJECT MUST COMPLY WITH LIGHTING CONTROLS REQUIRMENTS DEFINED IN ASHRAE 90.1 2013. FOR SPECIFIC INFORMATION CONTACT GBA CONTROLS GROUP AT [ASG@GASSERBUSH.COM](mailto:ASG@GASSERBUSH.COM) OR 734-266-6705.

THE USE OF FIXTURE ALTERNATES MUST BE RESUBMITTED TO THE CITY FOR APPROVAL.

THIS DRAWING WAS GENERATED FROM AN ELECTRONIC  
IMAGE FOR ESTIMATION PURPOSE ONLY. LAYOUT TO BE  
VERIFIED IN FIELD BY OTHERS.

FOR INQUIRIES CONTACT GASSER BUSH AT  
QUOTES@GASSERBUSH.COM OR 734-266-  
6705.

MOUNTING HEIGHT IS MEASURED FROM GRADE TO FACE OF FIXTURE. POLE HEIGHT SHOULD BE CALCULATED AS THE MOUNTING HEIGHT LESS BASE HEIGHT.

[illegible]

**Plan View**  
Scale - 1" = 10ft



44 E FLINT  
PHOTOMETRIC LAYOUT  
GASSER BUSH ASSOCIATES  
WWW.GASSERBUSH.COM

**Designer**  
KS  
**Date**  
05/03/2024  
**Scale**  
Not to Scale  
**Drawing No.**  
#24-29039\_V1



## Note:

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Do not scale drawings. Use calculated dimensions only. Verify existing conditions in field.

North

Project Number: \_\_\_\_\_  
Project Number

# A.101

2



# First Floor Plan

1/8" = 1'-0"


[illegible]

## Note:

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Do not scale drawings. Use calculated dimensions only. Verify existing conditions in field.

North

A circular diagram with a vertical line and two diagonal lines forming a triangle at the top. The word "North" is written above the circle.

# A.102

# PRELIMINARY NOT FOR CONSTRUCTION



UNIT MIX			
	1 BEDROOM	2 BEDROOM	TOTAL
3RD FLOOR	1 UNITS	4 UNITS	5 UNITS
4TH FLOOR	1 UNITS	4 UNITS	5 UNITS
<b>TOTAL</b>	2 UNITS	8 UNITS	10 UNITS






## Note:

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Do not scale drawings. Use calculated dimensions only. Verify existing conditions in field.

North



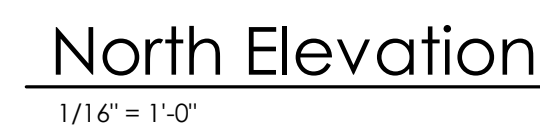
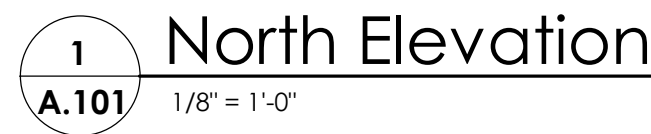
Project Number: \_\_\_\_\_  
Project Number

# A.103



## Fourth Floor Plan





<b>GLAZING PERCENTAGE (EAST ELEVATION):</b>	
1. OVERALL FILL FLOOR FACADE AREA:	1,071 SQ. FT.
2. OVERALL WINDOW AREA :	177 SQ. FT.
3. GLAZING PERCENTAGE:	(177 / 1,071) 17% PROPOSED < 50% REQUIRED
4. OVERALL UPPER FLOOR FACADE AREA:	3,198 SQ. FT.
5. OVERALL WINDOW AREA	655 SQ. FT.
6. GLAZING PERCENTAGE:	(655 / 3,198) 20% PROPOSED < 30% REQUIRED



**Note:**

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Do not scale drawings. Use calculated dimensions only. Verify existing conditions in field.

**North Arrow:**

Project Number: \_\_\_\_\_

Project Number

Scale: \_\_\_\_\_

Sheet Number: A.201





[illegible]

Seal:

**Note:**

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Do not scale drawings. Use calculated dimensions only. Verify existing conditions in field.

**North Arrow:**

Sheet Title:

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Exterior  
Renderings

Project Number: \_\_\_\_\_  
Project Number

Scale: \_\_\_\_\_

Sheet Number:  
A.300



View of front facade from E. Flint St.



View of front facade from E. Flint St.



View of front facade from E. Flint St.



PRELIMINARY NOT FOR CONSTRUCTION