

**Village of Lexington
Public Hearing and
Planning Commission Regular Meeting
Village Hall, 7227 Huron Ave., Lexington, MI 48450
Wednesday, December 4, 2023
7 PM**

Call to Order Public Hearing: Mike Ziegler

The purpose of this hearing is to take comments on a proposed amendment to the Zoning Ordinance Section 3.5.2.2.

Each condominium lot shall front on and have direct access to a ~~public~~ street approved by the Village.”

Close the Special Hearing: Mike Ziegler

CALL TO ORDER REGULAR MEETING: Mike Ziegler

ROLL CALL: Beth Grohman

Members:	Ziegler	Stencil	Roehl	Kaatz
	Picot	Regan	Morris	Huepenbecker

APPROVAL OF AGENDA:

APPROVAL OF MINUTES:

Motion to approve the minutes of the Regular Meeting of November 6, 2023

Pages 1-3

PUBLIC COMMENT: (3-minute limit)

ZONING ADMINISTRATOR’S REPORT

OLD BUSINESS

Pages 4-18

1. **Update on the Capital Improvement Plan**
2. **Update on RRC**
3. **Consider approval of the final site plan for the Gielow Project**

NEW BUSINESS

1. **Amendment to Section 3.5.2.2. of the Zoning Ordinance**
Motion to approve amending Section 3.5.2.2. by deleting the word public.

PUBLIC COMMENT: (3-minute limit)

ADJOURNMENT

VILLAGE OF LEXINGTON
Planning Commission Regular Meeting
Village Hall
7227 Huron Avenue, Lexington, MI
November 6, 2023 7 p.m.

Regular Meeting called to order at 7:00 p.m. by Chairman Ziegler

Roll Call: Vicki Scott, Clerk

Present: Ziegler, Picot, Stencel, Regan, Roehl, Morris, Kaatz, Huepenbecker

Absent: None

Others Present: L. Adams, G. Brown, P. Muoio, K. DeCoster

Approval of Agenda:

Motion by Kaatz, seconded by Huepenbecker, to approve the agenda as amended, changing September 9, 2023 to September 11, 2023.

All ayes

Motion carried

Approval of Minutes:

Motion by Huepenbecker, seconded by Regan, to approve the minutes of the Regular Meeting of September 11, 2023, as presented.

All ayes

Motion carried

Motion by Kaatz, seconded by Huepenbecker, to approve the minutes of the Special Meeting of September 20, 2023, as presented

All ayes

Motion carried

Motion by Huepenbecker, seconded by Morris, to approve the minutes of the Special Meeting of October 12, 2023, as presented

All ayes

Motion carried

Motion by Huepenbecker, seconded by Kaatz, to approve the minutes of the Special Meeting of October 16, 2023, as presented

All ayes

Motion carried

Public Comment: None

Zoning Administrator's Report:

Lori Fisher gave a verbal zoning administrator's report and answered questions.

Motion by Roehl, seconded by Morris, to approve the zoning administrator's report as presented.

Discussion: Roehl offered to help in the Zoning Administrator's absence.

All ayes

Motion carried

Old Business:

1. Update on Gielow Project –

Fisher explained they have been communicating with Mr. Gielow, who said they have a new engineer on this project as of last week. She said she would contact him next week to see if they have set a date to submit the final site plans. The walls are up, but they have not seen anything for roof structures but are watching it closely.

2. Update on Brown Ridge Estates –

Fisher explained they have been in contact with Greg Brown, the developer. He has been working with his attorney to complete the master deed and the condominium bylaws required for a site condo project. He is looking for direction from the Village on whether it will be processed as a PUD or site condo.

Brown commented he had intended to apply as a site condominium. Fisher explained the thought with the PUD was that it would be an advantage to get around some of the requirements in the ordinance for a site condominium. She suggested we deal with fixing the ordinance, considering future developments. Discussion followed.

3. Harbor Update –

Roehl explained Edgewater gave their third presentation on November 1, 2023. This presentation was a proposed development plan based on the information gathered from the first two public meetings. Discussion followed.

4. RRC Update –

Huepenbecker reported the Council approved the ZBA Bylaws, but we still need an updated CIP Plan and a joint meeting between the Council, Planning Commission, and DDA. This meeting would be an opportunity for direct collaboration. Fisher will work on facilitating this.

New Business:

1. Approve Fee Schedule –

Motion by Huepenbecker, seconded by Roehl, to approve the fee schedule as presented. Discussion: Huepenbecker explained the cottage lot should be \$400. The PUD increased from \$400 to \$1,000. Discussion followed on the penalty for not pulling a permit and the 10% language in the draft.

Amended Motion by Huepenbecker, seconded by Roehl, to remove the words or 10% expansion and expansion, remodeling, or reconfiguration on both existing buildings of less than 500 sq. ft. and up to & greater than 500 sq. ft. and adding \$400 under cottage lots. Discussion: Roehl commented on the language 500 sq. ft. and up to or greater than 500 sq.

Amended Motion by Huepenbecker, seconded by Roehl, to change the language to expansion, alteration, remodeling, or reconfiguration of existing buildings of 500 ft. or greater and add \$400 under cottage lots.

Roll Call:

Ayes – Huepenbecker, Roehl, Stencil, Picot, Kaatz, Regan, Morris, Ziegler

Nays – None

Motion carried

2. Consider Amending Zoning Ordinance Section 3.5.2.2 and Schedule a Public Hearing for December 4, 2023 – "Each condominium lot shall front on and have direct access to a public street approved by the Village."

Motion by Morris, seconded by Picot, to consider amending Zoning Ordinance Section 3.5.2.2 and schedule a Public Hearing for December 4, 2023.

Discussion on public road versus private road.

Roll Call:

Ayes – Morris, Picot, Stencel, Roehl, Huepenbecker, Regan, Kaatz, Ziegler

Nays – None

Motion carried

3. Approve 2024 Meeting Schedule –

Motion by Huepenbecker, seconded by Kaatz, to approve the 2024 meeting schedule with removing one of the two March 4, 2024 dates.

All Ayes

Motion carried

Public Comment –

- Greg Brown commented on the fee schedule, charging a percentage of the project cost and a performance bond of 10% on large projects. He said he would submit all final site plans to Lori Fisher. Brown wants to move forward as a site condominium with public roads.

Adjournment - Motion by Huepenbecker, seconded by Picot, to adjourn at 8:01 p.m.

Respectfully submitted,
Vicki Scott



Wade Trim Associates, Inc.
 500 Griswold Street, Suite 2500 • Detroit, MI 48226
 313.961.3650 • www.wadetrim.com

November 29, 2023

Village of Lexington
 7227 Huron Avenue, Suite 100
 Lexington, MI 48450

Attention: Planning Commission

Re: Final Site Plan Review as Revised
 Gielow Pickles Proposed Cooler Building
 5140 Lakeshore Road (M-25)
 Wade Trim Job No.: LEX 6100-23D, Task 103

Dear Commissioners:

The applicant and property owner, Gielow Properties LLC (Gielow Pickles), is requesting site plan approval to construct a building addition, along with related site improvements, at their existing facility located at 5140 Lakeshore Road (M-25). For your reference, below is a table summarizing the key facts pertaining to this request:

<i>Summary of Facts</i>	
Property Address:	5140 Lakeshore Road (M-25)
Applicant:	Gielow Properties, LLC
Property Owner:	Gielow Properties, LLC
Property ID:	025-100-030-00 (according to Sanilac County GIS)
Project Location:	West side of Lakeshore Road, north of Lexington Boulevard
Property Size:	26.568 acres
Property Frontage:	Approximately 485 feet on Lakeshore Road
Existing Zoning of Property:	I-MU, Industrial Mixed Use
Future Land Use Designation of Property:	Light Industrial (part of North Gateway)
Current Use of Property:	Industrial/manufacturing
Proposed Use:	Industrial/manufacturing
Allowance for Use:	Principal permitted use within the I-MU District

The proposed project will consist of the construction of new 52,800-square-foot cooler building at the rear (to the west) of their existing 52,225 square foot building. Additional improvements will include a new 73-space asphalt off-street parking area to the rear (west) of the proposed building, exterior lighting, landscaping, utility infrastructure, and a retention pond.

Revised Site Plan

We reviewed a prior version of the site plan and provided comments in a letter dated October 12, 2023. This is a revised site plan which has been submitted to address the comments in our prior review letter. The revised site plan has been prepared by ORA, Inc., Architects/Engineers. No revision date is included on the site plan; however, the electronic site plan file is labeled with the date of November 13, 2023. Site plan sheets include: Underground Storm Piping Plan (C1); Paving & Grading Plan (C2); utility details sheet (C3); Site Profile Section (C4); Soil Erosion Plan (C5); soil erosion notes sheet (C6); Landscape Plan (C7); Lighting Plan (C8); and Parking Plan (C9).

For your reference, below is a summary of the key changes that have been incorporated into this revised site plan:

- The property lines are clearly shown on this revised site plan; additionally, the site plan now shows that this site is presently two separate properties (ID #025-100-030-00 and 025-100-140-00).
- Notes have been added to indicate that the existing gravel access drive, which runs through the center of the property, will be improved with “proposed asphalt over the existing gravel.”
- The Landscape Plan Sheet C7 now shows a double row of evergreen trees to be provided within the M-25 frontage area of the site (9 total trees in comparison to 4 trees in the original plan). This complies with the requirements of Section 6.2.6,(1) of the Village Zoning Ordinance.
- The Lighting Plan Sheet C8 now indicates the location of two proposed light poles within the new parking area behind the proposed cooler building and five new wall mounted lights on the proposed cooler building.
- The Parking Plan Sheet C9 now shows 73 total parking spaces (2 of which are barrier free) to be provided within the new off-street parking lot to the west of the proposed cooler building. This new parking would be in addition to the 26 parking spaces (6 of which are barrier free) within the existing parking lot. The applicant has indicated that there are 91 total employees. Thus, the existing and proposed parking, in combination, is sufficient for warehouses and storage buildings per Section 9.4.1 of the Zoning Ordinance.

Site Plan Review Comments

We have reviewed the revised site plan for compliance with the Village of Lexington Zoning Ordinance requirements and sound planning principles. Our comments are provided below:

1. The site plan revision date must be indicated the site plan sheets.
2. There are numerous informational elements for site plans, as required by Section 3.4.3,(2) and Section 3.4.4,(2) of the Zoning Ordinance, which have not been provided. These include:
 - The previous version of the site plan included the professional engineer’s and professional architect’s seal; this revised site plan does not
 - No contact information for Gielow Pickles is provided
 - No location map is provided
 - Existing and proposed height of buildings is not shown
 - Existing and proposed public water and public sanitary sewer lines and service leads are not shown
 - Existing signage (locations and size) at the site is not shown; proposed signage, if any, must be shown
 - Designated fire lanes are not shown
 - The site plan does not include a description of the soil characteristics of the property

- The site plan does not indicate whether any wetlands are located on the property
3. Sheets C1 and C2 indicate that existing gravel access drive, which runs through the center of the property, will be improved with “proposed asphalt over the existing gravel.” This note must also be included on Sheets C7, C8 and C9 (these sheets continue to indicate “existing gravel” surface).
 4. A note has been added to Sheet C9 indicating that “garbage containment is in existing units located on site” and that “no additional garbage containment is needed.” However, the location and screening (if any) of these garbage units is not indicated on the site plan. The Planning Commission should determine whether this is acceptable. This site expansion project is an opportunity for the Planning Commission to consider and require site upgrades such as garbage container screening in accordance with Section 6.2.9, if warranted.
 5. Sheets C1 and C2 include a “100’ ROW” line for M-25, which is 100 feet from the M-25 centerline. Based on MDOT right-of-way maps available online, it appears that the M-25 right-of-way is 100 feet wide in total (50 feet on either side of the centerline). Sheet C1 should be revised to show the right-of-way line being 50 feet from the centerline, not 100 feet. The correct right-of-way line should also be included on Sheets C7, C8 and C9.
 6. No architectural drawings of the building have been provided. We cannot verify whether the proposed building will conform to the maximum building height for the I-MU District (2 stories/40 feet) (see Section 4.11). The Planning Commission also cannot determine whether the design of the proposed building complies with the building design standards of Section 5.6.
 7. Section 5.28.1 requires not less than one site amenity to be provided which enhances safety and convenience and promotes walking or bicycling as an alternative means of transportation. Site amenities may include bike racks, drinking fountains, canopies, and benches. No such amenities are provided.
 8. Section 5.28.2,(1) requires a minimum 5-foot-wide sidewalk to be constructed along the street frontage. No sidewalk is provided.
 9. Section 6.2.3,(7) requires the Landscape Plan to include a statement that all diseased, damaged, or dead landscape materials shall be replaced in accordance with standards of the Village Zoning Ordinance; this has not been provided.
 10. Internal parking lot landscaping is required per Section 6.2.5; however, no internal parking lot landscaping is proposed on the plan. (The Parking Plan Sheet C9 shows the location of two internal parking lot landscaping islands, but the Landscape Plan does not show these islands nor any trees within the islands.)
 11. Section 6.2.5,(1),(a) does not allow for a continuous row of more than 16 parking spaces without being separated by an internal landscaping island. Sheet C9 shows a continuous row of 28 parking spaces without any internal landscaping island.
 12. Review of the site plan by the Village Engineer should occur to ensure that the site is designed, constructed, and maintained to prevent flooding and protect water quality, in accordance with Section 6.11.

Recommendation

Ultimately, we are in support of the project and approval of the site plan by the Planning Commission. However, a revised site plan should be submitted which addresses the above noted concerns. The Planning Commission may consider the submittal of a revised site plan as a condition of approval.

If you have any questions, please do not hesitate to contact me directly at 313.961.3650 or by e-mail at ayoung@wadetrim.com.

Very truly yours,

Wade Trim Associates, Inc.



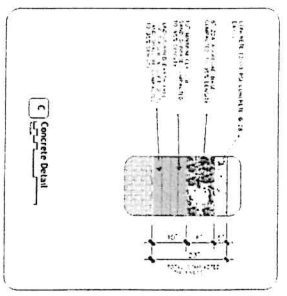
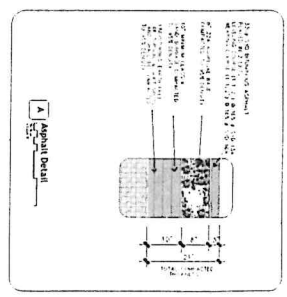
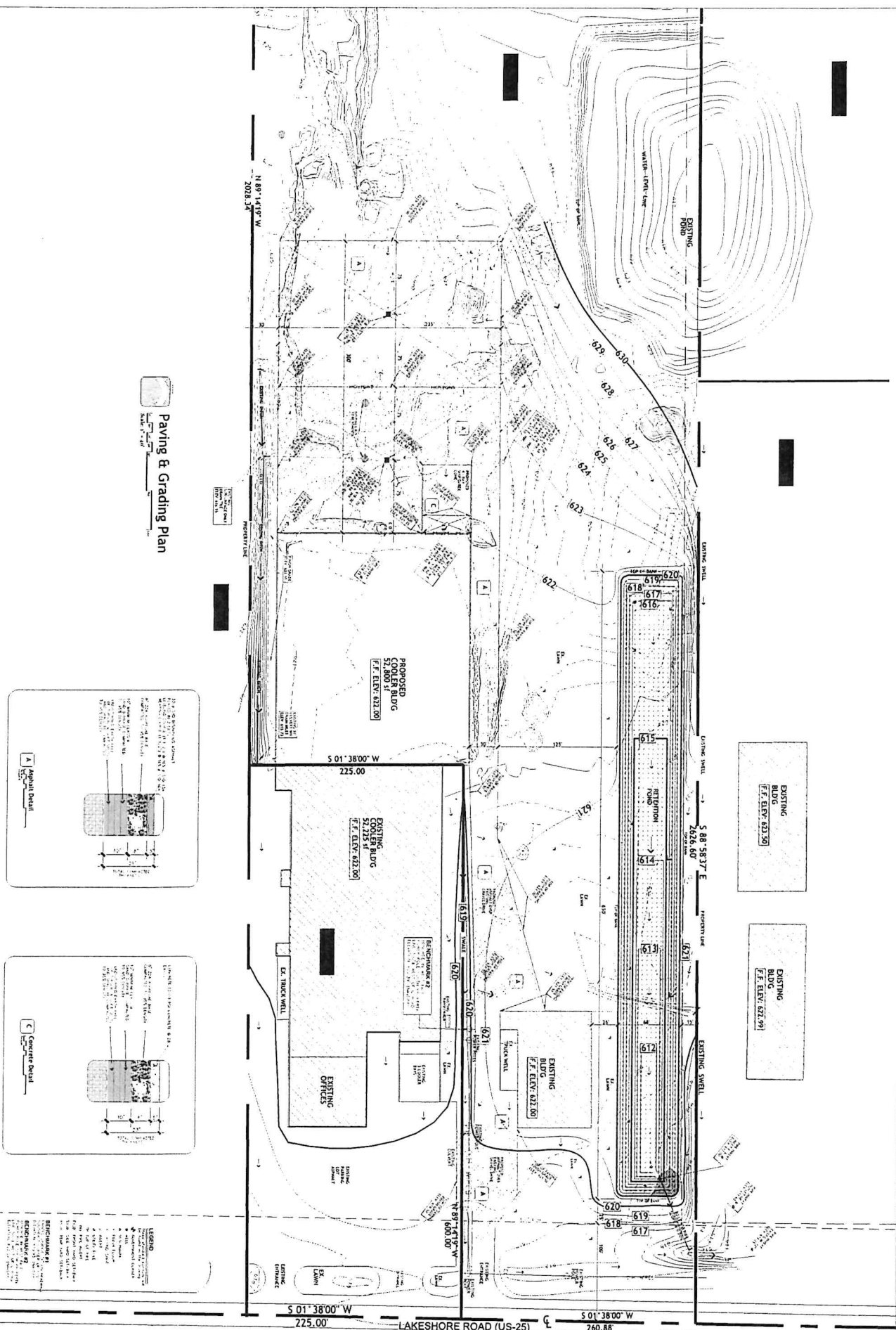
Adam C. Young, AICP
Professional Planner

ACY:lkf
LEX 6100-23D
20231129_Gielow Pickles Final SP Review Revised-Ltr.docx

Paving & Grading Plan



Scale: 1" = 40'



LEGEND

Proposed	Existing
Asphalt	Concrete
Gravel	Subgrade
Water	Electric
Gas	Sewer
Retention	Drainage
Water Level Line	Property Line
Utility Lines	Structure

BENCHMARK #1
 52775.00 ±
 622.00 ±

BENCHMARK #2
 52800.00 ±
 622.00 ±

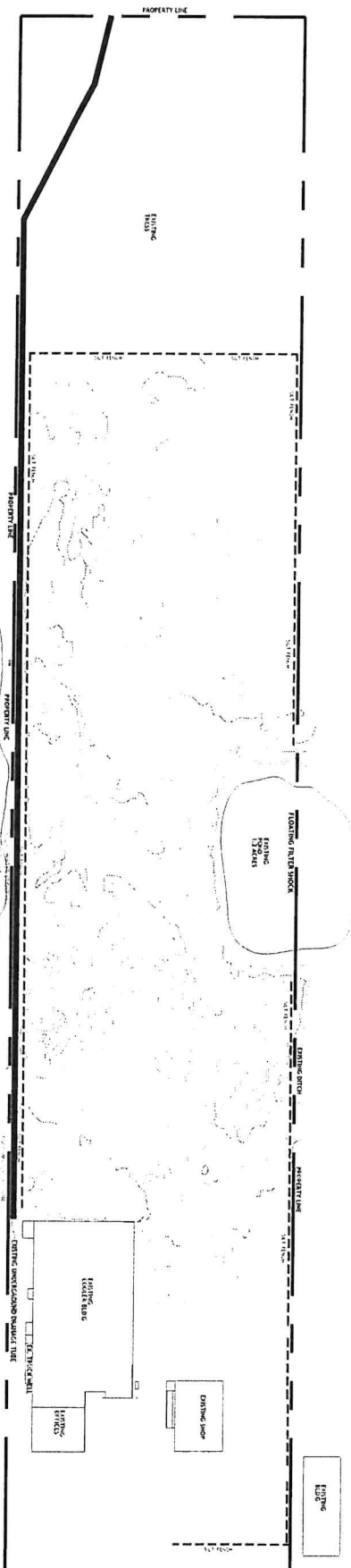
New Building For
 Project Number
 Date
 62

NOT A CONTRACT DOCUMENT
 THIS PLAN IS FOR INFORMATION ONLY
 THE CONTRACTOR SHALL VERIFY THE ACCURACY OF ALL INFORMATION
 SHOWN HEREON AND SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY
 PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES
 THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY
 PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES

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TRAVERS CITY, MO 64664

ora inc
 ARCHITECTS / ENGINEERS



SESSC NOTES

1. The proposed building shall be constructed in accordance with the provisions of the International Building Code, 2003 Edition, as amended.
2. The proposed building shall be constructed in accordance with the provisions of the International Building Code, 2003 Edition, as amended.
3. The proposed building shall be constructed in accordance with the provisions of the International Building Code, 2003 Edition, as amended.
4. The proposed building shall be constructed in accordance with the provisions of the International Building Code, 2003 Edition, as amended.
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9. The proposed building shall be constructed in accordance with the provisions of the International Building Code, 2003 Edition, as amended.
10. The proposed building shall be constructed in accordance with the provisions of the International Building Code, 2003 Edition, as amended.

MAINTENANCE NOTES

1. The proposed building shall be constructed in accordance with the provisions of the International Building Code, 2003 Edition, as amended.
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10. The proposed building shall be constructed in accordance with the provisions of the International Building Code, 2003 Edition, as amended.

CONSTRUCTION SEQUENCE

1. Excavate and prepare foundation.
2. Construct foundation walls and footings.
3. Erect steel frame.
4. Install roof trusses.
5. Install roof decking.
6. Install exterior walls.
7. Install interior walls.
8. Install floor joists.
9. Install floor decking.
10. Install roof finish.
11. Install exterior finish.
12. Install interior finish.
13. Install mechanical, electrical, and plumbing.
14. Install fixtures and equipment.
15. Final inspection and occupancy.

DEWATERING

1. Excavate and prepare foundation.
2. Construct foundation walls and footings.
3. Erect steel frame.
4. Install roof trusses.
5. Install roof decking.
6. Install exterior walls.
7. Install interior walls.
8. Install floor joists.
9. Install floor decking.
10. Install roof finish.
11. Install exterior finish.
12. Install interior finish.
13. Install mechanical, electrical, and plumbing.
14. Install fixtures and equipment.
15. Final inspection and occupancy.

GENERAL CONSTRUCTION NOTE:

1. All construction shall be in accordance with the provisions of the International Building Code, 2003 Edition, as amended.

2. The proposed building shall be constructed in accordance with the provisions of the International Building Code, 2003 Edition, as amended.

3. The proposed building shall be constructed in accordance with the provisions of the International Building Code, 2003 Edition, as amended.

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10. The proposed building shall be constructed in accordance with the provisions of the International Building Code, 2003 Edition, as amended.



WASHINGTON ST

WASHIN

LAKE ST



3

Administration & Enforcement

Any changes not listed in a-d shall be reviewed by the Zoning Administrator for compliance with this Ordinance. If approved, the Zoning Administrator shall make a record of such approval and place a copy in the property file.

3.4.7. Modification of Plan During Construction.

All improvements shall conform to the final site plan. It shall be the responsibility of the applicant to notify the Zoning Administrator of any such changes prior to such change being made. Any changes which result in a material alteration of the site plan approved by the Planning Commission shall require resubmittal to the Planning Commission. The Planning Commission or Zoning Administrator may require the applicant to correct the changes so as to conform to the approved final site plan.

3.4.8. Phasing of Development.

The applicant may, at his discretion, divide the proposed development into two (2) or more phases. In such case, the preliminary site plan shall cover the entire property involved and shall clearly indicate the location, the size, and character of each phase. A final site plan may be submitted for review and approval for each phase.

3.4.9. Inspection.

The Zoning Administrator or designee shall be responsible for inspecting all improvements for conformance with the approved final site plan, prior to issuing a certificate of occupancy. All sub-grade improvements such as utilities, sub-base installations for drives and parking lots, and similar improvements shall be inspected and approved prior to covering. The applicant shall be responsible for requesting the necessary inspection.

3.4.10. Violations.

The approved final site plan shall regulate development of the property and any violation of this Article, including any improvement not in conformance of the approved final site plan, shall be deemed a violation of this Ordinance as provided in Article 1 of the Code of Ordinances, and shall be subject to all penalties therein.

SEC. 3.5 SITE CONDOMINIUM PROJECT REGULATIONS

3.5.1. Intent.

Pursuant to the authority conferred by Section 141 of the Condominium Act, preliminary and final site plans shall be regulated by the provisions of this Ordinance and subject to the review by the Planning Commission and approval of the Village Council.

3.5.2. General Requirements.

1. Each condominium lot shall be located within a zoning district that permits the proposed use.
2. Each condominium lot shall front on and have direct access to a public street approved by the Village.
3. For the purposes of this ordinance, each condominium lot shall be considered equivalent to a single lot and shall comply with all regulations of the zoning district in which located, and the provisions of any other statutes, laws, ordinances, and/or regulations applicable to lots in subdivisions.

