

CHARTER TOWNSHIP OF OXFORD PLANNING COMMISSION REGULAR MEETING
THURSDAY, APRIL 22, 2010

A regular meeting of the Charter Township of Oxford Planning Commission was held Thursday, April 22, 2010, at the Oxford Fire Department Meeting Hall.

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

Members Absent: None

Also Present: Planner Wortman, Fire Chief Scholz, Secretary Harrison, a cameraman, and approximately 5 audience members

The meeting was called to order by Chairman Bell at 7:00 pm.

RESPECTS TO THE FLAG

NOTING OF ROLL

APPROVAL OF AGENDA

Commissioner Spisz moved, Commissioner Roesner seconded, to approve the April 22, 2010 agenda, as presented.

Ayes: 7 Nays: 0 Absent: 0 Motion Carried

APPROVAL OF THE MINUTES

Planning Commission Regular Meeting – February 22, 2010.

Commissioner Berger moved, Commissioner LeRoy seconded, to approve the Planning Commission Regular Meeting Minutes of February 11, 2010 (there was no meeting held on February 22, 2010) and amending item B under New Business, the second to last sentence, to read: *Chairman Bell commented the private road request would have to be denied so that it could go before the ZBA for a possible variance.*

Ayes: 7 Nays: 0 Absent: 0 Motion Carried

Planning Commission Regular Meeting – March 25, 2010.

Commissioner Berger moved, Commissioner Spisz seconded, to approve the Planning Commission Regular Meeting Minutes of March 25, 2010 as presented.

Ayes: 7 Nays: 0 Absent: 0 Motion Carried

Economic Development Sub Committee Meeting – April 7, 2010

Commissioner Spisz moved, Commissioner Berger seconded, to approve the Economic Development Sub Committee Meeting Minutes of April 7, 2010 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, COMMENTS FROM ZONING ADMINISTRATOR, COMMENTS & INFORMATION FROM RECORDING SECRETARY

Commissioners' Comments: None.

Recording Secretary Comments: None

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PUBLIC HEARING(S) – None.

OLD BUSINESS

FINAL SITE PLAN – 1090 S. LAPEER RD., OXFORD, MI 48371 – PROPOSED IN AND OUT DONUTS & BURGERS – PARCEL # 04-35-126-010 – APPLICANT: DAVID LEE, ROCHESTER HILLS, MI 48307 – PROPERTY OWNER: DAVID LEE – (PC PAC 3/26/2009, PC PSP 10/22/2009)

Mr. David Lee, the owner, was present. He is seeking final site plan approval for a proposed In and Out Donuts & Burgers restaurant on S. Lapeer Road, the location of the old Chopping Block meat store. Mr. Alex Orman, the civil engineer, was also available for questions.

Chairman Bell went through the consultant reviews as follows:

ATTORNEY Rentrop & Morrison Review dated 4/13/2010 -

- Commissioners agreed the stacking space is acceptable; it was noted the calculation was a drafting error.
- Mr. Lee confirmed the property behind his is zoned C-2; need to add to plans.
- Item B regarding off-street parking will be addressed during the Planner's review.
- It was noted the Cross-Easement Agreements were recorded. After further discussion, Commissioners agreed items C (1) and C (2) of the review letter were not met. Mr. Lee was asked to draft new Cross-Easement Agreements to be approved by the Township attorney and engineer and re-recorded.

Commissioner Roesner was concerned that language in the easement agreements allows either party to change the agreement without notifying the Township. It was noted that if that occurred, Mr. Lee would be in violation of the site plan approval.

- Item D regarding the storm water system will be discussed during the engineer's review.
- The site plan needs to be signed and sealed.

ENGINEER Giffels-Webster Review dated 4/13/2010 -

- Items 1 and 2 under General Information were addressed during the Attorney's review.
- Item 3, the sizing of existing utilities on and adjacent to the parcel need to be provided on the plans.
- Item 4, the Soil Erosion plan needs approval by the WRC. Mr. (?) said that will be filed with the construction documents.
- Item 1 under Storm Water System – the size and location of the water main connection needs to be shown on the plans.
- Will have to show the sanitary sewer lead and size.
- Will have to show where the grease trap is located.

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- Items 1, 2, 3, and 4 under Storm Sewer will be required at the time the construction drawings are presented.

FIRE DEPARTMENT Review – Fire Chief Scholz responded he did not receive a final site plan but will address any concerns during the building permit review process.

PLANNER Carlisle Wortman Review dated 4/16/2010 -

- Planner Wortman commented he would be satisfied with the circulation as commented in item #1 of the Summary with the revision of the easement agreements as noted above.

7:45 pm – The Planning Commission took a 5 minute recess to confer with previous minutes regarding Mr. Lee’s hours of operation.

7:50 pm – Reconvened regular meeting.

- Regarding item #2, the Commissioners were ok with the deviation from parking requirements given there will be Cross Easement Agreements in place and per the condition of the Special Land Use approval as noted in the minutes of October 22, 2009, Mr. Lee will only be open from 5:00 am to 3:00 pm, which should not interfere with the adjoining restaurant’s business.
- Regarding landscape requirements - the following items were noted:
 - a. The boulder retaining wall noted on the plans will not exceed 4 feet, if it does, it will require a structural engineer’s approval.
 - b. On sheet 1 of the landscape plans, the third item that measures 2 ft. wide, 3 ft. high, shall be named a juniper.
 - c. The fourth item, the ewe, needs to have the size noted on the plans as 18”to 24” .
 - d. The applicant needs to show how he plans on surfacing the area in front around the sign. It was suggested he put in a shrub with mulch so irrigation won’t be required. It was also noted the area should be elevated. In same area, proper curbing was discussed.
 - e. Commissioner Lepping recommended they show where they plan on pushing and piling snow.In conclusion, the landscape plans need to be revised to the satisfaction of the planner.

- Chairman Bell asked that Mr. Lee contact a lighting representative and obtain a Photometric plan.

Due to the significant number of items approval would be contingent upon, it was suggested final site plan approval be tabled.

Commissioner Lepping moved, Commissioner Berger seconded, to postpone action on the final site plan until the above items can be cleaned up and plans are re-submitted.

Roll Call:

Ayes: Berger, Curtis, Lepping, LeRoy, Roesner, Spisz, Bell

Nays: None

Absent: None

Motion Carried

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It was noted that Mr. Lee could pick up a list of the items that need to be addressed from the Building Department tomorrow and that Commissioner Lepping would be the liaison or Planning Commission contact person for this project.

DISCUSSION – MASTER PLAN – MIXED USE

Planner Wortman commented his office has prepared a preamble to the proposed Mixed Use or Future Land Use category for the Master Plan. This would be for the area on Lapeer Road north of Ray Road on both the east and west sides (as noted later in the discussion). He noted that area is already a mix of commercial and industrial uses. Planner Wortman said what they have done identifies that category, defines it, and should encourage commercial and industrial uses. One of the goals of this proposal is to promote economic development and employment tax base. They have also included low impact design, innovative storm water procedures; and ratings for leadership, energy and environmental design (L.E.E.D.). The proposal would still have to be brought into the draft Master Plan and would appear as a new category in the Land Use Plan. Planner Wortman noted they did not add a detailed listing of mixed uses to allow for more flexibility when a developer comes in.

Commissioner Berger said he likes the idea of incorporating any type of a mixed use. It would provide for businesses that come in to have places where employees could shop and eat. It will also provided businesses some flexibility that don't always fit every component of a set district.

Currently the proposal does not have a provision for residential use. Committee members discussed this and agreed there should be some flexibility in this area as well.

Planner Wortman said he will get with Planner Oppmann and write the categories and noted the other thing that will change is the Implementation Section. Now, by State statute, there has to be a Zoning Plan which addresses how the Master plan will be implemented. The other thing the Planning Commission needs to consider updating is population and demographics. *Chairman Bell responded that some of the money that had been budgeted for this project has already been spent at the EDSC level and would like Planner Wortman to provide a modified work plan based on dollars.*

COMMUNICATIONS AND/OR COMMITTEE REPORTS

Violation Report – There were no comments at this time.

Sub Committee Reports

Acreage/Lot Split Sub Committee – It was noted a meeting will be coming up.

Economic Development Committee - Committee Member Curtis noted the minutes from the last meeting and that the biggest topic has been the liaison concept. He commented he is working with McDonalds on their project which will involve a lot split, rezoning, and site plan approvals. They would like to break ground by August 1st. He showed a flow chart the Planning and Zoning Coordinator developed that depicts timelines and deadlines for everything, this should help move the project (and future projects) expeditiously along. Member Curtis also commented that Committee Chairman Bell is working on another ECDSC project for the community.

Member Curtis reported they are planning a “round table” meeting in the future with some of the commercial, industrial, medical, and retail businesses in the area to discuss what they have done in the past and are planning to do in the future.

Gravel Inspection Sub Committee – Nothing to report; will be scheduling a meeting early in the fall.

Ordinance Review Sub Committee – Nothing to report.

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Reports from Representatives to Other Township Boards/Committees

Safety Path Committee – Committee Member Curtis reported there has not been a meeting this year but has requested one of Chairman Ferrari. There are a couple of things going on regarding safety paths and sidewalks along with the completion of the project on Draher Road that need to be discussed.

Chairman Bell asked to get a report by the next Planning Commission meeting on where the cost stands on that Draher Road project and how much it has gone over budget so far. *Committee Member Spisz said will get that information.*

Water and Sewer Committee – Committee Member Spisz reported they will be having a meeting in May.

ZBA – Committee Member Roesner reported there will be a meeting in May; the Knollwood Farms request.

PLANNER/ENGINEER REPORTS

Planner – Carlisle/Wortman – Planner Wortman suggested there are two subjects the ORSC may want to start looking at – medical marijuana, and regulations for LED billboards and signs which the State and MDOT have recently modified in regards to highway advertising ads. It was noted the Township Board addressed the medical marijuana issue at their last meeting and that the Planning Commission will not take any action until directed by the Township Board.

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

ADJOURNMENT

Commissioner Berger moved, Commissioner Lepping seconded, to adjourn the meeting at 8:30 pm.

Ayes: 7 Nays: 0 Absent: 0 Motion Carried

Todd Bell, Chairman

Tom Lepping, Secretary

Date approved: 5/13/2010

lmh