### Village of Lexington Public Hearing and

### Planning Commission Regular Meeting

Village Hall, 7227 Huron Ave., Lexington, MI 48450 Monday, February 12, 2024 7:30 PM

Call to Order Public Hearing: Mike Ziegler

The purpose of the public hearing is to take comments on the Brown Ridge Estate Planned Unit Development (PUD) in accordance with Section 7.3.2 of the Zoning Ordinance.

Close the Public Hearing: Mike Ziegler

CALL TO ORDER REGULAR MEETING: Mike Ziegler

**ROLL CALL:** Vicki Scott

Members: Ziegler Stencel Roehl Kaatz

Regan Morris Huepenbecker

APPROVAL OF AGENDA

APPROVAL OF MINUTES Pages 1-3

Motion to approve the minutes of the Regular Meeting of January 2, 2024

PUBLIC COMMENT: (3-minute limit)

ZONING ADMINISTRATOR'S REPORT

Pages 4

OLD BUSINESS Pages 5-7

Capital Improvement Plan – Lori Fisher
 Motion to approve the Capital Improvement Plan and recommend adoption to Council

2. RRC Update - Lori Fisher

NEW BUSINESS Pages 8-47

Consider approval of a Planned Unit Development for Brown Ridge Estates
 Motion to approve the Planned Unit Development for Brown Ridge Estates
 and forward it to Council for their consideration.

**PUBLIC COMMENT:** (3-minute limit)

**ADJOURNMENT** 

### VILLAGE OF LEXINGTON

### Planning Commission Regular Meeting Village Hall 7227 Huron Avenue, Lexington, MI January 2, 2024 7 p.m.

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

Roll Call: Vicki Scott, Clerk

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

Absent: Kaatz

Others Present: L. Fisher, D. Klaas, P. Muoio

### Approval of Agenda:

Motion by Huepenbecker, seconded by Morris, to approve the agenda as amended, changing

the day to Tuesday, January 2, 2024.

All ayes

Motion carried

### **Approval of Minutes:**

Motion by Regan, seconded by Roehl, to approve the minutes of the Regular Meeting of December 4, 2023, as presented.

All ayes

Motion carried

Public Comment: None

### Zoning Administrator's Report:

D. Klaas explained the zoning administrator's report and answered questions. Motion by Huepenbecker, seconded by Regan, to approve the zoning administrator's report as presented.

All ayes

Motion carried

### **Old Business:**

### 1. Update on Gielow Project -

D. Klaas stated he received the new plans from Doug and Craig, however, they have not addressed all the concerns of our engineer, Townley or planner, Young (Wade Trim). Klaas cannot approve their site plan and there was a 20-day window in the motion that was approved. Morris noted that motion is now null and void and suggested deferring it or putting it in abeyance to December 2024. Klaas stated the site plan will expire in April 2024.

Klaas noted there were some concerns with Greg Brown's second phase of his project with the tree line. Gielows are willing to put up a berm along that hill.

Morris suggested the language that was passed last month that is no longer valid in the original motion should be added back in for the final site plan.

Klaas spoke with Greg Brown about a sidewalk from his entrance continuing down past Gielow's with lighting. In between Gielow's and Greg Brown's property there are two township properties. Brown will talk to them about getting an easement. Discussion followed. Mr. Townley would like to see this on the final site plan.

We are waiting for a completed final site plan. Klaas noted they plan for the current pond to remain a pond. Discussion followed. Morris stated we need to have adequate time to review this, or it shouldn't go on the agenda.

### 2. Update on Brown Ridge Estates -

Klaas reported they reviewed a list of requirements and the ordinance with Mr. Brown, and he is aware of the information that is needed. There was one slight change in the second culde-sac portion. Lori Fisher explained once the proper documentation is in, the administration should be able to schedule the public hearing in lieu of Planning Commission having a meeting to make a motion. Greg Brown plans to have his documentation in before the February meeting. Discussion followed on the fire chief signing off on the size of the cul-desac and final site plan.

### 3. Capital Improvement Plan Update -

Fisher explained they are very close to having it updated. Many projects were reliant on grant funding that may not come to fruition. Chris Heiden will update what timeframe these projects may happen. Discussion followed.

### 4. RRC Update -

Ziegler thanked Dave Picot for volunteering his time spearheading this effort. Picot shared a powerpoint presentation on Trello. Picot explained the active tasks and what needs to be completed. Lori Fisher will handle updating Trello and facilitate a joint meeting with the Planning Commission, Council, and DDA. Discussion followed.

### **New Business:**

### 1. Election of Officers: -

Motion by Morris, seconded by Roehl, to nominate Mike Ziegler for Chairperson.

Roll Call:

Ayes - Morris, Roehl, Regan, Huepenbecker, Stencel, Ziegler

Navs - None

Motion carried

Motion by Huepenbecker, seconded by Morris, to nominate Steve Stencel as Vice Chairperson.

Roll Call:

Ayes - Huepenbecker, Morris, Ziegler, Regan, Roehl, Stencel

Nays - None

Motion carried

Motion by Morris, seconded by Ziegler, to nominate Jackie Huepenbecker as Secretary. Roll Call:

Ayes - Morris, Ziegler, Stencel, Regan, Roehl, Huepenbecker

Nays - None

Motion carried

2. Consider changing the meeting date from February 5 to February 12 at 7:30 p.m. – Motion by Morris, seconded by Roehl, to approve changing the February meeting date from February 5 to February 12 at 7:30 p.m.

All ayes

Motion carried

### 3. Planning Commission Annual Report for 2023 -

Motion by Morris, seconded by Roehl, to approve the 2023 Annual Report as amended, adding Will Morris name on page 7 and removing Dave Picot as he was added twice and correcting Steve's last name to Stencel.

All Ayes

Motion carried

4. **Discussion on permitting 3-story buildings in the Corridor Mixed Use Zone** – Huepenbecker suggested it should follow the design guidelines. This would be for the CMU zone off of M-25. Discussion followed on different height requirements of a three-story buildings. Huepenbecker stated we need to stay consistent. Board members agree to come back with more research.

### 5. Ethics Statement -

Fisher explained this is the first board to sign the new ethics statement. Discussion followed.

### **Public Comment -**

- Peter Muoio (7276 Lester) commented on having the fire chief sign off on the expansion project and the corner lots along Washington Street.
- Steve Stencel commented on Lexington being awarded \$300,000 from the 1.4-million-dollar grant that was applied for.

Adjournment - Motion by Huepenbecker, seconded by Roehl, to adjourn at 8:43 p.m.

Respectfully submitted, Vicki Scott

### Zoning Administrator Report Village of Lexington February 7, 2024

Date: 2/7/2024

### Gielow Project Update:

### Status of Site Plans:

Gielow's Final Site Plan has been reviewed and we currently issues that still need to be addressed before Final Site Plan approval can be issued.

### Greg Brown Project Update:

Final Site Plan Approval is being present tonight for Planning Commission approval.

(2) Land Use Permit Applications: 7302 Hubbard St. (Shed) Brow Ridge Estates (Sign)

- (0) Zoning Ordinance Violations N/A
- (0) Code Ordinance Violations N/A

### **Zoning Administrators Notes:**

As the Zoning Administrator, I've been actively collaborating with Gielow Pickles to move their project forward and get approval for their Final Site Plan. While progress is underway, there are still a few outstanding matters that require attention. Additionally, I've been in discussions with Greg Brown to finalize his Final site Plan. I'm preparing to present the Final Site Plan to the Planning Commission for their review and final approval, scheduled for February 12th.

Dennis Klaas Village of Lexington Zoning Administrator 586-372-8035 zoning@villageoflexington.com

# Village of Lexington CAPITAL IMPROVEMENT PLAN 2024 - 2030

GENERAL FUND							
Funding Source/Project	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	Total
IT Equipment			\$5,000	\$10,000	\$5,000		\$20 000
New Fire Fnaine			***************************************	4:0,000	40,000		420,000
יייייייייייייייייייייייייייייייייייייי			\$500,000				\$500,000
VIIIage Hall Expansion and Rehabilitation	\$58,000						\$58,000
Adjacent Property	\$50,000						\$50,000
Police Vehicle	\$27,000		\$40,000				000 27\$
Tierney Park Renovations	\$2,000,000	000 000 P\$	\$1,000,000				\$7,000,000
derbor land Apprilian		1 ,,000	4.,000,000				\$7,000,000
Largor Faria Acquisition							\$0
M-25 Streetscape Renovations							O.\$
Wayfinding Signage System							\$ 0
Planning/Economic Development Studies							\$0 60
Recreation Improvements		\$50,000					\$50,000
Project Costs Total	\$2,135,000	\$4,050,000	\$1,545,000	\$10,000	\$5,000	\$0	\$7 745 000

Froject Costs I otal \$3,000	SOS		Chapersian Glass Windows	Chand Stained Clar Windows \$3,000	ation		Funding Source/Project 2024/25	CEMETERY
\$3,000				\$3,000			2025/26	
\$3,000				\$3,000			2026/27	
\$23,000				\$3,000	\$20,000		2027/28	
\$3,000				\$3,000			2028/29	
\$43,000	\$10,000	\$30,000		\$3,000			2029/30	
\$78,000	\$10,000	\$30,000	\$0	\$18,000	\$20,000		Total	
						-	5-	

## **NORTH SHORES**

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000 C2\$			\$52,000				railascape
000,#2¢							Capacita
000 VC\$						\$24,000	מוסוופטטמום
\$15,000		\$10,000					Shuffleboard
#15000		\$15,000					Club House
\$34,000					\$34,000		CITE INCIDENT
\$45,000				4 .0,000	***		Adult Exercise
475 700				\$45,600			r dvillon
\$30,000					φου,υυ		Day illian
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\$1 800 000		\$1.800.000					Siope sidblifation Project
							Slopo Stabilitation Desired
Total	2029/30	2028/29	2027/28	2026/27	2025/26	2024/25	Funding Source/Project

# Village of Lexington CAPITAL IMPROVEMENT PLAN 2024 - 2030

\$0 \$2,025,600	\$1,815,000	\$52,000	\$45,600	\$64,000	\$49,000	Project Costs Total
					\$10,000	rence to beach
						Ramp Repavement

### WATER FUND

Birch Drive SAD Sewer Project Altona Drive Sewer Extension

North Sanitary Sewer District

Lexington North Shore MHP Lift

Boynton Lift Station Force Main Huron Lift Station Rehab

> \$971,498 \$325,000 \$335,785

\$335,785 \$83,271

\$335,785

\$1,007,355

\$249,813

8 8 8

\$2,914,494

\$52,000

\$325,000

\$83,271

\$83,271

1974 Onan Generator

Vehicles (.5 split)

Funding Source/Project

2024/25

2025/26

2026/27

2027/28

2028/29

2029/30

Total

\$28,000

\$24,000

\$971,498

\$971,498

Gravity Sewer Rehabilitation

Lagoon Rehab

SEWER FUND

Project Costs Total

\$1,739,554

\$1,390,554

\$1,390,554

\$0

\$28,000

\$0

\$4,548,662

-6-

2024/25	2025/26	2026/27	2027/28	2028/29	2029/30		Total
	\$1,217,000	\$3,650,250				A	1 847 250
	2010	***************************************				+	1,007,700
	\$262,750	\$788,250				\$	1,051,000
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40           140     10	\$402,167 \$402,167 \$424,000 \$24,000	67	67	2025/26 2026/27 20; \$1,217,000 \$3,650,250 \$262,750 \$788,250 67 \$402,167 \$402,167 \$156,250 \$162,500 \$00 \$1,881,917 \$5,159,417 \$	2025/26     2026/27     2027/28     20       \$1,217,000     \$3,650,250     20       \$262,750     \$788,250     20       67     \$402,167     \$156,250     5162,500       \$162,500     \$57,575     \$98,519       \$98,519     \$250,000       00     \$1,881,917     \$5,159,417     \$406,094	2025/26         2026/27         2027/28         2028/29         2029/30           \$1,217,000         \$3,650,250         \$788,250         \$78	2025/26         2026/27         2027/28         2028/29         2029/30           \$1,217,000         \$3,650,250         \$           \$262,750         \$788,250         \$           67         \$402,167         \$156,250         \$           \$162,500         \$57,575         \$         \$           \$98,519         \$98,519         \$           \$00         \$28,000         \$           \$1,881,917         \$5,159,417         \$406,094         \$28,000         \$0

### STREETS

		Wayfinding Signs	Trashingron & boynton Falking Lot	Washington & Boynton Barking Lot		Northern Sidewalk Extension	Funding Source/Project
	\$5,000	**					2024/25
							2025/26
					\$30,000		2026/27
							2027/28
						1010/11	2028/29
						2027/00	2029/30
1-1-0	\$5,000	<del>0</del>	*0	400,000	\$30,000	וסומו	Toto!

Village of Lexington
CAPITAL IMPROVEMENT PLAN 2024 - 2030

\$1,665,000	\$12,500	\$32,500	\$137,500	\$307,500	\$837,500	\$337,500	Project Costs lotal
\$15,000				\$15,000			Washington Street Bike Route
\$20,000		20000					Mobile Home Park Street Improvemnts
\$125,000			\$125,000				M-90 Pathway Reconstruction
\$250,000				\$250,000			New Sidewalks Surrounding Downtown
\$20,000						\$20,000	Union Street Crack Sealing and Sealcoating
\$0							nuron sireet Overlayment
\$350,000					\$350,000		boyriion sireet kepaving
\$375,000					\$375,000		Barrhivian Parkway Reconstruction
\$300,000						\$300,000	Dennison Street Repaying
\$75,000	\$12,500	\$12,500	\$12,500	\$12,500	\$12,500	\$12,500	offeet Crack sealing and sealcoating
\$100,000					\$100,000		Priority Crosswalks along M-25
\$0							Sidewalks - Village Hall



### **Greg Brown Project Requirements**

PUD Process (Sec 7.3)
<ul> <li>Preliminary Plan</li> <li>Applicant submits a preliminary site plan (meeting the requirements of (Sec 3.4.3) (See Missing Items Sheet)</li> <li>Public hearing by PC.</li> <li>PC review and approval.</li> </ul>
Site Condo Process (Sec 3.5.3)
<ul> <li>Preliminary Plan</li> <li>Applicant submits a preliminary site plan (meeting the requirements of Sec 3.4.3</li> <li>PC review and approval.</li> </ul>
PUD Process (Sec 7.3)
Final Plan
<ul> <li>Applicant submits a final site plan (meeting the requirements of (Sec 3.4.4)</li> <li>Public hearing by PC</li> <li>PC recommends approval to Council.</li> <li>A Development Agreement is prepared by the Village Attorney.</li> </ul>
☐ Village Council has final approval.
Site Condo Process (Sec 3.5.3)
Final Plan
Applicant submits a final site plan (meeting the requirements of (Sec 3.4.4)  Applicant submits the draft condominium documents, including master deed and bylaws.
PC recommends approval to Council.
Village Council has final approval.

All other pertinent requirements for site condominiums (such as those found in Sections 3.5.2, 3.5.4, and 3.5.5) would apply in addition to all requirements outlined for PUD's in Article 7.

### SEC. 3.5 SITE CONDOMINIUM PROJECT REGULATIONS

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.
4. In the case of a site condominium containing single-family detached dwelling units, not more than one (1) dwelling unit shall be located on a condominium lot, nor shall a dwelling unit be located on a condominium lot with any other principal structure or use except in a PUD district. Required yards shall be measured from the boundaries of a condominium lot.
3.5.4. Required Improvements:
1. All design standards and required improvements that apply to a subdivision, under the Subdivision Regulations adopted by the Village Council, shall apply to any condominium development.
2. Each condominium unit shall be connected to the Village water, sanitary and storm sewers. Utility standards stated in Chapter 70 shall apply to all condominium units. Furthermore, the utility provisions stated in Chapter 10, Subdivision Regulations shall apply to all condominium units proposed for location on property which is not subdivided and recorded, or property which is to be further subdivided. Each individual condominium unit shall be considered a residential equivalent unit as defined in Chapter 10.
3. Monuments shall be set at all boundary corners and deflection points and at all road right of way intersection corners and deflection points. Lot irons shall be set at all condominium lot corners and deflection points of condominium lot lines.
4. The Village may grant a delay in the setting of required monuments or irons for a reasonable time, but not to exceed one (1) year, on condition that the developer deposit with the Village Clerk cash, a certified check, or an irrevocable bank letter of credit running to the Village, whichever the developer selects, in an amount as determined from time to time by resolution of the Village Council. Such deposit shall be returned to the developer upon receipt of a certificate by a surveyor registered in the State of Michigan that the monuments and irons have been set as required in the State of Michigan that the monuments and irons have been set as required, within the time specified. If the developer defaults, the Village Council shall promptly require a registered surveyor to set the monuments and irons in the

	ground as shown on the condominium site plans, at a cost not-to-exceed the amount of the security deposit which shall include Village administrative costs. (See Missing Documents Sheet)
V	5. Road rights-of-way shall be described separately from individual condominium lots, and shall be accurately delineated by bearings and distances on the condominium subdivision plan and the final site plan. The right-of-way shall be for roadway purposes and for the purposes of locating, installing, maintaining, and replacing of public utilities. The developer shall declare easements to the Village for all public water and sanitary sewer lines and appurtenances.
<b>V</b>	6. All improvements in a site condominium shall comply with the design specifications as adopted by the Village Council and any amendments thereto.
	3.5.5. Information Required Prior to Occupancy.
	Prior to the issuance of an occupancy permit for any condominium unit, the applicant shall submit the following to the Zoning Administrator:
<b>v</b>	1. A copy of the recorded Condominium Documents (including exhibits, Master Deed, and Bylaws).
	2. A copy of any recorded restrictive covenants. N/A
	3. A copy of the site plan on laminated photo static copy or mylar sheet. N/A
	<b>4.</b> Evidence of completion of improvements associated with the proposed use including two copies of ar "as-built survey". <b>N/A</b>

# ARTICLE 7 PUD-PLANNED UNIT DEVELOPMENT DISTRICT

### SEC. 7.1 PURPOSE & INTENT

Planned Unit Development (PUD) district regulations are intended to provide for various types of land uses planned in a manner which shall; encourage the use of land in accordance with its character and adaptability; conserve natural resources and energy; encourage innovation in land use planning; provide enhanced housing, employment, shopping, traffic circulation and recreational opportunities for the people of the Village; and bring about a greater compatibility of design and use. The provisions of this Article provide enabling authority and standards for the submission, review, and approval of applications for planned unit developments.

### **SEC. 7.2 PUD REGULATIONS**

- 7.2.1. A planned unit development (PUD) may be applied for in any zoning district. The grant of a planned unit development application shall require a rezoning by way of amendment of this Ordinance upon the recommendation of the Planning Commission and approval of the Village Council.
- 7.2.2. Any land use authorized in this Ordinance may be included in a planned unit development, subject to adequate public health, safety, and welfare protection mechanisms being designed into the development to ensure the compatibility of varied land uses both within and outside the development.
  - 7.2.3. The applicant for a planned unit development must demonstrate all of the following criteria as a condition to being entitled to planned unit development treatment:
- 1. Grant of the planned unit development will result in one of the following:
  - a. A recognizable and material benefit to the ultimate users of the project and to the community, where such benefit would otherwise be unfeasible or unlikely to be achieved without application of the planned unit development regulations; or
  - b. Long-term protection and preservation of natural resources and natural features of a significant quantity and/or quality, where such benefit would otherwise be unfeasible or unlikely to be achieved without application of the planned unit development regulations; or
  - c. A non-conforming use shall, to a material extent, be rendered more conforming, or less offensive, to the zoning district in which it is situated.
- 2. The proposed type and density of use shall not result in an unreasonable increase in the need for or burden upon public services, facilities, streets and utilities.

- 3. The proposed development shall be consistent with the public health, safety and welfare of the Village.
- 4. The proposed development shall be consistent with adjacent circulation patterns or there should be stub streets to accommodate the traditional street patterns that could be developed on adjacent parcels.
- 5. The proposed development shall not result in an unreasonable negative environmental impact on the subject site or surrounding land.
- 6. The proposed development shall not result in an unreasonable negative economic impact upon surrounding properties.
- 7. The proposed development shall be under single ownership and/or control such that there is a single person having responsibility for completing the project in conformity with this Ordinance.
- 8. The proposed development shall be consistent with the Goals and Policies of the General Development Plan.

### **SEC. 7.3 PROCEDURE FOR REVIEW**

### 7.3.1. Pre-application Conference.

Prior to the submission of an application for planned unit development approval, the applicant shall meet with the Zoning Administrator, together with any staff and consultants the Administrator deems appropriate. The applicant shall present at such conference, or conferences, at least a sketch plan of the proposed planned unit development, as well as the following information: Total number of acres in the project; a statement of the number of residential units, if any; the number and type of non-residential uses, the number of acres to be occupied by each type of use; the known deviations from ordinance regulations to be sought; the number of acres to be preserved as open or recreational space; and, all known natural resources and natural features to be preserved.

### 7.3.2. Preliminary Plan.

Following the Pre-application Conference, the applicant shall submit a preliminary site plan of the proposed planned unit development. The preliminary site plan shall be prepared in accordance with the standard set forth in Section 3.4.2. A narrative report shall accompany the site plan providing a description of the project, discussing the market concept and feasibility of the project, and explaining the manner in which the criteria set forth in Section 7.1 have been met.

- 1. Planning Commission Action. The Preliminary Plan shall be noticed for public hearing as a zoning amendment before the Planning Commission. Following the hearing, the Planning Commission shall review the preliminary site plan and shall take one of the following actions:
- 2. Approval. Upon finding that the Preliminary Plan meets the criteria and standards

	shall constitute approval of the uses and design concept as shown on the Preliminary Plan and shall confer upon the applicant the right to proceed to preparation of the Final Plan.
<b>V</b>	3. Approval of the Preliminary Plan by the Planning Commission shall not constitute rezoning of the property to PUD nor bind the Village Council to approval of the Final Plan.
	4. Tabling. Upon finding that the Preliminary Plan does not meet the criteria and standards set forth in Sections 7.1 and 7.2, but could meet such criteria if revised, the Planning Commission may table action until a revised Preliminary Plan is resubmitted. N/A
	5. Denial. Upon finding that the Preliminary Plan does not meet the criteria and standards set forth in Sections 7.1 and 7.2, the Planning Commission shall deny preliminary approval. N/A
	<b>7.3.3. Final Plan.</b> Within six (6) months following receipt of the Planning Commission comments on the preliminary plan, the applicant shall submit a final plan and supporting materials conforming with this Section. If a final plan is not submitted by the applicant for final approval within six (6) months following receipt of Planning Commission comments, the preliminary plan approval becomes null and void.
	1. Information Required. A final site plan and application for a PUD shall contain the following information:
<b>/</b>	a. A site plan meeting all requirements of Section 3.4.3, Final Site Plan.
	<b>b.</b> A separately delineated specification of all deviations from this ordinance which would otherwise be applicable to the uses and development proposed in the absence of this planned unit development article. <b>N/A</b>
/	c. A specific schedule of the intended development and construction details, including phasing or timing.
<b>/</b>	<b>d.</b> A specific schedule of the general improvements to constitute a part of the development, including, without limitation, lighting, signage, the mechanisms designed to reduce noise utilities, and visual screening features. (See Exhibit E)
/	<b>e.</b> A specification of the exterior building materials with respect to the structures proposed in the project.
	f. Signatures of all parties having an interest in the property. (Will need signed Master Deed)
	2. Planning Commission and Action. The final plan shall constitute an application to amend this Ordinance and shall be noticed for public hearing as a zoning amendment before the Planning Commission, and otherwise acted upon by the Planning Commission, and the Village Council, as provided by law. (After Approval of Village Planner & PC)

set forth in Sections 7.1 and 7.2, the Planning Commission shall grant preliminary approval. Approval

- a. Approval. Upon finding that the Final Plan meets the criteria and standards set forth in Section 7.1 and 7.2, the Planning Commission shall recommend approval to the Village Council.
- b. Tabling. Upon finding that the Final Plan does not meet the criteria and standards set forth in Section 7.1 and 7.2, but could meet such criteria if revised, the Planning Commission may take action until a revised Final Plan is resubmitted.
- c. Denial. Upon finding that the final plan does not meet the criteria and standards set forth in Section 7.1 and 7.2, the Planning Commission shall recommend denial to the Village Council. The Planning Commission shall, to the extent it deems appropriate, submit detailed recommendations relative to the planned unit development project including, without limitation, recommendations with respect to matters on which the Village Council must exercise discretion.
- 3. Village Council Action. Upon receiving a recommendation from the Planning Commission, the Village Council shall review the Final Plan. Taking into consideration the recommendations of the Planning Commission and the criteria and standards set forth in Sections 7.1 and 7.2, the Village Council shall approve, table or deny the Final Plan.
  - 4. Prior to approval of a Final Plan, the Village Council shall require all standards and conditions of approval to be incorporated in a Development Agreement. The Agreement shall be prepared by the Village Attorney, approved by the Village Council, and signed by both the Village and the Applicant.

### SEC. 7.4 PROJECT DESIGN STANDARDS

- 7.4.1. Residential Design Standards.
- 1. Residential density shall not be greater than the maximum density permitted in the zoning district in which the property is situated immediately prior to classification under this Article. Additional density for residential uses may be allowed in the discretion of the Village Council upon the recommendation of the Planning Commission and based upon a demonstration by the applicant of consistency with the General Development Plan and of planning and design excellence resulting in a material benefit to the Village, adjacent land uses, and/or the ultimate users of the project, where such benefit would otherwise be unlikely to be achieved without the application of the PUD regulations, including, without limitation, innovative design producing significant energy efficiency, pedestrian or vehicular safety, long term aesthetic beauty, and protection and preservation of natural resources and features.
- 2. Residential street layout patterns shall be consistent with the traditional street patterns as established in the Village in order to meet the intent of this Ordinance as outlined in Section 1.2 of this Ordinance. 7.4.2. Non-Residential Design Standards.
- 1. Non-residential uses may be permitted in combination with other non-residential uses or as part of a common development with residential uses.
- 2. The non-residential uses, including parking and vehicular traffic ways, shall be separated and buffered from residential units in a manner consistent with good land and community planning principles.

3. Nonresidential properties in excess of 200 feet in width along an existing right-of-way shall provide at least on side street right-of-way to permit access to the property to the rear of the nonresidential parcel.

### 7.4.3. General Design Standards.

- 1. All regulations applicable to setbacks, parking and loading, general provisions, and other requirements shall be met in relation to each respective land use in the development based upon zoning districts in which the use is listed as a Principal Permitted Use. In all cases, the strictest provisions shall apply. Notwithstanding the immediately preceding paragraph, deviations with respect to such regulation may be granted as part of the overall approval of the planned unit development, provided there are features or elements demonstrated by the applicant and deemed adequate by the Village Council upon the recommendation of the Planning Commission designed into the project plan for the purpose of achieving the objectives of this Article.
- 2. To the maximum extent feasible, the development shall be designed so as to preserve the natural resources and natural features. The benefit which would reasonably be expected to accrue from the proposal shall be balanced against the reasonably foreseeable detriments of the activity, taking into consideration the local, state and national concern for the protection and preservation of the natural resources or features and the following criteria:
- a. The availability of feasible and prudent alternative methods of accomplishing any development.
- b. The extent and permanence of the beneficial or detrimental effects of the proposed activity.
- c. The size, quality and rarity of the natural resources or natural features which would be impaired or destroyed.
- 3. There shall be a perimeter setback and berming, as found to be necessary by the Village, for the purpose of buffering the development in relation to surrounding properties. If the planned unit development project includes non-residential uses adjacent to a district authorizing residential uses, and/or if the project is larger than one acre in area, such perimeter setback shall be established with a dimension from the property line of up to one hundred (100) feet in the discretion of the Village Council, taking into consideration the use or uses in and adjacent to the development. The setback distance need not be uniform at all points on the perimeter of the development.
- 4. Thoroughfare, drainage, and utility design shall meet or exceed the standards otherwise applicable in connection with each of the respective types of uses served.
- 5. There shall be underground installation of utilities, including electricity and telephone, as found necessary by the Village.
- 6. Pedestrian walkways shall be separated from vehicular circulation, as found necessary by the Village.
- 7. Signage, lighting, landscaping, building materials for the exterior of all structure, and other features of the project, shall be designed and completed with the objective of achieving an integrated and controlled development, consistent with the character of the community, surrounding development or developments, and natural features of the area.

- 8. Where non-residential uses adjoin off-site residentially zoned property, noise reduction and visual screening mechanisms such as earthen and/or landscape berms and/or decorative walls, shall be employed. The Village, in its discretion, shall review and approve the design and location of such mechanisms.
- 9. The Village Council upon the recommendation of the Planning Commission shall resolve all ambiguities as to applicable regulations using the Zoning Ordinance, General Development Plan, and other Village standards or policies as a guide.

### **SEC. 7.5 CONDITIONS**

- **7.5.1.** Reasonable conditions may be required with the approval of a planned unit development, to the extent authorized by law, for the purpose of ensuring that public services and facilities affected by a proposed land use or activity will be capable of accommodating increased service and facility loads caused by the land use or activity, protecting the natural environment and conserving natural resources and energy, ensuring compatibility with adjacent uses of land, and promoting the use of land in a socially and economically desirable manner.
- **7.5.2.** Conditions imposed shall be designed to protect natural resources and the public health, safety, and welfare of individuals in the project and those immediately adjacent, 7 and the community as a whole; reasonably related to the purposes affected by the planned unit development; and, necessary to meet the intent and purpose of this Ordinance and be related to the objective of ensuring compliance with the standards of this Ordinance. All conditions imposed shall be made a part of the record of the approved planned unit development.

### SEC. 7.6 PHASING & COMMENCEMENT OF CONSTRUCTION

### 7.6.1. Phasing. N/A

Where a project is proposed for construction in phases, the planning and designing shall be such that, upon completion, each phase shall be capable of standing on its own in terms of the presence of services, facilities, and open space, and shall contain the necessary components to ensure protection of natural resources and the health, safety, and welfare of the users of the planned unit development and the residents of the surrounding area. In addition, in developments which include residential and non-residential uses, the relative mix of uses and the scheduled completion of construction for each phase shall be disclosed and determined to be reasonable in the discretion of the Village Council after recommendation from the Planning Commission.

### ~

### 7.6.2. Commencement and Completion of Construction.

To ensure completion of required improvements, the Village is authorized to impose performance guarantees in accordance with Section 3.7. Construction shall be commenced within one (1) year following final approval of a planned unit development and shall proceed substantially in conformance with the schedule set forth by the applicant, as required by Section 7.2.3. If construction is not commenced within such time, any approval of a site plan on the project shall expire and be null and void, provided, an extension for a specified period may be granted by the Village Council upon good cause shown if such request is made to the Village Council prior to the expiration of the initial period. Moreover, in the event a site plan has expired, the Village Council, based on a recommendation from the Planning Commission, shall be authorized to rezone the property in any reasonable manner, and, if

the property remains classified as PUD, a new application shall be required,	and shall b	e reviewe	d in
light of then existing and applicable law and ordinance provisions.			

### SEC. 7.7 EFFECT OF APPROVAL

Section 7.7 Effect of Approval.

When approved, the planned unit development amendment, with all conditions imposed, if any, shall constitute the land use authorization for the property, and all improvement and use shall be in conformity with such amendment. Notice of adoption of the final PUD plan and conditions shall be recorded by the applicant at the Sanilac County Register of Deeds, evidence of which shall be supplied to the Zoning Administrator.





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

January 30, 2024

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

Attention: Planning Commission

Re: Final Site Plan Review

Brown Ridge Estates Site Condominium and Planned Unit Development Undeveloped Land Located West of M-25 and East of Birch Drive

Wade Trim Job No.: LEX 6100-24D, Task 102

### Dear Commissioners:

The applicant and property owner, Greg Brown (Brown Builders & Contracting, Inc.) is requesting approval of a final site plan for the proposed Brown Ridge Estates single-family residential site condominium. The project is being proposed under the Planned Unit Development (PUD) option of the Village of Lexington Zoning Ordinance (Article 7). For your reference, below is a table summarizing the key facts pertaining to this request:

Summary of Facts	
Property Address:	N/A – undeveloped land
Applicant:	Greg Brown – Brown Builders & Contracting, Inc.
Property Owner:	Greg Brown – Brown Builders & Contracting, Inc.
Property ID:	Two properties: 025-100-020-03 and 025-100-010-01 (according to Sanilac County GIS)
Project Location:	West side of Lakeshore Road (M-25), east of Birch Drive and south of Harrington Road
Property Size:	16.569 acres
Property Frontage:	250.50 feet on Lakeshore Road (M-25)
Existing Zoning of Property:	R-1, Single Family Residential
Future Land Use Designation of Property:	Planned Residential
Current Use of Property:	Undeveloped land
Proposed Use:	Single-family residential site condominium (19 units)
Allowance for Use:	Detached single-family dwellings are a principal permitted use in the R-1 District

Village of Lexington January 30, 2024 Page 2

### **Project Details**

The proposed project is a new single-family residential site condominium consisting of 19 units ("lots"). The units will range in size from 20,294 square feet (0.466 acres) to 53,902 square feet (1.237 acres).

New private roads will be constructed, including the proposed Mary Ann Lane which will extend from Lakeshore Drive and end at a cul-de-sac. The proposed Arthur Drive will extend from Mary Ann Lane and end at a cul-de-sac. Both roads will have a 66 foot right-of-way, 24 foot pavement width (to be constructed of asphalt pavement with aggregate base), and 2 foot wide gravel shoulders. According to the draft condominium documents, the roads will be private roads owned and maintained by the condominium association; however, the developer is reserving the option to convey the roads to the Village to be publicly owned and maintained. The civil site plan (Sheet CVR) confirms this, indicating that they will be private roads "until accepted by the Village of Lexington." The site plan shows the potential for a future road extension of Mary Ann Lane that would connect to adjacent undeveloped property to the south.

The development will be served by new water mains and sanitary sewer mains to be constructed within the private road rights-of-way. The proposed water main will connect to an existing 12-inch water main along Lakeshore Road. The site plan indicates that the proposed sanitary sewer main will connect to new a sanitary sewer main along Lakeshore Road, which is to be constructed by the Village of Lexington under a separate contract. The site plan also shows a proposed utility easement that would connect to existing public utilities along Birch Drive to the west. Storm drainage within the development is to be accomplished by proposed drainage ditches along the sides of both proposed roads, which will outlet to the existing drainage ditch along Lakeshore Drive.

### Review Process

The process for the review and approval of PUDs is outlined in Section 7.3 of the Village of Lexington Zoning Ordinance. The process for the review and approval of site condominiums is outlined in Section 3.5.3 of the Zoning Ordinance. Both procedures require preliminary plan review by the Village Planning Commission. It is our understanding that this project has already received preliminary approval by the Planning Commission, after finding that the project has met the criteria and standards for PUDs outlined in Sections 7.1 and 7.2 of the Zoning Ordinance.

Following preliminary plan approval, final plan review by the Village Planning Commission is required, who provides a recommendation to the Village Council for final approval.

### Final Site Plan Review

The project is depicted and detailed through the following documents.

<u>Civil Site Plan</u> – Prepared by Townley Engineering, LLC, dated January 16, 2024, containing the following sheets:

- Cover Sheet (Sheet CVR)
- Existing Conditions (Sheet 2)
- Sanitary Sewer Plan and Profile Sheet (Sheet S-6)
- Watermain Plan & Profile Sheet (WM-1)
- Watermain and Sewer Plan and Profiles (Sheet S-W 2)
- Road Plan and Profile (Sheet C-1)
- Soil Conservation and Wetland Information (Sheet C-2)

Village of Lexington January 30, 2024 Page 3

<u>Condominium Plan (Exhibit B)</u> – Prepared by John A. Milletics, P.S., dated December 12, 2023, containing the following sheets:

- Title Page (Sheet 1)
- Survey Plan Utility Plan (Sheet 2)
- Site Plan (Sheet 3)
- Unit Area Unit Elevation Table (Sheet 4)

<u>Certificate of Survey Plan</u> – Prepared by John A. Milletics, P.S., dated January 15, 2024, containing two sheets.

<u>Draft Condominium Master Deed and By-Laws Document</u> – Prepared by Touma, Watson, Whaling, Coury & Stremers, P.C.

<u>Development Schedule</u> – Letter from Greg Brown outlining the proposed construction schedule for Brown Ridge Estates.

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

- 1. The final site plan does not indicate whether entrance signage for the development is proposed. If proposed, separate sign permit review and approval by the Village would be required.
- 2. Section 7.3.3.1.b requires a "separately delineated specification of all deviations from this ordinance with would otherwise be applicable to the uses and development proposed in the absence of this PUD article." This list has not been provided. It is our understanding that the PUD option was being sought to allow for deviations from the village road construction standards to allow for gravel roads and reduced-size cul-de-sacs. However, Sheet C-1 of the civil plan set shows that the proposed roads will feature asphalt paving and cul-de—sac dimensions which do meet Village road standards.
- 3. Section 7.3.3.1.e requires the applicant to provide a specification of the exterior building materials with respect to the structures proposed in the project. Section 7 of the draft Condominium By-Laws includes basic information related to the minimum size and character of proposed dwelling units. The Planning Commission should review this information and determine whether this is acceptable.
- 4. Sheet 2 of the Condominium Plan shows the proposed minimum front, side, and rear yard setbacks for each of the proposed units. The minimum front, side and rear yard distances are difficult to read (the text is cut-off). The site plan should be corrected to clearly state the minimum required yard setbacks. (Refer to Section 4.11 of the Zoning Ordinance for the minimum yard setbacks required for the R-1 District.)
- 5. Section 7.4.3.2 requires the preservation of natural features "to the maximum extent feasible." The subject site includes significant areas of woodlands. The Planning Commission should discuss with the applicant their intention for the preservation of woodlands beyond the tree clearing needed for the proposed streets, utilities, dwelling units and other site improvements.
- 6. Sidewalks and pathways are not proposed as part of this development. If found to be necessary, the Village may require sidewalks and pathways, whether internal to the site or along Lakeshore Road. Presently, no sidewalks are found within the area, but the village may have future plans for pathway development along Lakeshore Road. (Refer to Section 7.4.3.6)
- 7. Sheet C-1 of the civil plan set indicates that the cul-de-sac end of the proposed Mary Ann Lane will be a temporary aggregate surface, given that there could be a future road extension making

Village of Lexington January 30, 2024 Page 4

the cul-de-sac unnecessary. Because the future road extension is uncertain, it is our opinion that the cul-de-sac should be of permanent asphalt construction.

- 8. As noted earlier, the proposed roads will be private roads owned and maintained by the condominium association. However, both the civil site plan (Sheet CVR) and draft Master Deed (Article VII, (b) and Article IX, (a) and (b)) indicate the owner's intent to convey the roads to the Village in the future. The Village Council should determine whether this is acceptable.
- 9. The Village Attorney should be asked to review the draft Master Deed and By-Laws prior to approval by the Village Council. Additionally, Section 7.3.3.4 requires the Village Attorney to prepare a Development Agreement which incorporates all standards and conditions of approval for approval by Village Council.
- 10. The applicant should note the required improvements for all site condominiums, such as the setting of monuments and lot irons, as outlined in Section 3.5.4. The applicant should also note the information that will need to be submitted to the Village prior to the issuance of an occupancy permit for any condominium unit as outlined in Section 3.5.5.

### Recommendation

Pending a satisfactory resolution of the above noted items, we recommend approval of the final site plan for the proposed Brown Ridge Estates site condominium.

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:Ikf

LEX 6100-24D

20240130\_Brown Ridge Estates Final SPR-Ltr.docx



Wade Trim reviewed the site plan documents for compliance with the Village of Lexington Zoning Ordinance requirements and sound planning principles and provided these comments:

1. The final site plan does not indicate whether entrance signage for the development is proposed. If proposed, separate sign permit review and approval by the Village would be required.

The sign placement is noted on Survey (Lot 1). I will attach a Sign Permit for Greg Brown

### Completed (Shown on survey)

2. Section 7.3.3.1.b requires a "separately delineated specification of all deviations from this ordinance with would otherwise be applicable to the uses and development proposed in the absence of this PUD article." This list has not been provided. It is our understanding that the PUD option was being sought to allow for deviations from the village road construction standards to allow for gravel roads and reduced-size cul-de-sacs. However, Sheet C-1 of the civil plan set shows that the proposed roads will feature asphalt :paving and cul-de—sac dimensions which do meet Village road standards.

Greg: Change site plan to show it is gravel, not paved and the cul-de-sac is a 50' radius. Create a list of deviations. (Note: the cul-de-sac is a deviation.)

### Corrected (Supplied deviations document.)

3. Section 7.3.3.1.e requires the applicant to provide a specification of the exterior building materials with respect to the structures proposed in the project. Section 7 of the draft Condominium By-Laws includes basic information related to the minimum size and character of proposed dwelling units. The Planning Commission should review this information and determine whether this is acceptable.

Greg: Be more specific on materials to be used on the outside of the homes.

Corrected (We spoke about this and will follow the ordinances as it pertains to exterior materials).

4. Sheet 2 of the Condominium Plan shows the proposed minimum front, side, and rear yard setbacks for each of the proposed units. The minimum front, side and rear yard distances are difficult to read (the text is cut-off). The site plan should be corrected to clearly state the minimum required yard setbacks. (Refer to Section 4.11 of the Zoning Ordinance for the minimum yard setbacks required for the R-1 District.)

Greg: Show the setbacks more clearly on the drawing.

### **Corrected (Drawing Supplied)**

5. Section 7.4.3.2 requires the preservation of natural features "to the maximum extent feasible." The subject site includes significant areas of woodlands. The Planning Commission should discuss with the applicant their intention for the preservation of woodlands beyond the tree clearing needed for the proposed streets, utilities, dwelling units and other site improvements.

This was previously discussed with the applicant, and he plans to preserve as much of the woodlands as possible.

- 6. Sidewalks and pathways are not proposed as part of this development. If found to be necessary, the Village may require sidewalks and pathways, whether internal to the site or along Lakeshore Road. Presently, no sidewalks are found within the area, but the village may have future plans for pathway development along Lakeshore Road. (Refer to Section 7.4.3.6) \*Planning Commission: Possibly propose that if future development goes up Lakeshore Rd., the developer installs a sidewalk or pathway along Lakeshore by their property.
- 7. Sheet C-1 of the civil plan set indicates that the cul-de-sac end of the proposed Mary Ann Lane will be a temporary aggregate surface, given that there could be a future road extension making the cul-de-sac unnecessary. Because the future road extension is uncertain, it is our opinion that the cul-de-sac should be of permanent asphalt construction.

Greg: Remove the edge of pavement reference on C-1 because it wasn't to be paved.

### **Corrected (Drawing Supplied)**

- 8. As noted earlier, the proposed roads will be private roads owned and maintained by the condominium association. However, both the civil site plan (Sheet CVR) and draft Master Deed (Article VII, (b) and Article IX, (a) and (b)) indicate the owner's intent to convey the roads to the Village in the future. The Village Council should determine whether this is acceptable.

  \*Village Council question.
- 9. The Village Attorney should be asked to review the draft Master Deed and By-Laws prior to approval by the Village Council. Additionally, Section 7.3.3.4 requires the Village Attorney to prepare a Development Agreement which incorporates all standards and conditions of approval for approval by Village Council.

### \*This is underway. and will be supplied

10. The applicant should note the required improvements for all site condominiums, such as the setting of monuments and lot irons, as outlined in Section 3.5.4. The applicant should also note the information that will need to be submitted to the Village prior to the issuance of an occupancy permit for any condominium unit as outlined in Section 3.5.5.

Greg: This is just a future note.

Brown Builders & Contracting Inc. 6836 Wiltsie Rd Lexington, MI, 48450 gregorybrown3695@sbcglobal.net 810-359-5309

2-5-2024

Village of Lexington Planning Commission 7227 Huron Ave Lexington, MI, 48450

Subject: Request for Deviation - Cul-de-sac Radius

Dear Village of Lexington Planning Commission,

I am writing to formally request a deviation from the Village planning regulations regarding the required cul-de-sac radius. Our proposed development project, Brown Ridge Estates, is currently in the planning phase, and after careful consideration, we believe that a deviation from the standard 66 ft radius for the cul-de-sac is necessary for the following reasons:

### Maximizing Green Spaces:

Deviating from the prescribed radius will allow us to preserve more green spaces within the development. This aligns with our commitment to sustainable and environmentally friendly urban planning, contributing to the overall well-being of the community.

The proposed 50 ft radius still adheres to safety standards and guidelines. Our comprehensive traffic impact assessment demonstrates that the deviation will not compromise the safety and functionality of the cul-de-sac.

### Architectural Harmony:

A 50 ft radius will enhance the architectural harmony and aesthetic appeal of the cul-de-sac, creating a more cohesive and visually pleasing environment for residents.

We understand the importance of adherence to planning regulations and assure the Planning Commission that the requested deviation will not compromise the overall integrity of the development. We are committed to maintaining the highest standards in our project while addressing the unique challenges presented by the site.

We have attached a detailed plan highlighting the proposed deviation and its impact on the overall site layout. We are also open to scheduling a meeting with the Planning Commission to

provide additional information and address any concerns that may arise during the review process.

Thank you for your time and consideration of this request. We look forward to your guidance and approval for the proposed deviation.

Sincerely,

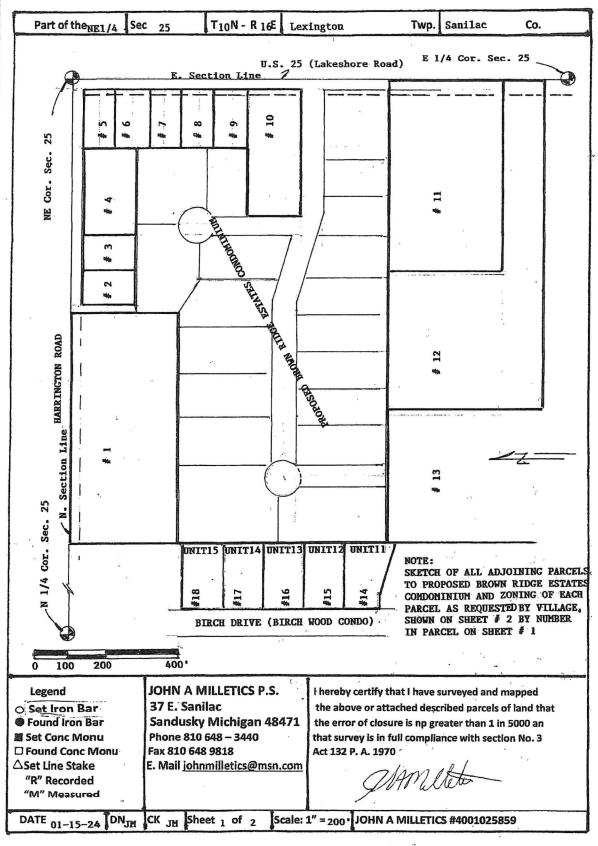
Greg Brown
Developer- Brown Ridge Estates
Brown Builders & Contracting Inc.

PROJECT NO. 2024-186

Client Brown Builders and Contracting Street 8635 Wiltsie Road

City Lexington Michigan 48450

### **CERTIFICATE OF SURVEY**



2023-186

Client Brown Builders and Contracting
Street 8635 Wiltsie Road

City

Lexington, Michigan 48450

Co.

### **CERTIFICATE OF SURVEY**

Part of the NE1/4	Sec 25		T10N - R16 E	Lexington	Twp.	Sanilac
					:48	
LEGENDTO	SHEET # 1	PARÇ	EL OWNER 7	TAX ID NUMBER	ZONING	
PARCEL#1		KOSA	L :	150-025-100-030-00	R - 1	
PARCEL# 2		BRAZ	EEL	150-160-000-018-01	R-1	
PARCEL#3		BROV	VN :	150-160-000-018-00	R-1	
<ul> <li>PARCEL#4</li> </ul>		WEBE	3	150-160-000-011-11	R - 1	
PARCEL#5		CRAF	Τ :	150-160-000-010-00	R-1	
PARCEL#6		FOCK	ER	151-160-000-005-00	R-1	
PARCEL#7		DICKE	RSON :	151-160-000-007-00	R-1	
PARCEL#8	8	CLAR	K	151-160-000-004-00	R - 1	
PARCEL#9		PRIEH	IS	151-160-000-001-00	R-1	
PARCEL# 10	)	GAY		152-025-100-020-02	R-1	
PARCEL# 11	[	POW	ELL	150-025-100-040-00	R-1	
PARCEL# 12	!	DURE	CKA	152-025-100-050-00	R = 1	
PARCEL# 13	:	EVER	GREEN LAND	152-025-100-090-01	R-1	
PARCEL# 14		MCKN	NIGHT	152-390-100-130-11	R - 1	
PARCEL# 15	i	MCKN	IIGHT	152-390-100-130-12	R - 1	
PARCEL # 16		DAVE	NPORT	152-390-100-130-13	R-1	
PARCEL#17		BOYD		152-390-100-130-14	R-1	
PARCEL# 18		BROW	/N	152-390-100-130-15	R-1	
5 %						

Please note that the adjoining parcels will be shown on the proposed Condominium as the Plat of the James II Carter Lakeview Subdivision – Birch Wood Condomonium - Unplatted areas.



Legend	JOHN A MILLETICS P.S.
O Set Iron Bar	37 E. Sanilac
Found Iron Bar	Sandusky Michigan 48471
Set Conc Monu	Phone 810 648 - 3440
☐ Found Conc Monu	Fax 810 648 9818
△Set Line Stake	E. Mail johnmilletics@msn.com
"R" Recorded	
"M" Measured	1

I hereby certify that I have surveyed and mapped the above or attached described parcels of land that the error of closure is np greater than 1 in 5000 an that survey is in full compliance with section No. 3 Act 132 P. A. 1970

John A Milleton

DATE<sub>01-15-24</sub>  $IDN_{JM}$   $ICK_{JM}$  Sheet  $_2$  of  $_2$  Scale: 1" =  $_{NA}$  IJOHN A MILLETICS #4001025859

SANILAC COUNTY
CONDOMINIUM SUBDIVISION

EXHIBIT 8 TO MASTER DEED

### **Attention County Register of Deeds**

The Condominium Subdivision Plan number must be assigned in consecutive sequence when a number had been assigned to this project, it must be property shown in the title and the various certificates on this sheet and on sheet 2

### **BROWN RIDGE ESTATES CONDOMINIUM**

PART OF THE NE 1 / 4 SECTION 25 T10N-R16E VILLAGE OF LEXINGTON MICHIGAN

### DESCRIPTION

Commencing at the NE Corner of Section 25 T10N-R16E, Village of Lexington, Sanliac County Michigan, Thence S03°57'50"W 633.00 feet along the E. Section Line to the Point of Beginning RUNNINGTHENCE S03°57'50"W 250.50 feet along the E. Section Line, Thence N64'06'26"E 583.52 feet, Thence S66'28'00"W 3131.31 feet, Thence N04'06'26"E 583.52 feet, Thence S66'28'00"W 317.46 feet, N04'06'26"E 107.00 feet, Thence S06'28'00"W 202.00 feet, Thence S03'57'50"W 250.00 feet, Thence S62'28'00"W 350.00 feet to the Point of Beginning and containing 16.569 attes more of less.

### SURVEYORS CERTIFICATE

I John A Milletics Ucense Land Surveyor of the State of Michigan hereby certify that the subdivision plan Nolar shown on the accompanying drawings, represents a survey on the ground made under my direction, that there are no existing encroachments upon the lands and property herein described. That the required monuments and irons markers have been located in the ground as required by rules promulgated under section 142 of act number 59 of the public acts of 1978, as amended that the bearing as shown, are noted on the survey plan as required by the rules promulgated under section 142 of act number 59 of the public acts of 1978 as amended.

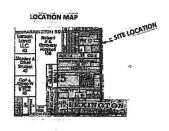
### INDEX

- 1. Title Page 2. Survey Plan — Utility Plan
- 3. Site Plan
- 4. Coordinate Points Curve Data
  Unit Area Unit Elevation Table

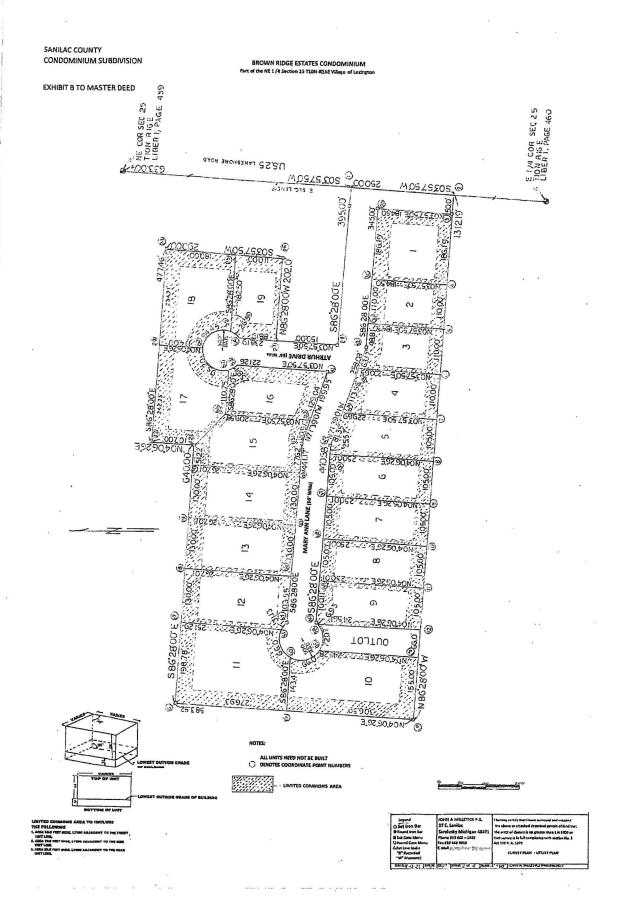
DEVELOPER BROWN BUILDERS AND CONTRACTING 6836 WILTSIE ROAD LEXINGTON MICHIGAN 48450 1810 334 9862

SURVEYOR JOHN A MILLETICS P. S. 37 E SANILAC SANDUSKY MICHIGAN 48471 1 810 648 3440

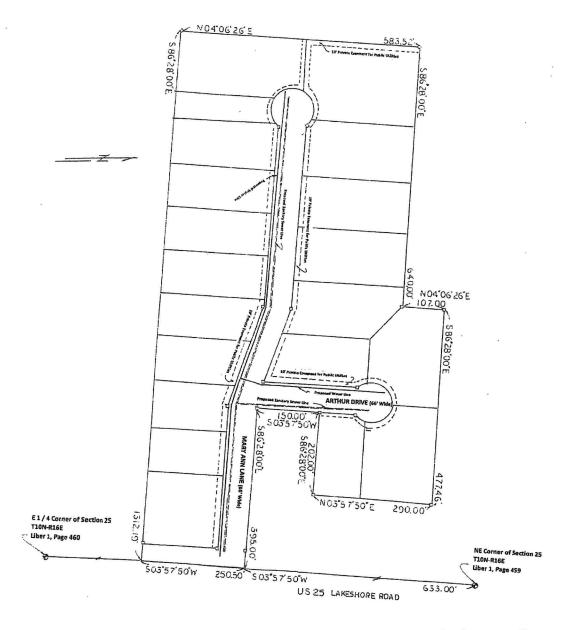




Legard  Set Iron Bar  Franci Iron Bar  Franci Iron Bar  E Sat Care Monu  Droved Gase Moou  Not time State  "I' Reported  "at" Managed	JOHN A MILLETICS P.S. 37 E. Jardiac Sanducky Michigan 45473 Phane 210 548 ~ 3440 Fas E10 648 2018 E. Mail John Michiga Standards	I harshy carefy that I have garreyed and emopsed the above or intended described passeds of head that the error of common in the garreless that I is \$600 as that earroy is in fall correlations with arctice May, 3 Acq LTP, 4, 61956 TITLE PAGE
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Frhöit R in Moster Deed of



SO 165 106

coursey is in full compliance with medium No. 3 1929, A. 1973 SCTE PLAN
•

Sanitac County Condominium Subdivision

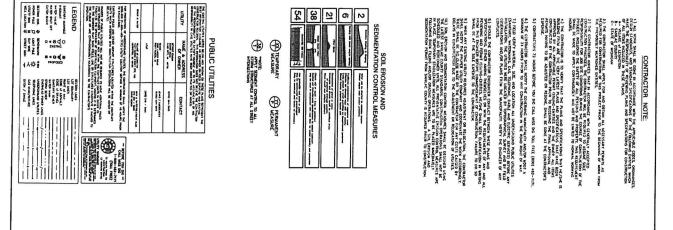
Exhibit 8 to Master Deed of

### BROWN RIDGE ESTATES CONDOMINIUM Part of the NE 1 / 4 Section 25 T10N-R16E Village of Lexington

1908    1908    1918	PTNO	HTRCK	EAST	UNIT NO	SQUA	RE FEET	ACREAGE	UNIT NO.	Finished	Lowest Finished
	62	12065.81	12004.54	#1		34351	0.789		Grade	Grade
## \$17.5   \$41				#2		20294	0.466	<b>51</b>	627.00	622.00
## 1873   1873										
						25403	0.583			
### ### ### ### ### ### ### ### ### ##				#6		26302	0.604	#5		628.50
SECTION   SECT				#7		25302	0.604	#6	628.00	62B.00
## 1867.1				WS.		76302	0.604	47	629.50	629.50
STATE   STAT								#8	631.00	637.00
10   10   10   10   10   10   10   10										
1598.58   1577.5										
1844.55   1857.56   1813.55   1814				#12		34502	0.792			
				H13		34709	0.797			
1504.11   1504.15   1504				#14		34709	0.797			
				216		33766		#14	628.50	628.50
### 181111 ### 181111							200	#15	628.00	628.00
REDIAN   SULDAN   S								#16	626.00	626.00
1000000000000000000000000000000000000								817	625.00	
	433	10070.13	1016.31			39514	0,907			
131 1301LM SMAAT  211 1301LM SMAAT  212 1301LM SMAAT  213 1301LM SMAAT  214 1301LM SMAAT  215 1301LM SMAAT  216 1301LM SMAAT  217 1301LM SMAAT  218 1301LM S				<b>⊭19</b>	3	22061	0.506			
1001-06   1001								#19	627,00	627.00
1873-13   986.37										
1812 1912 1912 1912 1912 1912 1912 1912										
				CURVE DATA						
15111-15   15111-15										
141 19114 951.4 OUNOT 50.00 12.07 12.07 14.1 19114 951.4 15.0 15.0 15.0 15.0 15.0 15.0 15.0 15.0										
		13117-64	#\$45.64							
15     15										
101943   101944   1										
1519-6.1   1515-71   151		13154.23	91.5A.13							
### UNIAL STATE  ### UN										
101120 BEARS 118 2000 94.43 SITYSTAT 11.02  101121 BEARS  101121 BEARS  101121 BEARS  101122 BEARS  101123 BEARS  101123 BEARS  101124 BEARS  101125 BEARS										
### ##################################	849									
793 1907A 597AT 1 31 2017A 797AT 1 310 2017A 7 3				*13	20.00	5673.	231_76.03_A 76.72.			
1914 101127 1012344 144 121272 1012341 155 101444 10427 154 101444 10427										
855 101414 147.75 136 101414 347.61		10111.27	<b>9550,94</b>							
136 103614 9437.51										

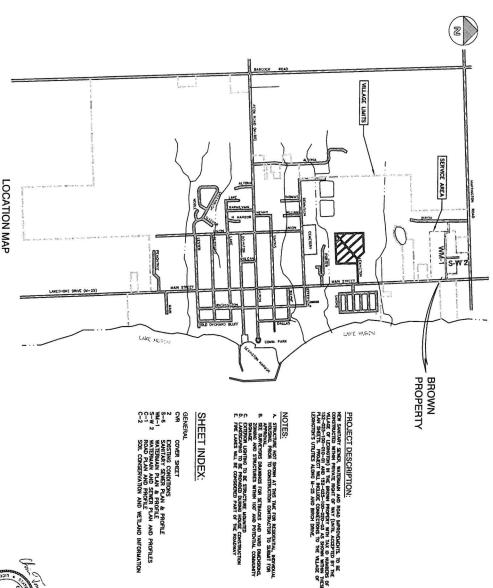
Legand
OSIGI From Bar





### VILLAGE TY AND SITE PLAN APPROVAL BETWEEN (M-25) and BIRCH DRIVE BROWN DEVELOPMENT of. LEXINGTON

SECTION 25 T.11N.-R.12.E VILLAGE of LEXINGTON, SANILAC COUNTY, MICHIGAN





UTILITY IMPROVEMENTS

DRAWN	SRW	3-20
APPROVED	CGT	
CONFORMING TO		├
CONSTRUCTION		
	CONFORMING TO	

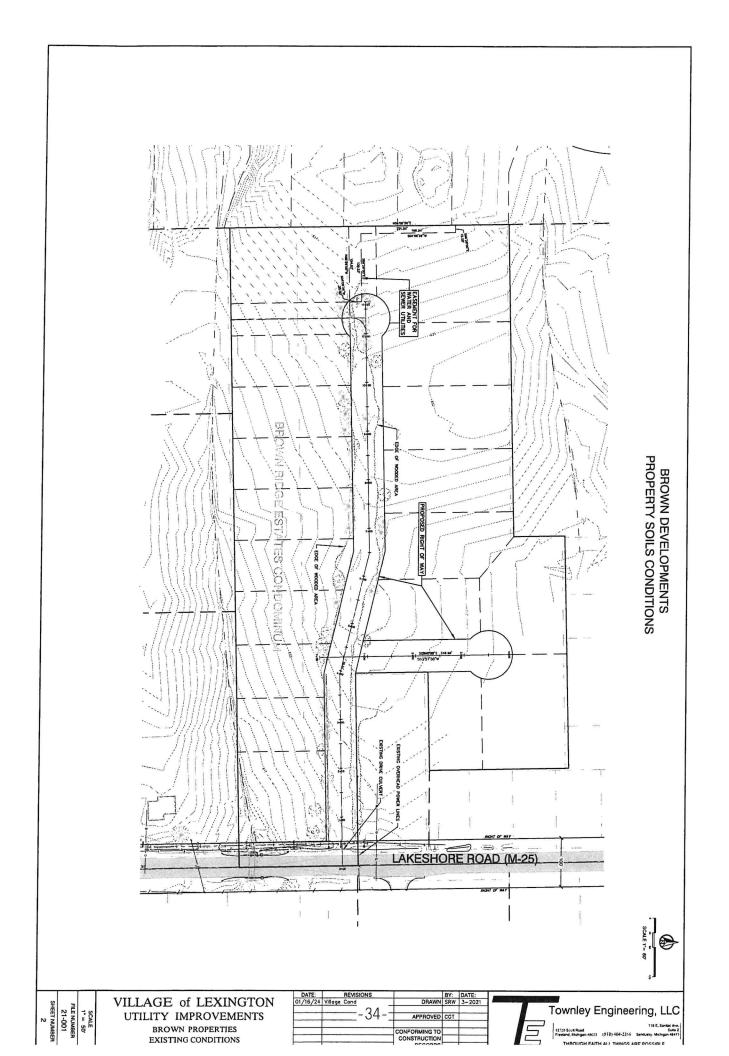


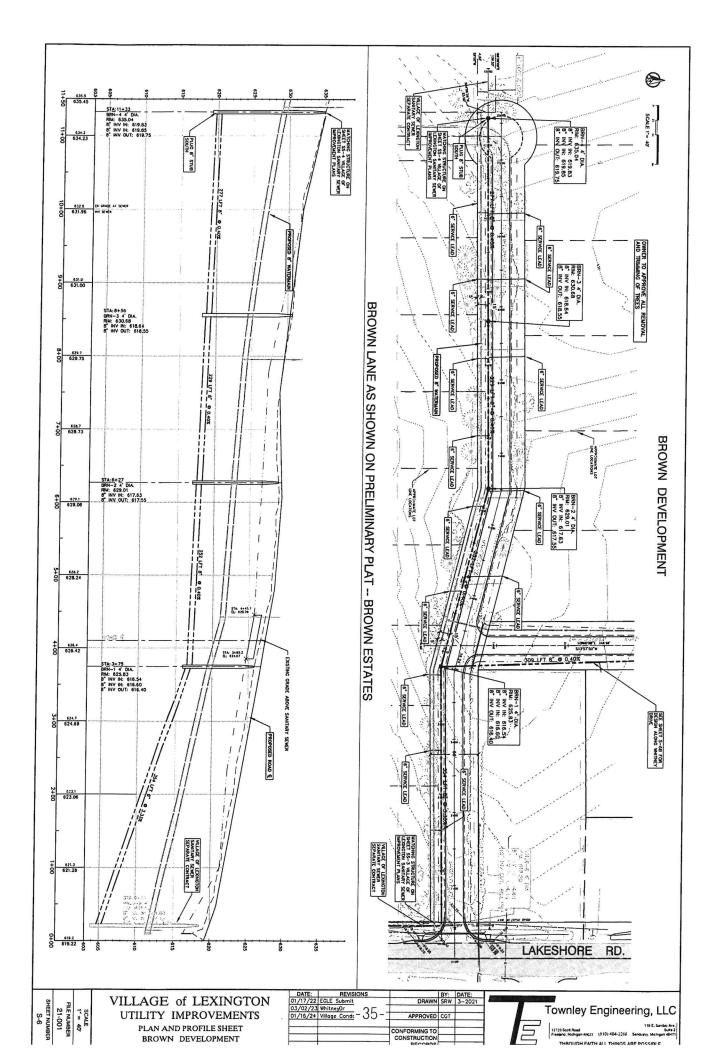
VILLAGE of LEXINGTON PLAN AND PROFILE SHEET

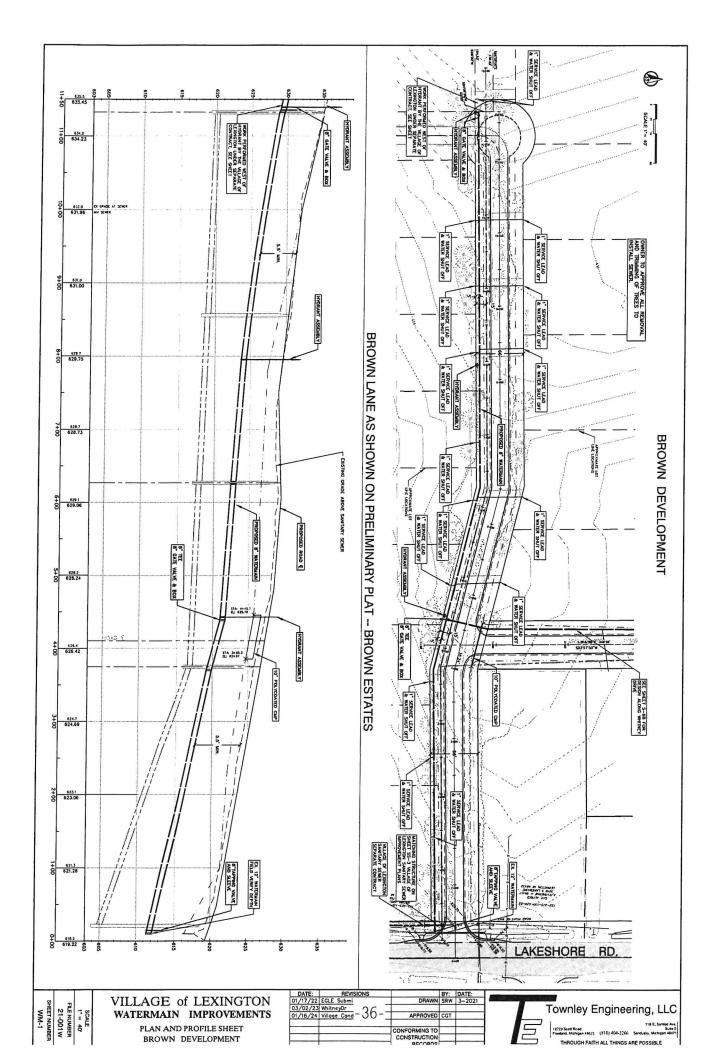
BROWN DEVELOPMENT

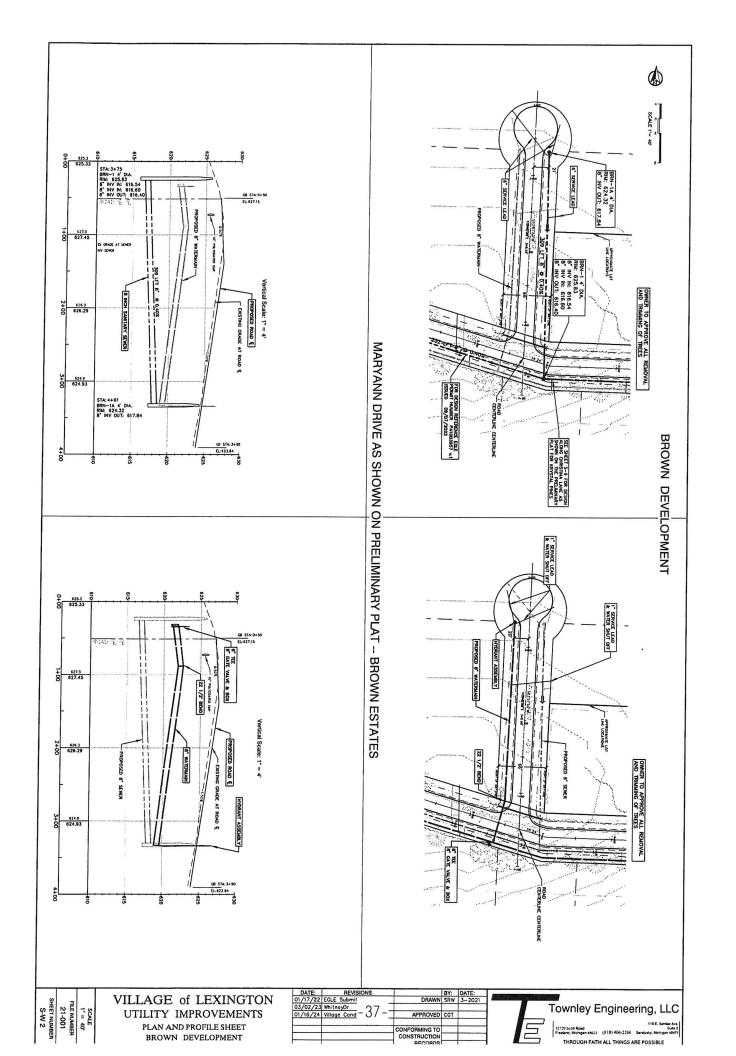
SCALE 1" = 40" FILE NUMBER 21-001

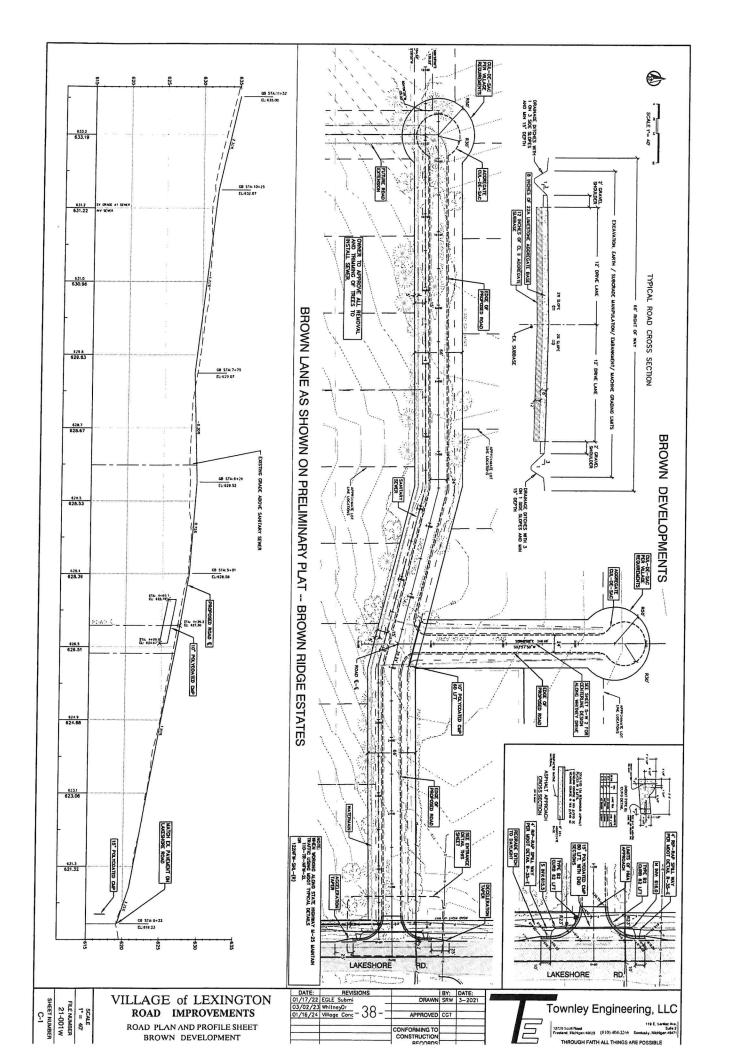
SHEET NUMBER CVR



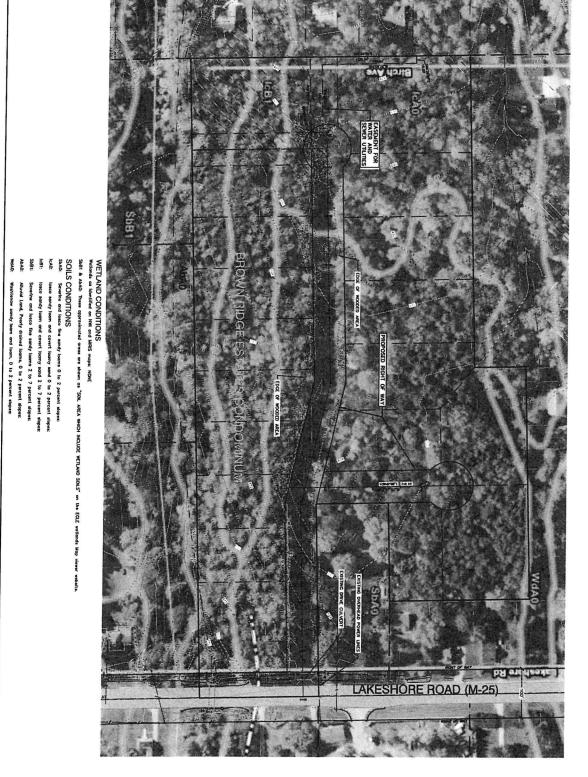








## BROWN DEVELOPMENTS PROPERTY SOILS & WETLAND CONDITIONS





VILLA
VILLA
SCALE
1 1 21-001
SHEET NUMBER
C-2
SOILS

VILLAGE OF LEXINGTON
UTILITY IMPROVEMENTS
BROWN PROPERTIES
SOILS AND WETLAND INFORMATION

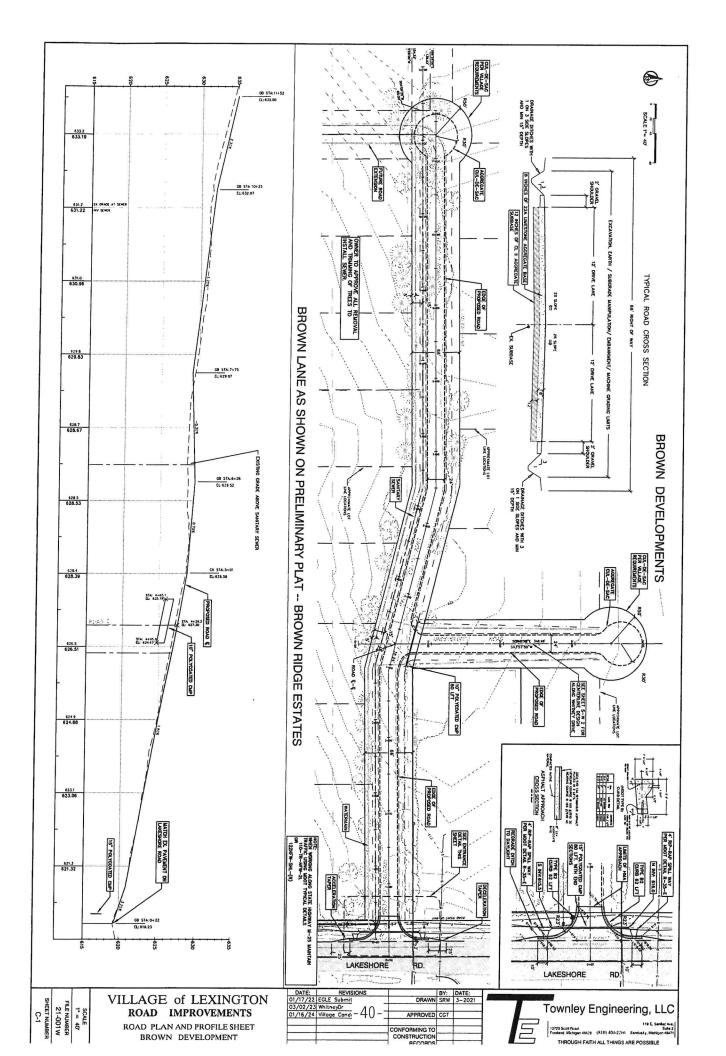
DATE:	REVISIONS			DATE:
01/16/24	Village Cond	DRAWN	SRW	3-2021
	39	APPROVED	CGT	
		CONFORMING TO		
		CONSTRUCTION	$\overline{}$	

Townley Engineering, LLC

177:75 Secti Road

Thriche, Minigan (1971) 404-2266 Section Mercagnistin

THROUGH FAITH ALL THINGS ARE POSSIBLE



1/15/2024 Page 1 of 3

43° 16'35" N

85° 31' 42" W

Web Soil Survey National Cooperative Soil Survey Map Scale: 1:5,240 if printed on A landscape (11" x 8.5") sheet.
70 300 <u>8</u> 0 250 500 11 Map projection: Web Mercator Comer coordinates: WGS84

Natural Resources Conservation Service

USDA

85° 32' 33" W

43° 16'35"N

85. 31.45. M Soil Map—Sanilac County, Michigan (BrownProperties) SbB1 ay mot be valld at this scale.

82° 32' 33" W

43° 16' 59" N

43° 16' 59" N

### Soil Map—Sanilac County, Michigan (BrownProperties)

### MAP LEGEND

Spoil Area	Stony Spot	Very Stony Spot	Wet Spot	Other	Special Line Features	ıtures
W	O	8	Ð	◁	•	Water Features
Area of Interest (AOI)	Area of Interest (AOI)	Soil Map Unit Polygons	Soil Map Unit Lines	Soil Map Unit Points	Special Point Features	Blowout
Area of Int	] ;	Soils	] }		Special	Э





**Borrow Pit** 

QQ

Clay Spot

寒  $\Diamond$ 



Closed Depression

**Gravelly Spot** 

00

**Gravel Pit** 











Marsh or swamp

Lava Flow

andfill

8 - All -- Mine or Quarry

K 0

Miscellaneous Water

Perennial Water

0

Rock Outcrop

Saline Spot Sandy Spot

## Please rely on the bar scale on each map sheet for map

scale.

contrasting soils that could have been shown at a more detailed misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of

Enlargement of maps beyond the scale of mapping can cause

Warning: Soil Map may not be valid at this scale.

The soil surveys that comprise your AOI were mapped at

1.15,800.

MAP INFORMATION

Source of Map: Natural Resources Conservation Service Web Soil Survey URL:

measurements.

Coordinate System: Web Mercator (EPSG:3857)

distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required. Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Survey Area Data: Version 20, Aug 25, 2023 Soil Survey Area: Sanilac County, Michigan

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger. Date(s) aerial images were photographed: Oct 11, 2022—Oct 21, 2022 The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Severely Eroded Spot

Ò

Slide or Slip Sodic Spot

D.

Sinkhole

0

Conservation Service Natural Resources

USDA

### **Map Unit Legend**

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
AbA0	Alluvial land, poorly drained loams, 0 to 2 percent slopes	9.1	6.4%
AdA0	Alluvial land, poorly drained sandy loams, 0 to 2 percent slopes	0.3	0.2%
GeC1	Guelph loam, 6 to 12 percent slopes, slightly eroded	0.0	0.0%
IcA0	losco sandy loam and Covert loamy sand, 0 to 2 percent slopes	28.8	20.3%
lcB1	losco sandy loam and Covert loamy sand, 2 to 7 percent slopes, slightly eroded	4.3	3.0%
LkA	Londo loam, 0 to 3 percent slopes	20.5	14.4%
MhA1	Melita and Arenac loamy sands, 0 to 2 percent slopes, slightly eroded	6.3	4.4%
SbA0	Saverine and losco fine sandy loams, 0 to 2 percent slopes	48.7	34.2%
SbB1	Saverine and losco fine sandy loams, 2 to 7 percent slopes, slightly eroded	12.4	8.7%
VcA0	Washtenaw loam and silt loam, 0 to 2 percent slopes	7.1	5.0%
VdA0	Washtenaw sandy loam and loam, 0 to 2 percent slopes	4.8	3.4%
otals for Area of Interest		142.3	100.0%

02/08/2024 09:07 AM User: SHELLY DB: Village Of Lexi

# REVENUE AND EXPENDITURE REPORT FOR VILLAGE OF LEXINGTON

PERIOD ENDING 01/31/2024

TOTAL REVENUES - ALL FUNDS TOTAL EXPENDITURES - ALL FUNDS NET OF REVENUES & EXPENDITURES	Fund 101 - GENERAL FUND: TOTAL REVENUES TOTAL EXPENDITURES NET OF REVENUES & EXPENDITURES	Total Dept 722 - COMMUNITY & ECONOMIC DIMENT	Expenditures  Dept 722 - COMMUNITY & ECONOMIC DIMENT  101-722-701.000 WAGES  101-722-704.100 MATCH - SOCIAL SECURITY  101-722-704.500 MICH EMP SEC COM  101-722-728.000 COMPUTER-HARDWARE-SOFTWARE  101-722-803.000 PHONE  101-722-803.000 PHONE  101-722-805.000 ADVERT/PUBLICATIONS  101-722-801.000 SCHOOL/TRAINING  101-722-811.000 MEMBERSHIP/DUES  101-722-811.000 MILEAGE  101-722-813.000 MASTER PLAN  101-722-821.000 CONTRACTED SERVICES  101-722-821.000 MISCELLEANOUS  MISCELLEANOUS  MISCELLEANOUS	TOTAL REVENUES	101 - GENERAL FUND  ues 722 - COMMUNITY & ECONOM  22-523.000 MEDC GRAI  22-670.000 SHORT TEI  22-671.500 MISC ACC	GL NUMBER DESCRIPTION
42,800.00 (42,800.00)	42,800.00 (42,800.00)	42,800.00	32,500.00 2,525.00 350.00 400.00 900.00 700.00 1,800.00 1,500.00 0.00 200.00 1,200.00 0.00 0.00	0.00	0.00 0.00	2023-24 AMENDED BUDGET
850.00 16,261.42 (15,411.42)	850.00 16,261.42 (15,411.42)	16,261.42	12,105.36 926.06 43.14 0.00 499.86 737.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00	850.00	0.00 850.00 0.00	YTD BALANCE 01/31/2024 NORMAL (ABNORMAL)
50.00 2,849.39 (2,799.39)	50.00 2,849.39 (2,799.39)	2,849.39	2,243.75 171.64 43.14 0.00 0.00 49.86 341.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00	50.00	0.00 50.00 0.00	ACTIVITY FOR MONTH 01/31/2024 INCREASE (DECREASE)
(850.00) 26,538.58 (27,388.58)	(850.00) 26,538.58 (27,388.58)	26,538.58 26,538.58	20,394.64 1,598.94 306.86 0.00 400.00 400.00 1,800.00 725.00 1,500.00 200.00 (750.00) 0.00 0.00	(850.00)	0.00 (850.00) 0.00	AVAILABLE BALANCE NORMAL (ABNORMAL)
100.00 37.99 36.01	100.00 37.99 36.01	37.99	37.25 36.68 12.33 0.00 55.54 105.29 0.00 0.00 -44	100.00	0.00	% BDGT USED

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02/08/2024 09:10 AM User: SHELLY DB: Village Of Lexington

GL ACTIVITY REPORT FOR VILLAGE OF LEXINGTON

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Page:

TRANSACTIONS FROM 01/01/2024 TO 01/31/2024

Date	JNL	Туре	Description	Reference #	Debits	Credits	Balance
Fund 101 GE	NERAL	FUND					
01/01/2024			101-722-701.000 WAGES		BEG. BALANCE		9,861.61
01/03/2024	·PR	CHK	SUMMARY PR 01/03/2024	*	381.25		10,242.86
01/10/2024	PR	CHK	SUMMARY PR 01/10/2024		450.00		10,692.86
01/17/2024	PR	CHK	SUMMARY PR 01/17/2024		575.00		11,267.86
01/24/2024	PR	CHK	SUMMARY PR 01/24/2024		550.00		11,817.86
01/31/2024	PR	CHK	SUMMARY PR 01/31/2024		287.50		12,105.36
01/31/2024			101-722-701.000	END BALANCE	2,243.75	0.00	12,105.36
01/01/2024			101-722-704.100 MATCH - SOCIAL SECT	TRITY	BEG. BALANCE		754.42
01/03/2024	PR	CHK	SUMMARY PR 01/03/2024		29.17		783.59
1/10/2024	PR	CHK	SUMMARY PR 01/10/2024		34.42		818.01
01/17/2024	PR	CHK	SUMMARY PR 01/17/2024		43.99		862.00
1/24/2024	PR	CHK	SUMMARY PR 01/24/2024		42.08		904.08
01/31/2024	PR	CHK	SUMMARY PR 01/31/2024		21.98		926.06
01/31/2024			101-722-704.100	END BALANCE	171.64	0.00	926.06
01/01/2024			101-722-704.500 MICH EMP SEC COM		BEG. BALANCE		0.00
1/03/2024	PR	CHK	SUMMARY PR 01/03/2024		8.77		8.77
1/10/2024	PR	CHK	SUMMARY PR 01/10/2024		10.35		19.12
1/17/2024	PR	CHK	SUMMARY PR 01/17/2024		9.78		28.90
1/24/2024	PR	CHK	SUMMARY PR 01/24/2024		9.35		38.25
01/31/2024	PR	CHK	SUMMARY PR 01/31/2024		4.89		43.14
01/31/2024			101-722-704.500	END BALANCE	43.14	0.00	43.14
01/01/2024	ă.		101-722-803.000 PHONE		BEG. BALANCE		450.00
1/31/2024	GJ	JE	AGRI VALLY PHONE BILL	2841	49.86		499.86
1/31/2024	*		101-722-803.000	END BALANCE	49.86	0.00	499.86
01/01/2024			101-722-805.000 ADVERT/PUBLICATIONS	<b>.</b>	BEG. BALANCE		396.00
1/30/2024	AP	VNI	SAD AND ZONING ORD.	349394	341.00		737.00
1/31/2024			101-722-805.000	END BALANCE	341.00	0.00	737.00
1/01/2024			101-722-820.000 CONTRACTED SERVICES	1	BEG. BALANCE		1,950.00
1/31/2024			101-722-820.000	END BALANCE	0.00	0.00	1,950.00
ריים ביים	IND 101	GENE	RAL FUND	_	2,849.39		16,261.42

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DB: Village Of Lexi

BALANCE SHEET FOR VILLAGE OF LEXINGTON

Page: 1/2

Period Ending 01/31/2024

### Fund 101 GENERAL FUND

Total Liabilities	101-000-204.300 101-000-204.600 101-000-204.889 101-000-204.899 101-000-204.955 101-000-205.100 101-000-205.200 101-000-208.800 101-000-2283.100 101-000-283.200 E	Total Assets  *** Liabilities ***	*** Assets ***  101-000-001.800 101-000-002.000 101-000-015.000 101-000-015.150 101-000-015.225 101-000-015.300 101-000-015.800 101-000-015.800 101-000-017.100 101-000-017.100 101-000-0184.830	GL Number
re s	UIA EQUITABLE - EMPLOYEE CONTRIBU EMPLOYEE CONTRIBUTION TO BCBS AFLAC INSURANCE-EMPLOYEE CONT MISC PASSTHROUGH EMPLOYEE CONTR TO PENSION 4 1 UNITED WAY-EMPLOYEE CONTRIBUT UNION DUES DEFERRED REVENUE GIELOW ESCROW BROWN ESCROW		INVESTMENT-GÖVMIC EASTERN MICHIGAN BANK PETTY CASH ACCOUNTS RECEIVABLE A/R UNCOLLECTED RESCUE RUN A/R MISC. PREPAYMENTS A/R UNBILLED UTILITIES A/R RUBBISH ACCOUNTS SENT TO COLLECTIONS POOLED INVESTMENT ACCOUNT GOV.MIC DUE FROM LEX TOWNSHIP	Description
19,710.54	1,911.39 295.44 1,983.70 102.78 1.12 (679.05) 12.00 333.16 12,750.00 1,000.00 2,000.00	744,918.04	66,145.51 263,889.73 200.00 (191.00) 5,289.51 35.00 1,092.08 7,543.13 1,263.51 (2,776.71) 400,604.60 1,822.68	Balance

<sup>\*\*\*</sup> Fund Balance \*\*\*

02/08/2024 09:23 AM User: SHELLY DB: Village Of Lexi

# BALANCE SHEET FOR VILLAGE OF LEXINGTON

Page: 2/2

Period Ending 01/31/2024

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GENERAL	TATIONT
LOND	コニフ

Beginning Fund Bala Net of Revenues VS Ending Fund Balance Total Liabilities A	Total Fund Balance Beginning Fund Balance	101-000-390.000 101-000-391.000 101-000-391.100 101-000-391.200	*** Fund Balance *	GL Number
Beginning Fund Balance Net of Revenues VS Expenditures Ending Fund Balance Total Liabilities And Fund Balance		FUND BALANCE ACCOUNT RESERVED FUND BALANCE-FIRE DE RESERVED FUND BALANCE-METRO	* * * *	Description
473,113.63 252,093.87 725,207.50 744,918.04	473,113.63	460,548.32 7,951.82 768.35 3,845.14		Balance