

CHARTER TOWNSHIP OF OXFORD PLANNING COMMISSION REGULAR MEETING
THURSDAY, FEBRUARY 26, 2009

A regular meeting of the Charter Township of Oxford Planning Commission held Thursday, February 26, 2009, at the Oxford Veterans Memorial Civic Center.

Members Present: Bell, Berger, Black, Curtis, Lepping, Roesner, Spisz

Members Absent: None

Also Present: Planner Oppmann, Fire Chief Scholz, Recording Secretary Harrison, a cameraman, and approximately 10 audience members.

The meeting was called to order by Chairman Bell at 7:30 pm.

RESPECTS TO THE FLAG

NOTING OF ROLL

APPROVAL OF AGENDA

Black moved, Berger seconded, to approve the February 26, 2009 agenda, as presented.

Ayes: 7 Nays: 0 Absent: 0 Motion Carried

APPROVAL OF THE MINUTES

Planning Commission Regular Meeting – January 8, 2009.

Black moved, Lepping seconded, to approve the Planning Commission Regular Meeting Minutes of January 8, 2009, as presented.

Ayes: 7 Nays: 0 Absent: 0 Motion Carried

PUBLIC COMMENTS ON ITEMS NOT SCHEDULED FOR PUBLIC HEARING OR ON AGENDA – None

COMMISSIONERS' COMMENTS, INFORMATION FROM RECORDING SECRETARY

Commissioners' Comments: Commissioner Curtis noted the agenda on the Township's website for tonight's meeting, New Business item 10.B., is noted as being east of M-24, it should have been west of M-24 (the location was noted correctly on the packet agenda).

Chairman Bell commented Supervisor Dunn has requested that a member of the Planning Commission attend an upcoming seminar regarding renewable energy; he had a flyer with the information. Commissioner Lepping volunteered to attend.

Recording Secretary Comments: None

PUBLIC HEARING(S) - None

OLD BUSINESS -

EXTENSION OF FINAL SITE PLAN – Until 2/28/2010 – Goddard School – Day Care/Child Care, Parcel B, 04-22-301-015, Gateway Drive, Oxford MI 48371 – Applicant: Peter Stuhlreyer, 4769 Gallagher, Rochester, MI 48306 – Property Owner – Guymann Development,

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4359 Dogwood, Clarkston, MI 48348 (PC – PAC 02/08/2007) (ZBA 7/30/2007) (PSP 12/13/2007) (PH SLU 01/24/2008) (FSP 02/28/2008)

Black moved, Curtis seconded, to extend the Goddard School Final Site Plan until 2/28/2010 (a one year extension).

Ayes: 7 Nays: 0 Absent: 0 Motion Carried

NEW BUSINESS –

PRE-APPLICATION CONFERENCE - 697 S. Lapeer Rd., Oxford, MI 48371 – Parcel #04-26-303-007, Applicant: David Biddle, 177 Howland Pines, Oxford, MI 48371 – Property Owner: NM Properties, PO Box 247, Oxford, MI 48371

Mr. Biddle, the applicant, was present and is proposing to take portion of an existing building (formally an alternator shop) located next to the Party Keg party store to do low volume auto sales and to also move his insulation business into. Mr. Biddle clarified he will not be doing any mechanical work and that he does have a car dealer's license.

Mr. Biddle noted he intends to park the cars for sale (around 2 or 3 at a time) in the square opening at the front of the building. Commissioner Berger recommended he keep the area clear along the south side of his portion of the building; he believes that area is part of the road right-of-way and it makes it difficult for cars pulling out of the gas station when cars are parked along there.

It was noted Mr. Biddle will not be altering the site plan but a Special Land Use permit will be required. Commissioner Curtis pointed out, however, that Ordinance requires 150 foot frontage for vehicle sales which Mr. Biddle does not have; and asked if the square opening falls into the setback.

Commissioner Berger commented the location is non-conforming but if the applicant is only going to display 2 or 3 cars and will be cleaning up the building; supports what the applicant is trying to do.

Anything Mr. Biddle does inside the building would have to go through the normal permitting process.

Mr. Biddle was given the following direction regarding the Special Land Use: the Planning Commission would like to see elevations, a floor plan of the inside, and a plan that shows property corners, setbacks, etc.; a full site plan would not be necessary. Planner Oppmann added they will have to show where they are going to park the cars to ensure that he can conform to Section 6.13 of Ordinance 67A and noted letter "d" of that section regarding frontage and size of the lot. Currently he does not meet those requirements. Another caveat Planner Oppmann noted that could be a problem is ingress and egress and where he plans on parking the cars; there needs to be some kind of site plan to show what Mr. Biddle plans on doing.

Commissioner Roesner noted the incomplete safety path along the front of the building. Mr. Biddle agreed to complete it (about 10 feet) if the owner will allow it.

PRE-APPLICATION CONFERENCE – Vacant Parcel – W of M-24 Rd & N of Market Street at Waterstone – Parcel # 04-22-151-014 – Applicant: McDonald's USA, LLC, 1021 Karl Greimel Drive, Suite 200, Brighton, MI 58116 – Property Owner – Randall Bellestri, 2980 E. Davison Lake Rd., Oxford, MI 48371

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Iggy Pipitone, Area Construction Manager for McDonald's Corporation, is proposing to relocate the existing McDonalds, to the south, and moving it north to this location by creating a 1.2 acre lot split from a 10 acre vacant parcel. Mr. Pipitone commented he had a letter from MDOT indicating McDonald's could bring an access road into that area.

There was discussion that plans will need to show a future access at the rear if the property north and south to Market Street incase other portions of the parcel are developed; they need to make sure there is proper flow. Also, it was noted a safety path has to be shown on the plans.

Mr. Pipitone clarified they do not plan on having provisions for tractor trailer parking on this site and will ask the owner of the nearby business to post a sign along the fence to not allow semi trucks to park there and walk over.

It was noted the parcel is currently zoned Commercial and this request will require a Special Land Use permit.

Commissioners agreed this location is better than its current location and Mr. Pipitone verified the old McDonalds will be closed when the new one opens.

Piecing out the property was discussed. A site plan of the entire parcel will be required from the owner to detour potential piecing problems in the future. The plan will need to show how roads will interact. Once that is approved, McDonalds can go forward with their plans.

Commissioner Roesner pointed out the subject parcel may be part of the Waterstone PUD in which case McDonalds would have to show their plans as a PUD amendment. Planner Oppmann will research this issue administratively and get back to Mr. Pipitone on how they should proceed.

DICUSSION – ORDINANCE 67A AMENDMENT .004 – Returned from Township Board (11/12/2008) (02/11/2009) to forward to Ordinance Review Sub Committee for re-review.

Commissioner Spisz provided written comments for discussion regarding the Board's concerns about this amendment. Chairman Bell gave the commissioners the option of discussing these concerns tonight or to refer them to the sub committee to review and to bring it back to the Planning Commission (which was the action by the Township Board).

Black moved, Lepping seconded, to send Commissioner Spisz' WECS report to the Ordinance Review Sub Committee for review and discussion and to then bring it back to the Planning Commission.

Ayes: 7 Nays: 0 Absent: 0 Motion Carried

It was noted the next ORSC will meet on March 19th.

Commissioner Spisz commented one of the major issues regarding the Ordinance amendment was the Special Land Use fee.

COMMUNICATIONS AND/OR COMMITTEE REPORTS

Violation Report – A Violation Report was submitted dated 02/03/09. There were not questions or comments.

Sub Committee Reports

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Acreage/Lot Split Sub Committee – Nothing to report.

Gravel Inspection Sub Committee – Nothing to report.

Ordinance Review Sub Committee – Nothing additional to report.

Reports from Representatives to Other Township Boards/Committees

Safety Path Committee – Committee Member Curtis reported a meeting was held prior to tonight’s meeting. Officers were elected; they reviewed the budget, currently there is \$76,000 in the fund will include \$15,000 slated from the General Fund for maintenance; they reviewed a safety path repair list from 2008 which will be re-visited after the frost laws have been lifted and then submitted for bid; they discussed the Drahrer Road project, Member Spisz will get with the Township Engineer regarding the specifications for the proposed bridge to see if they can get that cost down; reviewed the safety path priority list; discussed what the Safety Path Committee is about; Member Curtis will research funding options; and a second meeting was scheduled for April.

Water and Sewer Committee – Member Spisz reported they recently had a meeting where they toured all the facilities; and he and Treasurer Ferrari are working to understand the Bond and Treasurer Ferrari will be making a presentation at the next Board meeting.

ZBA – Nothing to report; there will be a meeting on March 16th.

Chairman Bell had an additional Commissioner’s Comment. He noted Dr. Skilling from the School Board asked him to be part of a “community leaders meeting” that will be held every other Friday to discuss how to get away from the perception that Oxford it is not a place to come and build a business which stems from the Economic Development Council from Oakland County. One of the things they will be discussing is how to expedite the site plan approval process.

PLANNER/ENGINEER REPORTS

Planner – Carlisle/Wortman – Planner Oppmann commented that Bordine’s Nursery has requested a “temporary permit” to sell flowers in the parking lot of Carla’s Market. It was decided a representative from Bordine’s needs to appear before the Planning Commission and present their request. *A member of the audience commented Bordine’s should not be allowed to sell flowers there and be in direct competition with Harvest Time, an Oxford based business that pays Oxford taxes.*

Engineer – Giffels-Webster – Not available.

BILLS SUBMITTED FOR PAYMENT

Black moved, Berger seconded, to recommend approval to the Township Board of Carlisle/Wortman’s invoice #29286 dated 2/1/09 in the amount of \$1,050.00.

Ayes: 7 Nays: 0 Absent: 0 Motion Carried

ADJOURNMENT

Black moved, Berger seconded, to adjourn the meeting at 9:00 pm.

Ayes: 7 Nays: 0 Absent: 0 Motion Carried

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Todd Bell, Chairman

Tom Lepping, Secretary

Date approved: 03/12/2009

lmh