

CHARTER TOWNSHIP OF OXFORD PLANNING COMMISSION REGULAR MEETING
THURSDAY, MARCH 25, 2010

A regular meeting of the Charter Township of Oxford Planning Commission was held Thursday, March 25, 2010, at the Oxford Fire Department Meeting Hall.

Members Present: Bell, Berger, Curtis, LeRoy, Roesner, Spisz

Members Absent: Lepping

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

The meeting was called to order by Chairman Bell at 7:31 pm.

RESPECTS TO THE FLAG

NOTING OF ROLL

APPROVAL OF AGENDA

Commissioner Curtis moved, Commissioner Spisz seconded, to approve the March 25, 2010 agenda, as presented.

Ayes: 6 Nays: 0 Absent: 1 Motion Carried

APPROVAL OF THE MINUTES

Planning Commission Regular Meeting – February 11, 2010.

Being that several Commissioners could not open the minutes on their computers, it was decided to postpone action until the next meeting.

Commissioner Spisz moved, Commissioner Berger seconded, to postpone action on the Planning Commission Regular Meeting Minutes of February 11, 2010 until the next meeting.

Ayes: 6 Nays: 0 Absent: 1 Motion Carried

Economic Development Sub Committee Meeting – March 4, 2010

Commissioner Curtis moved, Commissioner Spisz seconded, to approve the Economic Development Sub Committee Meeting Minutes of March 4, 2010, as presented.

Ayes: 6 Nays: 0 Absent: 1 Motion Carried

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

COMMISSIONERS' COMMENTS, COMMENTS FROM ZONING ADMINISTRATOR, COMMENTS & INFORMATION FROM RECORDING SECRETARY

Commissioners' Comments: Commissioner Spisz asked for all the laptops after the meeting so he can take them to the Township offices to be updated by Tech Resources.

Recording Secretary Comments: None

OLD BUSINESS

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Chairman Bell noted usually public hearings are held at this point during the meeting, due to the time on the notice being the old meeting starting time of 7:30 pm, they will be heard after Old Business.

PRELIMINARY SITE PLAN – (NO CONSULTANT REVIEWS) PARCEL(S) -#04-36-200-005, #04-36-200-028 – APPLICANT: KNORR PONDS FARM, FRED LATTA, 1430 E. DRAHNER, OXFORD, MI 48371

Jim Scharl with Keith Engineering was present and represented the applicant. Mr. Scharl noted at a prior Planning Commission meeting regarding this request, a private road application for property on Drahner Road, it was suggested to shorten the existing road to 1,000 feet and to remove one of the structures. Currently the road is approximately 1,400 feet long and there are two homes on one parcel (which is not allowed under current ordinance). Mr. Scharl commented if the road were shortened to the maximum allowable length, 1,000 feet, the front yard setback of the home on parcel B would conflict with road frontage on parcel A. Because of the location of the existing homes, shortening the road can not be done and be in compliance with ordinance.

Chairman Bell asked the applicant, Mr. Latta, how there came to be two residences on one lot. Mr. Latta replied it occurred several years ago before the current zoning ordinance was in affect. One home was built for himself and one for his parents. Chairman Bell stated it appears the Township created a hardship on this property and being the Planning Commission can not approve the request because it would not comply with Township ordinance, it should be denied so that it can be heard by the ZBA.

Commissioner Berger moved, Commissioner Curtis seconded, to deny approval of the Preliminary Site Plan due to the following findings of fact: the Township changed the requirement for private road length to a maximum of 1,000 feet (a previous ordinance allowed a private road to be longer); if the road were to be shortened to 1,000 feet, the existing structure on parcel A would have the front yard setback of parcel B in front of it as road frontage; and there are two existing homes on the property that have been there for many years which the Planning Commission did not have control of at that time.

Commissioner Berger amended the motion, Commissioner Curtis re-supported, to include the two parcel numbers: #04-36-200-005 and #04-36-200-028, applicant Knorr Ponds Farms, Mr. Fred Latta.

Ayes: 6 Nays: 0 Absent: 1 Motion Carried

Commissioner Roesner asked the minutes from the February 11, 2010 meeting and the minutes from this meeting be included in the ZBA packet for this request.

PRE-APPLICATION CONFERENCE – PARCEL #04-35-126-015, 1190 S. LAPEER RD., OXFORD, MI 48371 – APPLICANT: RT INVESTMENT PROPERTIES, 1960 METAMORA, OXFORD, MI 48371

Bill Bailey, on behalf of Bob Turner and RT Investments, was present and is seeking direction on the concept to develop 11 acres located behind the current Salvation Army building. Mr. Bailey noted they met with the Oxford Fire Department, MDOT, Wilson and Associates, the DEQ, spoke with Engineer Mayer; and met with the Water & Sewer Committee (about 3 years ago regarding REU availability) to get their comments on the proposed project. They would like to build up to 106 one-bedroom senior citizen apartments and 24 condos.

Chairman Bell informed Mr. Bailey this is a Pre-application Conference which is a non-binding discussion between the applicant and the Planning Commission.

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The following comments and suggestions were made per Commissioner discussion:

- It was suggested the project come in as a PUD.
- There is a 4-unit apartment complex already in that area - what plans do they have for that and will the access from the Salvation Army be closed off. *Mr. Bailey responded they do plan on closing off the access. Mr. Robert Turner, 1960 Metamora Road, replied he is not sure what he will do with the other apartments at this time.*
- A major concern was REU allocation, currently there is 3.2 REUs allocated to that site, what the applicant is proposing would require a lot more. The subject would have to be heard by the Water & Sewer Committee.
- Provision for a dumpster would be needed.
- It was recommended the gravel road required by the Fire Department be paved.
- There was discussion on the wetlands and pond(s) on the site.
- Traffic flow and parking was a concern. It was suggested townhouses might be a better fit. There was also concern about parking for a proposed banquet facility shown on the plans.
- Storm water management would need to be addressed, for their project and for businesses on Lapeer Road that drain to that site.
- Another major concern was zoning, the parcel is currently zoned C-2 and would need to be rezoned to RM which is a substantial change. It was noted the Master Plan has that area zoned as commercial.

PUBLIC HEARINGS

PROPOSED REZONING – PARCEL #04-11-300-005 CURRENTLY ZONED SF-3 TO SAND AND GRAVEL OVERLAY – APPLICANT: AMERICAN AGGREGATES OF MICHIGAN, 51445 W. 12 MILE ROAD, WIXOM, MI 48165

Commissioner Roesner moved, Commissioner Curtis seconded, to open the public hearing at 7:43 pm.

Ayes: 6 Nays: 0 Absent: 1 Motion Carried

Dale Sawyer with American Aggregates of Michigan and Scott Carson, the VP of Operations, were present and are seeking to rezone the subject parcel from SF-3 to Gravel and Sand Overlay. In addition to the map they presented at the February 11th meeting, they brought an aerial overview of the property. American Aggregates own the majority of the property except for 13 acres also in the district.

Wayne ? who owns the 13 acres asked were they plan on placing berms. *Planner Oppmann responded American Aggregates will have to amend their original application to mine that area if the rezoning is approved. It will require a special land use and at that time berming requirements will be discussed.*

There were no further comments or written correspondence from the public.

Commissioner Curtis moved, Commissioner LeRoy seconded, to close the public hearing at 7:47 pm.

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Ayes: 6 Nays: 0 Absent: 1 Motion Carried

Commissioner Berger clarified that before American Aggregates can do any mining, they have to request a special land use at which time another public hearing will be held and operation regulations will be discussed. The Planning Commission will do whatever it can to protect residents who are adjacent to the property.

Commissioner Roesner clarified American Aggregates will not be use Gardner Road as an access to the site. *Mr. Sawyer responded they will use Ray Road to enter the site and will not use Gardner Road. It was noted that can be a condition for special land use approval.*

Commissioner Berger moved, Commissioner Curtis seconded, to recommend approval of the proposed rezoning of 40 acres, parcel #04-11-300-005, currently zoned SF-3 to the Sand and Gravel Overlay district located along the west portion of Gardner Road and north of Oxford Road.

Commissioner Berger amended the motion, Commissioner Curtis re-supported to add: to recommend “to the Township Board” approval.

Ayes: 6 Nays: 0 Absent: 1 Motion Carried

**PROPOSED ZONING ORDINANCE 67A – ARTICLE 9 – SIGNAGE:
SIGNS ALLOWED WITHOUT A PERMIT
(D) FLAGS (P) POLITICAL (H) HELP WANTED**

Commissioner Roesner moved, Commissioner LeRoy seconded, to open the public hearing at 7:51 pm.

Ayes: 6 Nays: 0 Absent: 1 Motion Carried

There were not public comments or written correspondence heard at this time.

Commissioner Curtis moved, Commissioner Spisz seconded, to close the public hearing at 7:52 pm.

Ayes: 6 Nays: 0 Absent: 1 Motion Carried

Commissioner Roesner moved, Commissioner Curtis seconded, to recommend approval to the Township Board of the proposed amendment to Zoning Ordinance 67A, Article 9 – Signage, Signs Allowed Without a Permit (D-Flags, P-Political, H-Help Wanted).

Ayes: 6 Nays: 0 Absent: 1 Motion Carried

NEW BUSINESS –

CONCURRENT PRELIMINARY AND FINAL SITE PLAN – 201 S. WASHINGTON, OXFORD, MI 48371 – PARCEL(S) #04-27-426-012 (TWP), #PO-04-27-278-016 (VILLAGE), #PO-04-26-153-002 (VILLAGE) – APPLICANT: DR. ADEL MAGID, DDS, 837 S. LAPEER, OXFORD, MI 48371

Lisa Easterwood with Gould Engineering was present and represented the applicant. She noted the site is made up of three (3) parcels which are located on S. Washington (Lapeer Road), the former Comerica Bank location. One parcel is in the Township and two are in the Village. All together the site is .42 acres and zoned C-1 in the Township and C-2 in the Village; both zonings allow for the proposed use which is a dental office. The existing building is a little over 2,000 sq. ft. and they are proposing an addition of 834 sq. feet. She noted a small corner near the intersection of Lapeer Road

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and Minnatonka that is owned by MDOT which is an actual parcel, not road right-of-way. She noted setbacks, parking spaces (20), and that the site has all the necessary utilities. Ms. Easterwood said they are also proposing a 5 foot wide concrete walk around the front of the building, seal coating and restriping the parking lot, moving the handicap parking space with a crosswalk and ramp to the south side of the building where the entrance will be, and traffic signage (a one-way sign at the access from Lapeer Road and a one way exit sign out onto Minnatonka). They will provide landscaping however the site is currently well paved and does not leave a lot of room for landscaping.

Chairman Bell went through the consultant reviews as follows:

ATTORNEY Rentrop & Morrison Review dated 3/11/2010 -

- The Quit Claim Deed is in the name of Oxford Real Estate Building LLC in care of Dr. Magid, and Ms. Easterwood has documentation of that.
- A certified survey was provided in the packet and was certified by a registered land surveyor. Ms. Easterwood also noted the site plan was signed and sealed.
- Ms. Easterwood did receive the one easement on the site and will make sure it is added to the drawings.
- Landscaping will be addressed during the Planner's review.

ENGINEER Giffels-Webster Review dated 3/10/2010 -

- They will comply with the easement requirement and a certified survey has been provided.
- The rest of the plans meet Township requirements.

FIRE DEPARTMENT Review dated 3/9/2010 -

- A Knox box will be provided and the address will be displayed on the building. Both will be noted on the building plans submitted to the Building Department.
- No Parking – Fire Lane signs will provided per the Fire Chief's recommendation.

PLANNER Carlisle Wortman Review dated 3/11/2010 -

- Landscaping was discussed. It was noted the Planning Commission has the authority to modify or waive requirements. It was also noted the Village has deferred this final site plan request to the Township and the Township can act on its behalf. It was the consensus of the Commissioners to curb the northeast portion of the driveway entrance (being that MDOT is requiring them to make that entrance narrower) and use that as a landscape island mirroring the south radius.

SHERRIFF'S Review dated 3/10/2010 -

- The Commissioners discussed the Stop sign request. It was the consensus to waive that requirement. Ms. Easterwood also noted there is designated signage shown on sheet 3 of the site plans. Commissioner Berger wanted to make sure the one-way traffic flow is well posted.

Per a question by Commissioner Curtis, non-hazardous garbage will be picked up curb side.

When asked, Dr. Magid said he was moving his practice from the Oxford Professional Building to this location.

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Commissioner Curtis moved, Commissioner Spisz seconded, to grant approval of the concurrent Preliminary and Final Site Plan for 201 S. Washington, Oxford – Township parcel #04-27-426-012 and Village parcels #PO-04-27-278-016 and #PO-04-26-153-002, with the following conditions: comply with items A and B of the Attorney review letter dated March 12, 2010; include the recorded easement on the drawings as required in the Engineer’s review letter dated March 10, 2010; comply with the Fire Department’s recommendations 1 and 3 on their letter dated March 9, 2010; and to rework the north island to MDOT width specifications and mirror image the landscaping of the south radius per the Planner’s review letter dated March 11, 2010.

Ayes: 6 Nays: 0 Absent: 1 Motion Carried

DISCUSSION – MASTER PLAN – (M-24 CORRIDOR/LAKEVILLE RD) – EDSC

Per direction by the Economic Development Subcommittee to look at land uses north of the Village, Planner Oppmann gave a PowerPoint presentation regarding possible updates to the Master Plan. One of the proposed changes is to add a “mixed use” category for future land use along the M-24 corridor and the area north of Ray Road near the gravel pit and one site north of Dunlap Road. Planner Oppmann noted “mixed use” would then have to be discussed further in terms of types of uses allowed. It was also suggested the old Sea Ray building be changed to commercial. The next steps would be adding a mixed use future land use category to the Master Plan and to figure out what kind of uses those would be. Having a mixed use category would make it more flexible for the Township to welcome future development along that corridor. It was also suggested to look at more sites to eventually add as mixed use, possibly further north toward the Metamora Road area.

Chairman Bell noted the EDSC is looking at every avenue to promote Oxford. He commented that Commissioner Spisz has provided the committee with language from Oakland County regarding funds they have available for infrastructure. It would be ideal for the Township to put that in place now to encourage future development. The purpose of this presentation is to get Commissioner comments as to whether the EDSC is headed in the right direction and should they keep pursuing this.

Commissioner Curtis said another area to consider for mixed use is the 1,200 acres on Lakeville Road and there maybe a couple of areas along there that should be changed to commercial.

Commissioner Berger agreed, and because of potential residential growth in that area, the Township should try and meet the needs of people living in that area.

Commissioner Spisz said another area to look at for commercial is on Baldwin Road north of Indianwood. Commissioner Spisz also asked for a copy of the proposed plan for further study. *Planner Oppmann will send a pdf file to Planning and Zoning Coordinator Walkaus for distribution to the Commissioners.*

Chairman Bell directed Planner Oppmann to bring back potential language for mixed use.

Commissioner Spisz wanted to make sure all costs for this process was being tracked so as not to go over the budget received from the Township Board.

DISCUSSION – PROPOSED WEEKLY UPDATE

Chairman Bell stated some of the Commissioners have asked for an update similar to what he gets from the Planning and Zoning Coordinator. The Commissioners have expressed concern they are unaware of some issues until they become an agenda item or it comes out in the local paper. Chairman Bell gave direction for the Planning and Zoning Coordinator to produce a weekly report, to be approved by him and e-mailed to each Commissioner.

COMMUNICATIONS AND/OR COMMITTEE REPORTS

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Violation Report – Chairman Bell noted the updated version of the report. There were no questions or comments.

Sub Committee Reports

Acreage/Lot Split Sub Committee – Nothing to report.

Economic Development Committee - Committee Member Curtis noted the meeting day has been changed to the first Wednesday of the month beginning in April, at 6:30 pm; they will be held at the Township Hall until the Vet's Hall is finished.

Each member of the committee has several assignments such as proposals for the master plan, making the application process easier, reviewing cost structures, and putting together a liaison for developers to reach Planning Commission members.

He noted member from Village DDA attended their last meeting and he went to theirs and presented what the EDSC is doing. The DDA liked the EDSC Vision Statement and liked the fact they are willing to work with the Village.

Committee Member Curtis said he is trying to get some of the larger sites in the Township on the Michigan film industry website. He had a photographer shoot 200 photos of the Koenig site of which 10 will be uploaded to the site. He is encouraging other areas/businesses to do the same.

Gravel Inspection Sub Committee – Nothing to report.

Ordinance Review Sub Committee – Nothing to report.

Reports from Representatives to Other Township Boards/Committees

Safety Path Committee – Committee Member Curtis asked about his appointment to the committee. Chairman Bell replied it is a Township Board appointment. He had nothing else to report. It was commented the boardwalk on Drahner Road looks nice.

Water and Sewer Committee – Nothing to report.

ZBA – Nothing to report.

PLANNER/ENGINEER REPORTS

Planner – Carlisle/Wortman – Nothing to report.

Engineer – Giffels-Webster – There was nothing received from Engineer Mayer to report.

ADJOURNMENT

Commissioner Berger moved, Commissioner Curtis seconded, to adjourn the meeting at 8:55 pm.

Ayes: 6 Nays: 0 Absent: 1 Motion Carried

Todd Bell, Chairman

Tom Lepping, Secretary

Date approved: April 22, 2010

lmh