



MCKENNA

September 30, 2025

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

Subject: **VLO-25-001 Eastport Village Mixed Use Development – Special Land Use Review #1** (Site Plan Dated July 3, 2025)

Location: **545 S. Broadway St. (East side of S. Broadway St, north of Glanworth Ave.)**
Village of Lake Orion Lots: Parcel #09-11-278-034 and 09-12-152-001
Orion Township Lots: Parcels #09-11-427-016, 09-11-427-017, 09-11-427-004, 09-11-427-006 and 09-11-427-007

Zoning: **MU – Mixed Use**

Dear Commissioners:

At the Village’s request, we have reviewed the above-referenced special land use application. The applicant is Mocerri Lake Orion, LLC. on behalf of the current property owner Jacobsen-Orion Properties, LLC.

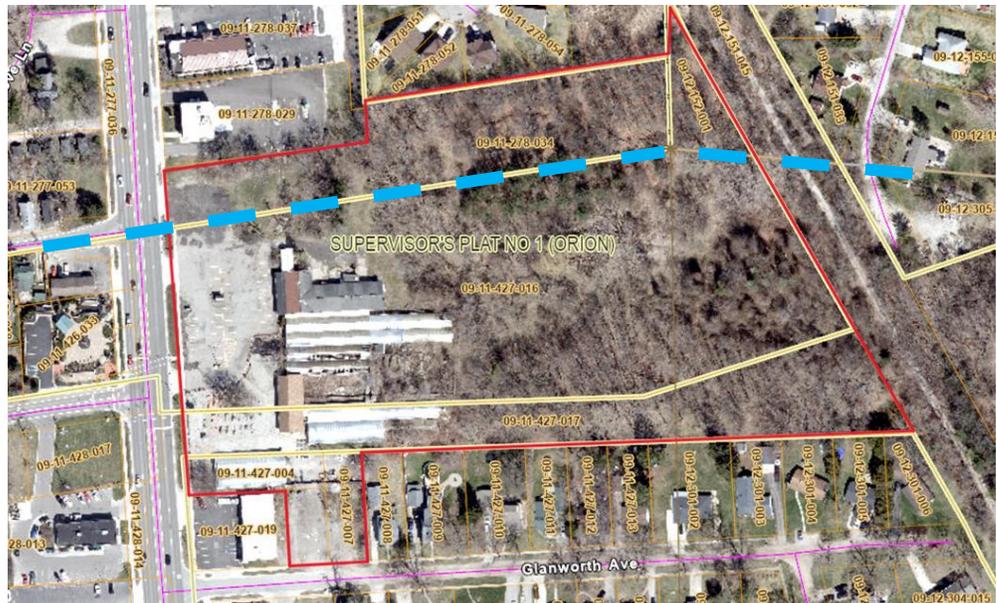
EXISTING AND PROPOSED DEVELOPMENT

The site is approximately 11.68 acres in area and is a partially developed site with an undeveloped area currently occupied by woodlands and vegetation. The property spans across multiple parcels, as well as both the Village of Lake Orion and Orion Township. The property line of the subject site is outlined in a red line on the aerial photo included below. The separation of the two municipalities is shown with the blue line on the photo. Majority of the proposed development is located in the Township, with just the northern portion being located in the Village. The site, within the Village, is zoned MU - Mixed Use.

The applicant is proposing to develop a mixed-use PUD consisting of one retail building and 55 residential units, 48 of which are single-family detached units, and seven live/work attached units.

SPECIAL LAND USE REQUIRED

Section 9.02.B.6 allows single family detached dwelling units to be located in the Mixed-Use district after special land use review and approval. Our special land use review comments follow.



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The proposed use will also require site plan approval, and our site plan comments are discussed in a separate letter.

SPECIAL LAND USE REVIEW COMMENTS

We have reviewed the application in accordance with the Lake Orion Zoning Ordinance standards and sound planning and zoning principles to provide helpful and constructive feedback on the use's compliance with required standards. Sec. 19.03(G) outlines the standards the Planning Commission must consider when determining if a site may be granted special land use approval. We offer the following comments for your consideration.

1. Protection of the Public Health, Safety, and General Welfare. *The establishment or maintenance of the special approval use shall not be detrimental to the public health, safety, or general welfare.*

The proposed mix of uses include commercial retailers and residential dwellings. The vast majority of existing uses in the area are commercial retailers and residential dwellings. The proposed uses will have the same characteristics as the existing uses and therefore would not introduce any new land use characteristics that existing uses are not already accustomed too. We do not anticipate the proposed development to be detrimental to the public in any way.

2. Compatibility With Surrounding Uses. *The special land use shall be located, designed, maintained and operated to be compatible with the existing or intended character of the zoning district in which it is located and with adjacent districts. In determining whether this requirement has been met, consideration shall be given to:*

a. The location and screening of vehicular circulation and parking areas in relation to surrounding development.

The proposed site parking is provided with a route circulation diagram for large trucks. The layout of the site seems to be efficient for circulation and for cohesion with surrounding development uses.

b. The location and screening of outdoor storage, outdoor activity or work areas, and mechanical equipment in relation to surrounding development.

There are no proposed outdoor storage, work areas, or mechanical equipment. The proposed open space and community amenity area is located within the jurisdiction of Orion Township.

c. The hours of operation of the proposed use. Approval of a special land use may be conditioned upon operation within specified hours considered appropriate to ensure minimal impact on surrounding uses.

While the applicant has not provided hours of operation for the commercial portion of the site, the majority of the property that is located within the Village are residences, which do not have operational hours and have minimal impact. The proposed commercial property is to be a retail or food business which should assume proper business hours and operate with limited impact to the surrounding uses.

d. The bulk, placement, and materials of construction of the proposed use in relation to surrounding uses. Any proposed building shall be compatible with the predominant type of building in the particular district in terms of size, character, location, or proposed use.



The construction should be completed with compatibility to the surrounding uses. The proposed commercial building is outside of the Village boundaries. The residential architecture and elevations have not been provided but mostly about other single family residential lots.

- e. *Proposed landscaping and other site amenities. Additional landscaping over and above the requirements of this Ordinance may be required as a condition of approval of a special land use.*

The proposed landscaping on the site meets the requirements of the Zoning Ordinance.

- 3. **Detrimental Effects.** *The proposed special land use shall not involve any activities, processes, materials, equipment or conditions of operation, and shall not be located or designed so as to be detrimental or hazardous to persons or property or the public health, safety and welfare. In determining whether this requirement has been met, consideration shall be given to the level of traffic, noise, vibration, smoke, fumes, odors, dust, glare, and light generated by the proposed use.*

As noted in paragraph 1 above, the proposed uses include commercial retailers and residences, which are the same as the existing uses. There will not be any introduction of land use activities that will generate noise, vibration, smoke, odor or other potentially detrimental characteristics. We do not anticipate the proposed special land use to be located or designed as to have detrimental or hazardous impacts to persons or property, due to the proposed uses on the property.

- 4. **Impact on Traffic.** *The location of the proposed special land use within the zoning district shall minimize the impact of the traffic generated by the proposed use. In determining whether this requirement has been met, consideration shall be given to the following:*
 - a. *Proximity and access to major thoroughfares and other public streets.*
 - b. *Estimated traffic generated by the proposed use.*
 - c. *Proximity and relation to intersections.*
 - d. *Adequacy of driver sight distances.*
 - e. *Location of and access to off-street parking.*
 - f. *Required vehicular turning movements.*
 - g. *Provisions for pedestrian traffic.*

The applicant has provided a traffic impact study dated April 2025. The study concludes that the intersections in the area currently operate at a Level of Service (LOS) D or better. Based on projected traffic volumes the LOS will remain the same except for eastbound Odanah Ave traffic attempting to make left turns onto S. Broadway St. The traffic impact study proposes mitigation measures including lane reconfigurations and traffic signal modernization to minimize the development's overall impact. ***We recommend any special land use approval granted by the Planning Commission be contingent upon the developer implementing all necessary traffic mitigation measures to ensure the LOS does not decrease from the current LOS.***

- 5. **Adequacy of Public Services.** *The proposed special land use shall be located so as to be adequately served by essential public services and facilities such as highways, streets, police and fire protection, drainage systems, water and sewage facilities, and schools, unless the proposal contains an acceptable plan for providing necessary services or evidence that such services will be available by the time the special approval use is established.*

The site should adequately be serviced by public services. The Plans includes a utility plan detailing the proposed and existing site utility access, which is mainly outside of the boundaries of the Village.



6. Protection of Site Characteristics. *The special land use shall preserve and incorporate the site's important architectural, natural, and scenic features in the development design.*

The site is currently occupied by a parking lot and wooded areas. Based on the tree survey provided by the applicant, the majority of the existing trees on the property in the Village is occupied by Box Elder, Norway Maples and other species which the Michigan Department of Natural Resources (MDNR) have found to be subject to known diseases or infestations or designates as invasive. The site does not appear to have important architectural or natural features which should be preserved. The proposed development would help to improve the overall image of the area, particularly from the view of the road.

7. Compatibility with the Natural Environment. *The proposed special land use shall be compatible with the natural environment and conserve natural resources and energy, and cause minimal adverse environmental impacts.*

As noted above, the portion of the site within the Village is occupied by tree species the MDNR has determined are subject to diseases or invasive. The proposed uses will not generate characteristics that would be detrimental to the natural environment. The proposed special land use is compatible with the natural environment.

8. Compatibility with the Master Plan and Intent of the Zoning Ordinance. *The proposed special land use shall be consistent with the general principles and objectives of the Village's Master Plan and shall promote the intent and purpose of this Ordinance and the use district in which the proposed use is located.*

The proposed development is mostly compatible with the Zoning Ordinance. Our comments can be found in the separate Site Plan Review letter regarding this application. The 2002-2022 Master Plan's Future Land Use Map identifies this area as Office where the parking lot is and Village Single Family where the residential use is.

RECOMMENDATION

The site is in compliance with the majority of the special land use standards, however, one issue must be addressed. If the Planning Commission determines the site warrants special land use approval, we recommend any approval be granted with the following conditions:

- A.** The developer implementing all necessary traffic mitigation measures cited in the traffic impact study to ensure the LOS does not decrease from the current LOS as a result of the project.
- B.** The project receiving site plan approval.

We look forward to reviewing these findings and recommendations with you. Please feel free to contact us with any questions.

Respectfully submitted,

McKENNA

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