

VILLAGE OF LEXINGTON  
**Planning Commission Special Meeting**  
**Via Zoom**  
January 20, 2021  
7 p.m.

**Regular Meeting called to order at 7:00 p.m. by Chairperson Mike Ziegler**  
**Roll Call** by Beth Grohman, Clerk  
**Present-** Stencel, Picot, McCombs, Morris, Fulton, Huepenbecker, Ziegler,  
**Absent** – Kaatz, Macksey  
**Others Present** –Holly Tatman, and 10 citizens

**Approval of Agenda:** Motion by Huepenbecker, seconded by McCombs, to approve the agenda as presented.

All ayes

Motion carried

**Public Comment –**

None Offered

**Old Business:**

**New Business:**

**1. Discuss Corridor Mixed Use- Design Guidelines, right-sizing, access, and dealing with double zoned lots-**

Huepenbecker reviewed the questions and answers that Adam Young (Wade Trim Planning consultant) gave to the Planning Commission.

**Interpretation of Intent of C-MU.**

In general, the PC does not need to be too caught up in interpreting the intent statement and what it specifically means by “small-scale pedestrian-oriented retail.” The C-MU zoning ordinance provisions, when applied, work to ensure that any retail use – whether it is a big box store or a mom and pop store – feels small scale and is pedestrian-oriented. These zoning ordinance provisions relate to building design, building and site layout, frontage standards, pedestrian/bicycle amenities, landscaping and screening. These key C-MU District provisions are found in Sections 4.8.5 (Siting and Building Requirements), 4.8.8 (Definitions and Rules pertaining to Siting and Building Requirements), 5.6.4 (Building Design) and 6.2 (Landscaping) of the zoning ordinance.

**Size of mall-Scale Retail.**

In general, the PC does not need to establish a size limitation on retail buildings. Again, the C-MU zoning ordinance provisions, when applied, work to ensure that any retail use – whether it is large or small – feels small scale and is pedestrian-oriented. See previous response.

**Specificity in Architectural Design and Materials.**

Lexington’s building design provisions, found in Section 5.6.4 of the ordinance, seem clear and strong enough to achieve higher quality building design. However, the

regulations will still allow for architectural creativity on the part of the owner. If the Village would like to be more specific about its optimum architectural character or a unified Village design scheme, consider developing a stand-alone design guidelines document.

### **MDOT and Access Management to State Roads.**

MDOT has jurisdiction over M-25 and M-90 and would need to review and approve any proposed driveways. The typical approach is that a developer would need to seek feedback from MDOT up-front so they know how MDOT's rules will affect their project design.

Reaching out to MDOT to better understand their access management standards was a good idea. The two "primary roads" in the Village are both under MDOT jurisdiction. The Village can consider adopting its own access management standards, but given MDOT's present jurisdiction, it may not be as critical to do so. However, it is always good to engage in these types of discussions and a corridor study may be a potential project to tackle down the road.

### **Dealing with double-zoned Lots.**

If a property is split-zoned, any development on that property could only occur on that portion of the property where the use is allowed. For example, if the property is split zoned industrial and residential, a proposed industrial use, as well as any accessory facilities that are needed to support that industrial use (i.e., parking areas, storm water detention facilities), could only occur on that portion of the lot that is zoned industrial. If that proposed industrial use needs to extend into the portion of the property zoned residential, a rezoning would first need to be secured.

### **Defining pedestrian-friendly.**

In a sense, your specific C-MU District requirements relating to building placement along the street, sidewalks, dooryards, pedestrian amenities, etc., work together and serve as your definition.

### **60 Day Moratorium on C-MU**

A moratorium could be considered with consultation from your Village attorney. However, the Village is well positioned with a new master plan and newly adopted ordinance requirements. Trust and rely on your ordinance requirement to produce good development that fits the character of the Village. Down the road, after the new regulations have been "tested" by new development, you may find that some "tweaks" are necessary. That is very common with a new zoning ordinance.

### **Greenbelt in north Corridor-Mixed Use**

Your zoning ordinance does require "greenbelts" along the road frontage. Within the C-MU District, buildings are required to be placed 15 feet from the front property line. This area (the "dooryard") is intended as a transitional area between the public realm and private property for pedestrian-oriented amenities (see Section 4.8.8,(5) of the ordinance). Further, a minimum 15-foot parking lot setback is outlined in the C-MU

District. Further to the north, the Industrial Mixed Use (I-MU) District requires a minimum 50-foot front greenbelt area (see Section 6.2.6 of the ordinance).

### **Depth of Fenestration**

A minimum viewing distance (in to the interior of the building for a depth of at least 12 feet) is stipulated for the CBD District but not the C-MU District. This may be a provision that you consider for the C-MU District down the road. For now, the specific and general fenestration standards of Sections 4.8.5 and 4.8.8,(7) will put the Village in a good position to ensure that the intent of the ordinance is met for any proposed development.

### **Parking Restrictions**

The prescriptive building placement standards of the C-MU District will be a key determinant for where the off-street parking lot can be located. For example, the C-MU building placement standards require the buildings to be along the road frontage (see Section 4.8.5); thus, the parking lot would have to be located in the side or rear. Beyond that, the C-MU district does require a minimum 15-foot front yard parking lot setback. One final note is that for any parking lot that is visible from a public road, Section 6.2.5,(2),(b) requires a solid wall at least 3 feet in height to be constructed along the perimeter to screen it from the road.

Tatman – Comments from Adam Young – Great idea to look at design guidelines put something in place that the Village may feel comfortable elaborating on it. One thing empathized that the Planning Commission spent a year and half working zoning ordinances that are very good and strong. Trust in the ordinance and trust in the process. If the Planning wants to set guidelines to keep the downtown charm it may be something to look into.

Picot reminded members of Tatman's comment at the previous meeting that the Planning Commission isn't about choosing which business come to the Village, rather about ensuring that they abide by the ordinance.

### **Public Comment –**

Dina Wurmlinger – Asked for a copy of the questions and answers presented.

Ed Jarosz – Commented M25-M-90 and further development, concerns on design guidelines, and enforcement of zoning ordinances.

**Adjournment** - Motion by Picot, seconded by Morris, to adjourn at 7:44 p.m.

All Ayes

Motion Carried

Beth Grohman  
Village Clerk