

# PRELIMINARY PLANNED UNIT DEVELOPMENT (PUD)

## ELIGIBILITY & CONCEPTUAL REVIEW NARRATIVE

---

**Project:** Lumber Yard at Paint Creek

**Address:** 215 South Broadway Street, Village of Lake Orion, Michigan

**Application Type:** Preliminary Planned Unit Development (PUD) Eligibility & Conceptual Review

**Submitted By:**

Lake Orion Downtown Development Authority  
118 N. Broadway St. Lake Orion MI 48362

Contact: Matthew Gibb, Executive Director (248) 464-0307; gibb@downtownlakeorion.org

**Submitted To:**

Village of Lake Orion Planning Commission

**Date of Submission:** January 23, 2026

---



## Purpose of Preliminary PUD Eligibility Review

The purpose of this submission is to establish eligibility for use of the Planned Unit Development (PUD) zoning mechanism and to obtain conceptual approval of the proposed redevelopment framework for the Lumber Yard at Paint Creek prior to preparation and submission of final site plan drawings, engineered plans, or construction documents.

This Preliminary PUD Narrative is intended to confirm that the proposed redevelopment qualifies for PUD consideration under the Village of Lake Orion Zoning Ordinance, that the requested flexibility is appropriate given the site's historic constraints and public benefit objectives, and that the overall development concept is consistent with the Village Master Plan, Downtown Development Authority goals, and adopted planning policies.

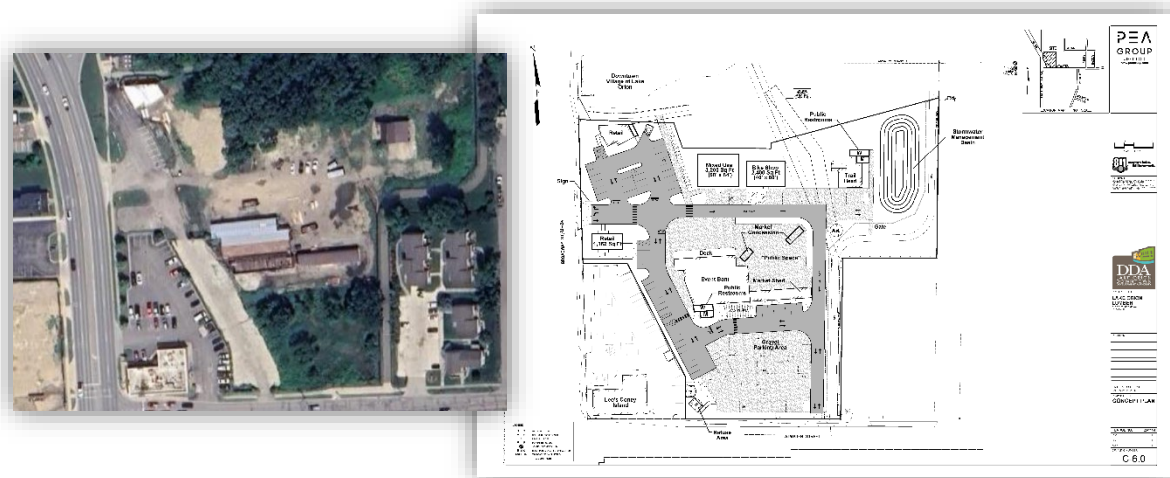
No final site plan approval, engineering approval, or authorization for construction is requested as part of this application. Detailed site layout, grading, utilities, building design, and code compliance will be addressed during subsequent Final PUD and Site Plan review phases.

---

## I. Project Overview

The Lumber Yard at Paint Creek reimagines one of Lake Orion's most significant historic industrial properties as a multi-functional public marketplace, cultural venue, trailhead destination, and extension of downtown retail and civic activity. The project emphasizes preservation-based redevelopment, adaptive reuse, and creation of substantial public amenities while reinforcing the historic character and spatial organization of the former lumber yard.

The redevelopment is centered on the restoration and activation of four primary historic structures and their surrounding grounds, transforming an underutilized site into a community-focused destination serving residents, visitors, and regional trail users.



# Key Components (Conceptual)

## Event Barn (Main Barn)

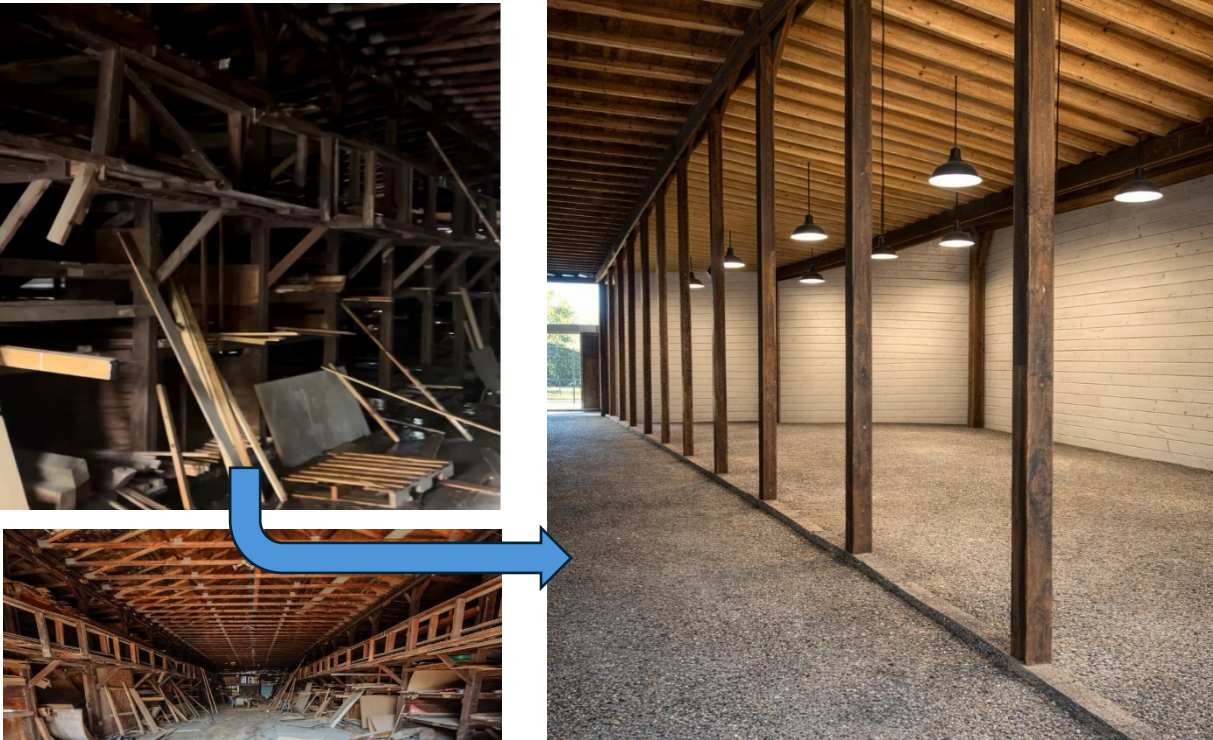
The historic main barn is proposed to be restored and adaptively reused as a flexible public market and event space. Conceptually, the space is designed to accommodate farmers markets, artisan vendors, performances, educational programming, and community gatherings in a manner consistent with its historic form and character.

The Barn consists of two primary spaces, for practical purposes identified as the Main Floor and the Annex. Each section is separately entranced but connected visually by large openings in the North wall. A description, status and rendering of goal is set forth as follows:

### Main Floor:

**Size:** This space is defined in the “As Built” drawings completed by Davis & Davis and is an approximate 4,600 sq ft open market/event space. The original post and beam construction is restored to allow the two sides of the space to be planned for seasonal vendor booths and/or and public gathering space.

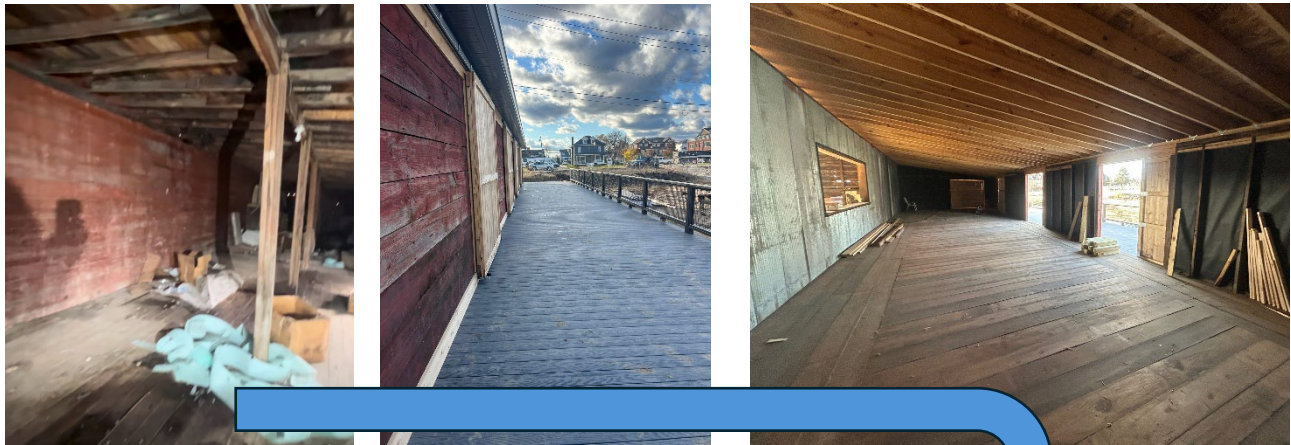
**Access:** The Main Floor is accessible from three main ingress/egress points. The East Barn Door(s) will be open, at grade, to a width of 18’ and height of ‘14’. This opens into the barn and onto a pre-existing hard surface floor. The Main Floor is also served on the West side by a 7’ wide 8’ tall glass paneled garage door and a 36” wide crash bar equipped door. The South side is fixed with three 7’x8’ glass panel garage doors, and will have an additional 36” crash door.



**ANNEX:**

**Size:** This space has a floor height that is 3.5' above the main floor grade and has a floor area of approximately 1400sq ft. It is supported by an attached exterior deck that is an additional 1200 sq ft.

**Access:** This space is open from the deck, at level, from five 6-7' barn doors that open and latch in place. Access into the annex and upon the deck from the ground level is done in two ways, at grade on the west end, where landscaping and p[aver walkway design will flow foot/accessible traffic into the space through a 7' barn door opening or directly to the 12' wide open deck (railed). There is also a 12' wide stair access on the north face of the deck.



## Market Pavilion

The former lumber rack structure on the East side the Main Barn is proposed to be repurposed as an open-air market pavilion providing vendor stalls for produce, flowers, seasonal markets, festivals, and artisan sales. This is an existing structure, rebuilt for structural capacity and as built approval by inspection. It will result in 11 stalls, each completely open air, and approx.. 160 sqft/each. The structure will be served on the South by a hard surface loading area that will also allow parking when market activity is not in use. Each stall will have overhead lighting and be served by a 20 Amp weather resistant GFI.



## Trailhead & Canopy Structure

A repurposed supply house canopy is envisioned to support Paint Creek Trail users with shaded gathering space and trail-oriented amenities, including public restrooms and wayfinding. This structure has been rebuilt to insure capacity an load, including the addition of new post supports, reinforced truss work and clipping for wind events. It will be powered to support accessory uses such as coffee, donuts, packaged water and soda as pop-up exterior uses.



## Outdoor Public Spaces

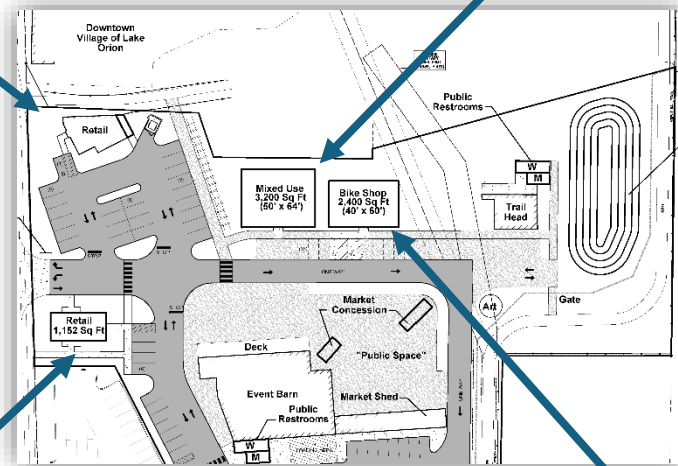
Conceptual plans include ADA-accessible decks, landscaped gathering areas, performance and event spaces, public art opportunities, and native or low-maintenance plantings. Public areas are planned on the North side of the market pavilion, the north side of the Annex, along the pedestrian path from Downtown behind the frontage retail, and around the trailhead. A trip generation report is attached hereto as Exhibit A. The anticipated use for public areas is as a gathering space, where pedestrians may relax, enjoy a beverage purchased at the market or form a retail use, events can host licensed activities.

**PUBLIC AREA:** the active public areas make up approximately 1.2 acres of total open space on the project. This accounts for 26% of the entire development area of the site.

**GREENBELT/LANDSCAPE:** the additional landscaping and natural plantings, including the retention area, overlay an additional .85 acres, resulting in a total open space on site of 2.05 acres or 49% of the development area.

## Commercial / Office Building & Supporting Structures

The historic office building is proposed for white-box renovation to support small-scale commercial uses such as a bakery or complementary retail. There are three proposed new development areas that are intended for pre-fabricated/stick built construction. These are intended for food service, LCC licensed beverage, bike shop, and downtown retail. Additional prefabricated or accessory structures may support these uses in later phases. All use categories will be a permitted use under the Mixed Use / Downtown zoning plan. This is in accord with the Village Master Plan.



## II. PUD-Specific Technical Considerations

### Utilities

Utilities are addressed at a conceptual level appropriate for Preliminary PUD review. Domestic water, sanitary sewer, electrical service, and fire protection infrastructure are anticipated to be coordinated through shared utility corridors aligned with internal circulation areas. Final sizing, routing, and connections will be determined during subsequent engineering review.

### Fire Access & Fire Protection

Fire access is a core organizing principle of the conceptual site framework. Internal circulation is designed to allow emergency vehicle access to primary structures without conflicting with pedestrian gathering areas. Fire protection systems and hydrant placement will be finalized during detailed design and reviewed by the Fire Marshal.

### Parking & Circulation

Parking is envisioned as shared, distributed parking serving multiple uses with differing peak demand periods. The site promotes a “park once, walk many” experience with strong pedestrian connections to downtown and the trail system. Event-related parking demand will be managed through a combination of on-site spaces, nearby public parking, and operational strategies.

A report reviewing the daily average trips generated by the site is attached as Exhibit A. In summary the report indicates:

For planning-level estimates, approximate average daily external vehicle trip rates are:

- Public market (7,040 sq ft market area):  $\approx 40$  vehicle trips / 1,000 sq ft  $\rightarrow$   $\sim 280$  daily vehicle trips
- Bakery (1,400 sq ft):  $\approx 80$  vehicle trips / 1,000 sq ft  $\rightarrow$   $\sim 110$  daily vehicle trips
- Bike shop (2,800 sq ft):  $\approx 30$  vehicle trips / 1,000 sq ft  $\rightarrow$   $\sim 85$  daily vehicle trips
- Brewery with food (2,000 sq ft effective guest area):  $\approx 120$  vehicle trips / 1,000 sq ft  $\rightarrow$   $\sim 240$  daily vehicle trips
- Hotel (8 rooms):  $\approx 6$  vehicle trips / room / day  $\rightarrow$   $\sim 50$  daily vehicle trips
- Trailhead (incremental site use):  $\sim 40$  daily vehicle trips (many additional person trips by bike/foot).
- Farmers market (when active on top of public market): Additional  $\sim 150$  daily vehicle trips and higher midday peak activity, informed by farmers market studies showing high person-trip intensity.

Proposing 129 Parking Spaces, subject to final sizing of stormwater.

## Occupant Load

Based on the traffic and person-trip analysis, the Lumber Yard functions as a distributed, indoor-outdoor destination with a design peak of approximately 350 people site-wide on the busiest days. This occupancy is spread across barns, pavilions, plazas, trail connections, and multiple tenant spaces, rather than concentrated in a single assembly hall. Final occupant loads will be confirmed at building permit, but these planning-level numbers demonstrate that life-safety, fire access, and circulation are well within manageable ranges. For methodology and breakdown of occupancy, see the Report attached as Exhibit B.

## Historic Preservation & Adaptive Reuse Strategy

Historic preservation is the foundation of the project. Development prioritizes retention of original building footprints, forms, and materials where feasible, with modern code-compliant improvements integrated sensitively. The PUD mechanism is essential to preserving the site's historic character while enabling viable modern use. Methodology applied for this adaptive and preservation based PUD is set forth in Exhibit C.

## Vision & Community Benefits

The proposed redevelopment delivers significant public benefit that exceeds what could be achieved under conventional zoning, including:

- Preservation and adaptive reuse of historically significant structures;
- Creation of the Village's first dedicated public market and event barn;
- Expansion and enhancement of the Paint Creek Trailhead with public amenities;
- New public gathering spaces supporting civic life and cultural programming;
- Economic opportunities for local vendors, artisans, and small businesses;
- Increased downtown visitation supporting existing businesses and events.

### III. Rationale for Planned Unit Development

The Planned Unit Development framework is essential to achieving the project’s preservation, public benefit, and placemaking objectives. Conventional zoning standards related to use, dimensional requirements, parking, and site layout are incompatible with the historic configuration of the site and would significantly limit adaptive reuse.

The PUD approach allows:

- Flexible integration of civic, commercial, cultural, and recreational uses;
  - Preservation of historic building footprints and spatial relationships;
  - Shared parking and circulation strategies appropriate for a downtown destination;
  - Phased implementation responsive to market demand and funding availability.
- 

### IV. Applicability to PUD Ordinance Standards (Eligibility)

The proposed redevelopment is appropriate for review under the Village of Lake Orion Planned Unit Development provisions. For purposes of Preliminary PUD eligibility, the project:

- Advances the intent and purpose of the PUD ordinance by delivering superior design and public benefit;
- Functions as a unified and comprehensively planned development;
- Is compatible with surrounding downtown uses and scale;
- Provides substantial public amenities and preservation outcomes;
- Demonstrates feasibility of infrastructure, access, and services;
- Aligns with the Village Master Plan and Downtown Development Authority objectives.

#### Preliminary PUD Eligibility

The Lumber Yard at Paint Creek represents a unique historic resource whose preservation and activation cannot be reasonably achieved under conventional zoning. The Planned Unit Development framework enables the Village to preserve historic structures, support phased and flexible redevelopment, and deliver significant public amenities that enhance downtown Lake Orion.

For these reasons, the project is appropriate for Preliminary PUD eligibility determination and conceptual approval, with final site plan, engineering, and permitting to follow in subsequent review phases.

## Phasing & Incremental Implementation

The Lumber Yard at Paint Creek is intentionally structured for phased redevelopment. Initial phases focus on restoration and activation of the Event Barn, Market Pavilion, and core public spaces. Subsequent phases include expanded commercial uses, hospitality elements, and additional site amenities. The PUD framework allows this incremental approach while maintaining overall site coherence and public benefit.

### Phase 1:

- Compete plan review and approval by April 2026
- Pursuant to a new zoning compliance permit, start foundational repair and expansion to reactive and obtain occupancy permit for original office, completed by May 2026.
- Close on all MDOT permit approval(s) including spillways access.
- Upon plan approval, commence public space development, utility stubbing, finish historic structure renovation and adaptive reuse, engage in protected soft opening of public areas, August/Sept. 2026
- Parking areas, stormwater, lighting, accessibility, seeking completion November 2026

### Phase 2:

- Upon plan approval, commence pad development, utility stubbing, pre-fabricated engineering, May 2026
- Construction of prefabricated structures, Summer 2026
- User build out, interior, glass, utility, fire, and permit compliance, seeking completion by March 2027
- Mixed use site fully open by June 2027

## V. Requested Action

The applicant respectfully requests that the Planning Commission determine that the proposed Lumber Yard at Paint Creek redevelopment:

1. Qualifies for consideration under the Planned Unit Development (PUD) provisions of the Village of Lake Orion Zoning Ordinance; and
2. Is appropriate for Preliminary PUD eligibility determination and conceptual approval, subject to conditions and further review.

## Scope of Review

At this stage, the Planning Commission is being asked to review the proposal at a **conceptual and eligibility level only**. The following are **not** requested or approved as part of this action:

- Final site plan approval;
- Engineered grading, drainage, or utility plans;
- Building design approval or construction authorization;
- Final parking counts or traffic analysis;
- Permits of any kind.

## Purpose of Preliminary PUD Eligibility Review

The purpose of this preliminary review is to confirm that the proposed redevelopment qualifies for use of the PUD zoning mechanism, that the requested flexibility is appropriate given the site's historic constraints and public benefit objectives, and that the overall development concept is consistent with the Village Master Plan and Downtown Development Authority goals.

Establishing PUD eligibility at this stage allows the applicant and the Village to proceed with detailed site planning and engineering with clarity, predictability, and reduced risk.

---

## Typical Outcomes of This Review

Upon completion of this review, the Village of Lake Orion may:

- Determine that the project is eligible for PUD consideration;
- Grant conceptual approval of the overall development framework;
- Identify conditions, parameters, or guiding principles to be addressed during Final PUD and Site Plan review;
- Direct the applicant to proceed with preparation of final plans and engineering.

Exhibit(s) A,B,C, and APPENDIX on the following pages



## Lumber Yard at Paint Creek

### Trip Generation & Foot Traffic Report

---

This report estimates the **vehicular trips** and **person trips (foot traffic)** anticipated from the proposed reuse of the historic barns and associated structures at the **Lumber Yard at Paint Creek** as:

- A **public market** (Thursday–Sunday, warm season with seasonal winter operations)
- A **farmers market** (Friday and Saturday in market season)
- A **formal trailhead** serving the adjacent trail system

and, in a full build-out scenario, with:

- A **bakery** ( $\pm 1,400$  sq ft)
- A **bike shop** ( $\pm 2,800$  sq ft)
- A small **8-room hotel**
- A seasonal **brewery with food**, using shipping-container bar and kitchen with outdoor seating

The intent is to provide **planning-level estimates** appropriate for:

- Planning Commission packet materials
- Market study and lease preparation
- Internal DDA project planning and communications

These are **reasonable, order-of-magnitude projections**, not a stamped Traffic Impact Study. Final engineering should refine them using the latest ITE Trip Generation Manual datasets and any local traffic counts.

### **A. Project Description & Operating Assumptions**

Program Description:

- Main barn usable interior floor area: approx. 5,500 sq ft
- Pavilion / market rack: 11 stalls  $\times$  140 sq ft  $\approx$  1,540 sq ft
- Total enclosed/open market area:  $\approx$  7,040 sq ft

Additional program elements (full build-out scenario):

- Bakery:  $\pm 1,400$  sq ft
- Bike shop:  $\pm 2,800$  sq ft
- Small hotel: 8 rooms
- Seasonal brewery with food: shipping-container kitchen + bar; effective guest area assumed  $\approx$  2,000 sq ft (containers plus outdoor seating)

## **B. Operating Schedule**

- Public market (general market use):
  - Open Thursday–Sunday, beginning in warm weather and transitioning to a smaller seasonal/winter market.
  - Typical operating hours: 9:00 a.m. to dark, extended later on weekends with music/events (anticipated every weekend in season).
- Farmers market:
  - Friday and Saturday, 9:00 a.m. to dark, during the regular farmers market season.
- Trailhead:
  - 7 days per week, dawn to dusk, supporting trail users, downtown visitors, and market patrons.
- Coffee / bakery service:
  - Coffee, donuts, and healthy options early morning through early afternoon, at least five days per week.
- Barn event space:
  - Assumed ~20 events/year, with event-day traffic “spikes” occurring primarily on weekend evenings. Event days are treated qualitatively in this report, with core numeric estimates focused on typical market days.

The report focuses on peak-season operation (warmer months when all elements are active).

## **C. Methodology & Key Assumptions**

### ***Data Sources***

- The ITE Trip Generation Manual (11th and 12th Editions) and related resources, which provide standard trip rates and methodologies for various land uses.
- Supplemental studies of farmers markets and agritourism/winery/brewery uses, which highlight higher person-trip activity and a stronger share of walking and biking for these uses.
- Summary tables of common trip generation rates for retail, restaurant, and lodging uses derived from the ITE manual.

Where no exact ITE land-use code exists (e.g., public/farmers market, small seasonal brewery), this report uses analogous land uses (specialty retail, restaurant, agritourism) and conservative mid-range rates.

### ***Land-Use Analogues***

Approximate land-use analogues used:

- Public & farmers market: Specialty retail / farmers market analogues (ITE specialty retail center + limited farmers market data).
- Bakery / coffee: Coffee/donut shop without drive-through (scaled down), with more walk/bike and sit-down activity than a high-turnover drive-through.
- Bike shop: Specialty retail.
- Hotel: Small hotel, 8 rooms, using typical hotel trip rates per room.

- Brewery with food: Treated similarly to a drinking place / sit-down restaurant, adjusted to reflect its seasonal, evening, and event focus.
- Trailhead: Modeled as a small park/trailhead with parking, recognizing that a large share of trail users are walk/bike arrivals from the neighborhood/downtown grid.

### ***Vehicle Trip Assumptions (Per Day)***

For planning-level estimates, approximate **average daily external vehicle trip rates** are:

- Public market (7,040 sq ft market area):  
 $\approx 40$  vehicle trips / 1,000 sq ft  $\rightarrow$   $\sim 280$  daily vehicle trips
- Bakery (1,400 sq ft):  
 $\approx 80$  vehicle trips / 1,000 sq ft  $\rightarrow$   $\sim 110$  daily vehicle trips
- Bike shop (2,800 sq ft):  
 $\approx 30$  vehicle trips / 1,000 sq ft  $\rightarrow$   $\sim 85$  daily vehicle trips
- Brewery with food (2,000 sq ft effective guest area):  
 $\approx 120$  vehicle trips / 1,000 sq ft  $\rightarrow$   $\sim 240$  daily vehicle trips
- Hotel (8 rooms):  
 $\approx 6$  vehicle trips / room / day  $\rightarrow$   $\sim 50$  daily vehicle trips
- Trailhead (incremental site use):  
 $\sim 40$  daily vehicle trips (many additional person trips by bike/foot).
- Farmers market (when active on top of public market):  
 Additional  $\sim 150$  daily vehicle trips and higher midday peak activity, informed by farmers market studies showing high person-trip intensity.

### ***Peak-Hour Assumptions***

- Combined uses (full build-out) are estimated to generate on the order of:
  - $\sim 100$  external vehicle trips in a typical design peak hour (late afternoon/early evening on a busy market day).
  - On farmers market days, this rises to about 140 external vehicle trips in the peak hour (approximate).

### ***Person-Trip, Mode Split & Internal Capture***

To convert vehicle trips to people and recognize your walkable downtown + trailhead setting, we assume:

- **Average vehicle occupancy:** 1.8 persons/vehicle (typical for mixed-use non-commute trips).
- **Non-motorized share (walk/bike):** approx. **30% of total person trips** for this site, reflecting strong trail, downtown, and internal circulation.
- **Internal capture between uses (full build-out):** approx. **30% reduction** in external vehicle trips due to cross-shopping and guests moving between the hotel, bakery, brewery, market, and bike shop **without re-entering the road system.**

---

## **Scenario Definitions**

*For clarity, two primary scenarios are presented:*

*Scenario A – Core Barn & Trailhead Program Only*

- . Public market (barn + pavilion)*
- . Farmers market (on designated days)*
- . Trailhead*
- . No bakery, bike shop, hotel, or brewery*

*Scenario B – Full Build-Out (Barns + All Tenants)*

- . All Scenario A uses*
  - . Plus bakery, bike shop, small hotel (8 rooms), and seasonal brewery with food.*
- 

### **D. Estimated Vehicle Trip Generation**

#### **Typical Peak-Season Day (Non–Farmers Market Day)**

Scenario A – Barns + Trailhead Only

- Daily external vehicle trips:  $\approx 325$  trips/day
- Peak-hour external vehicle trips:  $\approx 50$  trips/hour

Scenario B – Full Build-Out

After accounting for internal capture between uses:

- Daily external vehicle trips:  $\approx 575$  trips/day
- Peak-hour external vehicle trips:  $\approx 100$  trips/hour

#### **Farmers Market Days (Friday & Saturday in Season)**

On days when the farmers market is operating in conjunction with the public market:

Scenario A – Barns + Trailhead + Farmers Market

- Daily external vehicle trips:  $\approx 475$  trips/day
- (This reflects the base 325 plus  $\sim 150$  additional trips from farmers market activity.)

Scenario B – Full Build-Out + Farmers Market

- Daily external vehicle trips:  $\approx 725$  trips/day
- Peak-hour external vehicle trips:  $\approx 140$  trips/hour

These values reflect the “**most probable**” scenario rather than ultra-conservative or highly optimistic assumptions, per your direction.

## E. Estimated Person Trips & Foot Traffic

Using the mode split and occupancy assumptions (1.8 persons/vehicle, 30% non-motorized), the site supports a significantly larger **person-trip** volume than vehicle-trip volume, which is exactly the point of your trail-oriented, walkable design.

### Typical Peak-Season Day (Non-Farmers Market Day)

Scenario A – Barns + Trailhead Only

- Total daily person trips (all modes):  $\approx 825$  people/day
- Peak-hour person trips:  $\approx 125$  people/hour

Scenario B – Full Build-Out

- Total daily person trips (all modes):  $\approx 1,475$  people/day
- Peak-hour person trips:  $\approx 250$  people/hour

### Farmers Market Days

Scenario A – Barns + Trailhead + Farmers Market

- Total daily person trips:  $\approx 1,225$  people/day

Scenario B – Full Build-Out + Farmers Market

- Total daily person trips:  $\approx 1,875$  people/day
- Peak-hour person trips:  $\approx 350$ – $375$  people/hour (rounded as  $\approx 350$  for planning purposes)

These person-trip totals reflect:

- Market shoppers
- Farmers market patrons
- Trail users
- Hotel guests
- Bakery and coffee patrons (including strong AM peak)
- Brewery and food patrons (evening and weekend peaks)
- Cross-shopping between all on-site uses

**Design peak hour for vehicles** typically occurs **late afternoon / early evening**, when:

- Market activity is still present
- Brewery and food service is ramping up
- Music/events are underway on weekends
- Hotel guests are arriving or returning for dinner

Even under full build-out, this peak is roughly **100–140 vehicles/hour and 250–350 people/hour**, which is significant for site design but generally manageable for a downtown street network when paired with appropriate access management and on-site circulation.

## **F. Pedestrian, Bicycle, and Trailhead Emphasis**

An important qualitative conclusion is that the Lumber Yard at Paint Creek is a pedestrian- and trail-oriented destination, not a conventional auto-only commercial strip:

- Formal trailhead encourages arrivals by bicycle and on foot.
- Direct adjacency to downtown Lake Orion supports short “park once, walk many” trips.
- Internal connectivity (barn, pavilion, bakery, bike shop, brewery, hotel) increases internal capture and reduces repeated driveways interactions.
- The site’s programming (events, markets, outdoor seating) and design (decks, paths, plazas) intentionally favors walking and lingering.

For Planning Commission and Council, it is appropriate to emphasize that:

- While the vehicle trip generation is moderate, the person-trip generation is high, which is exactly what a thriving public market, historic barn reuse, and trailhead are supposed to do.

## **G. Traffic & Parking Implications (High-Level)**

At this planning level:

- 100–140 peak-hour vehicle trips is a moderate traffic load typically handled by a standard two-lane downtown street with appropriate access.
- Parking demand will be driven by peak overlapping activity (farmers market + brewery + evening events). Even so, the walk/bike share and internal capture significantly reduce the need for standalone parking compared to an auto-only strip center of equivalent square footage.
- Event days (weddings, concerts) will create spiky peaks; these should be handled through event management (shared lots, shuttle options, and clear wayfinding) rather than trying to size permanent infrastructure for the absolute peak.

The core barns + trailhead program (Scenario A) is expected to generate on the order of:

- ~325 external vehicle trips/day (typical day), rising to ~475/day on farmers market days.
- ~825–1,225 person trips/day depending on whether the farmers market is operating.

The full build-out with bakery, bike shop, small hotel, and brewery (Scenario B) is expected to generate on the order of:

- ~575 external vehicle trips/day (typical peak-season day) and ~725/day on farmers market days.
- ~1,475–1,875 person trips/day, with 250–350 people in the design peak hour.



## Occupancy Load Report

### Lumber Yard at Paint Creek – Planning-Level Analysis

This Occupancy Load Report provides planning-level occupant estimates for the Lumber Yard at Paint Creek redevelopment, derived directly from the previously prepared Trip Generation & Foot Traffic Report.

The intent is to:

- Demonstrate reasonable maximum occupant levels for code coordination
- Support fire access, life-safety, and circulation discussions
- Avoid premature or overly conservative assumptions prior to final tenant layouts and stamped construction drawings

This report is not a final code occupancy certification, which will be completed during building permit review once tenant layouts, furniture plans, and fire protection systems are finalized.

### **Methodology**

Rather than applying worst-case assembly factors uniformly across the site, this report:

- Uses observed person-trip volumes from the trip study
- Focuses on design peak hour occupancy, not cumulative daily totals
- Accounts for the distributed, indoor–outdoor, multi-use nature of the site
- Reflects real-world market, trailhead, and brewery behavior patterns

This approach aligns with how planning commissions and fire officials typically review adaptive reuse and outdoor market environments.

### **Design Peak Hour Reference (From Trip Report)**

| <b>Scenario</b>                | <b>Peak-Hour Person Trips</b> |
|--------------------------------|-------------------------------|
| Scenario A – Barns + Trailhead | ~125 people/hour              |
| Scenario B – Full Build-Out    | ~250 people/hour              |
| Scenario B + Farmers Market    | ~350 people/hour              |

These values already include:

- Market patrons
- Trail users
- Food & beverage customers
- Cross-shopping between uses
- Walk-in and bike-in visitors

## **Occupancy Distribution by Functional Area**

Because occupants are distributed across multiple spaces, the design peak hour does *not* result in all occupants loading into one structure.

### **Scenario B – Full Build-Out + Farmers Market (Design Peak)**

**Total Planning Occupancy:** ~350 persons (site-wide)

| <b>Area</b>                      | <b>Approx. Occupants</b> | <b>Notes</b>                             |
|----------------------------------|--------------------------|--|
| Main Barn (market + events)      | 140–160                  | Standing + browsing; not seated assembly |
| Pavilion / Market Stalls         | 60–70                    | Open-air, dispersed                      |
| Brewery + Outdoor Seating        | 60–80                    | High turnover                            |
| Trailhead / Paths / Plazas       | 40–60                    | Continuous movement                      |
| Bakery / Bike Shop / Hotel Lobby | 30–40                    | Distributed, short-stay                  |

Key Point: Occupancy is spread across indoor and outdoor areas, significantly reducing life-safety risk compared to a single enclosed assembly hall.

**Planning-Level Occupant Load Summary:** For entitlement, zoning, and PUD purposes, the following reasonable maximum planning loads are supported:

| <b>Scenario</b>            | <b>Planning Occupant Load</b> |
|----------------------------|-------------------------------|
| Typical Market Day         | ~250 persons site-wide        |
| Farmers Market / Event Day | ~350 persons site-wide        |
| Core Barn Area (subset)    | ~150 persons                  |

These figures are consistent with the observed person-trip volumes identified in the Trip Generation Report and reflect realistic operational conditions rather than theoretical maximums

### **Code & Fire Review Context**

- Final occupant loads will be established during **building permit review** per the Michigan Building Code.
- Final calculations will be based on:
  - Actual tenant layouts
  - Furniture plans
  - Fire separation
  - Sprinkler coverage
  - Outdoor area definitions



## **Distinguishing New Development from Historic Restoration in Municipal Review, Infrastructure Requirements, and Regulatory Application**

This Memorandum affirms why a historic restoration project, such as the Lumber Yard at Paint Creek, should not be reviewed or regulated using the same standards that apply to new development. The argument draws from planning practice, preservation policy, engineering norms, and the intent of state and federal laws governing redevelopment, stormwater, and construction.

### **Foundational Principle: New Development ≠ Historic Restoration**

*New Development:* A new development assumes:

- Vacant, undisturbed land
- No existing impervious surface
- No existing utilities, foundations, or structures
- No cultural or historic resources to preserve
- Full design freedom to shape the site
- Engineering standards applied at their strictest because the site can be fully re-graded, re-engineered, and optimized

*Historic Restoration / Adaptive Reuse:* A historic restoration project involves:

- Long-existing buildings, foundations, utilities, and soils
- Pre-existing impervious surfaces
- Legally recognized or municipally valued historic resources
- A primary public benefit: preservation of cultural heritage
- Structural, spatial, and environmental constraints that limit redesign options
- A regulatory expectation of flexibility because the project improves rather than creates conditions

Therefore, treating a historic restoration as if it were raw, greenfield land contradicts the core principles of planning, engineering, historic preservation, and redevelopment law.

## **Purpose of Redevelopment and Historic Preservation Policy**

*Public Policy Intention.* State and federal frameworks clearly encourage:

- Reuse of existing buildings
- Stabilization of historic sites
- Revitalization of downtowns
- Intensification of existing urban areas
- Avoidance of unnecessary demolition
- Reduction of sprawl and greenfield consumption

*Compliance Burden Must Be Proportional.* These policies assume that:

- Redevelopment receives reasonable regulatory flexibility
- New development receives the strictest application of standards

This is why programs like Brownfield TIF, Main Street, SHPO incentives, and redevelopment credits exist — they recognize that restoration is inherently more constrained.

## **Engineering and Site Constraints Are Fundamentally Different**

*Existing Foundations.* Historic sites contain:

- Old stone walls
- Timber-frame barns
- Masonry without reinforcement
- Settled or uneven substrates

Deep excavation or major grading can destabilize historic structures.

*Utilities and Unknown Subsurface Conditions.* Historic sites often include:

- Shallow utilities
- Abandoned lines
- Nonstandard connections
- Fill soils and buried debris
- Potential contamination

These factors eliminate feasibility for many new-development-style infrastructure installations.

*High Public Benefit = Lower Infrastructure Footprint*

- Tourism and cultural value
- Aesthetic improvement
- Property value uplift
- Pedestrian vibrancy
- Sustainability gains from reuse

## **Stormwater and MS4 Application Must Differ.**

New Development Standards Assume:

- No impervious surface
- No existing historical constraints
- Ability to install large basins or full-site infiltration systems

Historic Restoration Standards Must Consider:

- Existing impervious cover
- Limited infiltration potential
- Existing foundations and utilities
- Preservation constraints
- MS4's Maximum Extent Practicable (MEP) standard

**Legal distinction:** MS4 compliance for redevelopment is measured against MEP, not absolute performance.

***Historic restoration projects should be reviewed using:***

- Redevelopment stormwater standards
- Net imperviousness increases
- 90th percentile storm options
- BMP trains
- Alternative compliance allowances

## **Building Code Distinctions – Historic Buildings Are Not New Construction**

IEBC and Michigan Rehabilitation Code:

- Reduce requirements for historic buildings
- Allow alternative compliance

- Permit equivalent performance methods
- Discourage forcing prescriptive new construction standards on historic structures

*Planning & Zoning Distinctions: Land Use vs. Preservation Overlay*

Historic projects receive:

- Parking flexibility
- Dimensional variances
- Reduced landscaping requirements
- Modified utility standards

The policy goal is preservation, not demolition via regulatory burden.

*Public Interest Argument*

Historic restoration provides:

- Downtown revitalization
- Cultural preservation
- Tourism draw
- Sustainability benefits
- Enhanced walkability
- Identity and heritage continuity

The Lumber Yard at Paint Creek project is not a new development. It is a historic restoration within a constrained, previously developed site. Forcing new-development engineering and stormwater standards onto a preservation project contradicts MS4 law, the building code, planning practice, and the public policy goals of historic preservation. The correct regulatory path is redevelopment-level review, using flexibility built into MS4, IEBC, and local zoning to achieve compliance to the maximum extent practicable without damaging historic assets.

## Draft Findings of Fact – Preliminary PUD Eligibility

The Planning Commission of the Village of Lake Orion hereby makes the following findings for purposes of Preliminary Planned Unit Development (PUD) eligibility and conceptual review of the Lumber Yard at Paint Creek redevelopment:

### 1. PUD Eligibility and Purpose

The Planning Commission finds that the proposed redevelopment qualifies for consideration under the Planned Unit Development provisions of the Village of Lake Orion Zoning Ordinance. The project presents unique site conditions, including historic structures and preservation constraints, that warrant flexibility beyond conventional zoning standards.

### 2. Consistency with the Intent of the PUD Ordinance

The Planning Commission finds that the proposal is consistent with the intent and purpose of the PUD ordinance, as it promotes innovative, flexible, and high-quality development that delivers superior public benefit, historic preservation, and coordinated site planning.

### 3. Unified and Planned Development

The Planning Commission finds that the Lumber Yard at Paint Creek is proposed as a unified, comprehensively planned development in which buildings, parking areas, circulation, utilities, and open spaces function together as a coordinated whole rather than as independent or piecemeal uses.

### 4. Compatibility with Surrounding Uses and Downtown Context

The Planning Commission finds that the proposed uses, scale, and historic character of the project are compatible with surrounding downtown uses and are designed to reinforce, enhance, and complement the existing downtown environment.

### 5. Public Benefit

The Planning Commission finds that the proposed PUD delivers substantial public benefit, including preservation of historic structures, creation of public market and event spaces, enhancement of trailhead amenities, expansion of public gathering spaces, and economic opportunities for local vendors and businesses.

### 6. Infrastructure, Access, and Services

The Planning Commission finds that, based on conceptual review, the site can be adequately served by public utilities, fire access, parking, and circulation systems without adverse impact to surrounding properties or public infrastructure. Detailed engineering review will occur during subsequent approval phases.

## 7. Phasing and Flexibility

The Planning Commission finds that the proposed phased development approach is appropriate and consistent with the objectives of the PUD ordinance. The PUD framework allows incremental implementation while maintaining overall site coherence and public benefit.

## 8. Master Plan and Policy Consistency

The Planning Commission finds that the proposed redevelopment is consistent with the Village of Lake Orion Master Plan and Downtown Development Authority goals related to historic preservation, placemaking, economic development, trail connectivity, and creation of unique public destinations.

## 9. Scope of Approval

The Planning Commission finds that this action constitutes a determination of Preliminary PUD eligibility and conceptual approval only. Final PUD approval, site plan approval, engineering review, and permitting shall be required prior to construction.