

CHARTER TOWNSHIP OF OXFORD PLANNING COMMISSION REGULAR MEETING
THURSDAY, JANUARY 24, 2008

A regular meeting of the Charter Township of Oxford Planning Commission held Thursday, January 24, 2008, at the Oxford Veterans Memorial Civic Center.

Members Present: Bell, Berger, Black, Curtis, Fitchena, Kucemba, Lepping, Roesner, Silvester

Members Absent: None

Also Present: Planner Wortman, Engineer Sharpe, Supervisor Dunn, Fire Chief LeRoy, Assistant Fire Chief Scholz, CJ Carnacchio-Oxford Leader, Recording Secretary Harrison, CATV Cameraman, and approximately 24 audience members.

The meeting was called to order by Chairman Silvester at 7:37 pm.

RESPECTS TO THE FLAG

NOTING OF ROLL CALL

APPROVAL OF AGENDA

Black moved, Curtis seconded, to approve the January 24, 2008 agenda, as presented.

Ayes: 9 Nays: 0 Absent: 0 Motion Carried

APPROVAL OF THE MINUTES

Planning Commission Regular Meeting – January 10, 2008

Black moved, Lepping seconded, to approve the Planning Commission Regular Meeting Minutes of January 10, 2008, as presented.

Ayes: 9 Nays: 0 Absent: 0 Motion Carried

CITIZENS' COMMENTS ON ITEMS NOT SCHEDULED FOR PUBLIC HEARING OR ON AGENDA

None

COMMISSIONERS' COMMENTS, INFORMATION FROM RECORDING SECRETARY

Commissioners' Comments: None

Recording Secretary Comments: None

PUBLIC HEARING(S)

SPECIAL LAND USE – Goddard School – Day Care/Child Care, Parcel B, (04-22-301-015, Gateway Drive, Oxford, MI 48371 – Applicant: Peter Stuhldreier, 4769 Gallagher, Rochester, MI 48306 – Property Owner – Guyman Development, 4359 Dogwood, Clarkston, MI 48348) Day Care Center in Office (O) zoning district – (PC – PAC 02/08/2007) (PAC (2) 5/24/2007) (ZBA 7/30/2007) (PSP 12/13/2008).

OPEN PUBLIC HEARING

Black moved, Fitchena seconded, to open the Public Hearing.

Ayes: 9 Nays: 0 Absent: 0 Motion Carried

Mr. Peter Stuhldreier, the Applicant, was present. He summarized the project as being an 8,000 sq. ft. franchised school/daycare facility for children ages 0 to 5 years, it can accommodate approximately 80 children, there will be proper screening for the safety of the children and as a buffer between the single family homes in the area, hours of operation are 6:00 am to 6:00 pm weekdays only, and will be open all year.

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Public Comments:

Sara Cox, 475 Sunset Blvd., supports the project; intends an using the facility; it is very much needed; and spoke about the trustworthiness of the people who will be running it.

CLOSE PUBLIC HEARING

Black moved, Fitchena seconded, to close the Public Hearing.

Ayes: 9

Nays: 0

Absent: 0

Motion Carried

Commissioner Comments:

There were no Commissioner comments at this time.

Findings Of Fact – ARTICLE 4, Section 4.5 (Subsection A-G) of Ordinance 67A.

Commissioners agreed the request complies with subsection A, 1 and 2; and subsections B, C, F, and G.

Subsection D, item 1 – Engineer Sharpe commented proper water and sewer service is in the process of being established (as-builts for Flagstar Bank were never accepted, which is what the applicant wants to connect to). Permits and inspection reports have been found and a letter sent to Flagstar noting what needs to be done to get the facilities approved, at which time the applicant will be able to connect. There should be no financial burden to the Township. Item 2 – There were no concerns.

Subsection E – Supervisor Dunn has been in contact with Jim Guy, the owner, who has agreed to comply with Section 8.1 of Ordinance 67A by putting in either a private or a public road. The Building Department will request a Bond from Mr. Guy. Commissioner Roesner noted the July 30, 2007 variance requests that were approved by the ZBA allowing the school to go in on an unapproved road. She added there is still the issue of a cul-de-sac -- the area for a cul-de-sac has been reserved and will be the decision of the Planning Commission on how they want it finished.

ZBA Motion July 30, 2007

O'Connor moved, Bellairs seconded, to approve ZBA002.07, Goddard School – Oxford (Child Care), variances for private road ending with cul de sac; general requirements – building permits [Article II, Section 11.2(C)] and turnarounds [Article II, Section 11.3(E)]; based on Findings of Fact; and contingent upon 1) the existing road be in conformance with all applicable laws and regulations of Oxford Township; 2) the owner of the property will maintain the turnaround in a safe manner; 3) and the specifications for the turnaround will have a 45' radius, 90' diameter, to be built with 8" of 21AA crushed limestone followed with 8" of asphalt; as shown on the drawings date received July 5, 2007, amended July 30, 2007 and signed by Chairman Myrick and Mr. Stuhlreyer.

Chairman Silvester added there were no comments from the Township Board.

Black moved, Fitchena seconded, to approve the Special Land Use for Goddard School - Daycare/Child Care, Parcel B, (04-22-301-015, Gateway Drive, Oxford; contingent upon they comply with ZBA standards or to County specifications pertaining to the road.

Discussion: The motion needs to mention the Findings of Fact.

Black amended the motion, Fitchena re-supported, to approve the Special Land Use for Goddard School - Daycare/Child Care, Parcel B, (04-22-301-015, Gateway Drive, Oxford; contingent upon they comply with ZBA standards or to County specifications pertaining to the road; and based upon Findings of Fact, Section 4.5 of Ordinance 67A.

Discussion: Commissioner Bell asked to strike "ZBA standards" and state "the conditions of the ZBA variance".

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Black amended the motion, Fitchena re-supported, to approve the Special Land Use for Goddard School - Daycare/Child Care, Parcel B, (04-22-301-015, Gateway Drive, Oxford; provided all private road issues, easements, and standards necessary are in place that comply with the conditions of the ZBA variance; and based upon Findings of Fact, Section 4.5 of Ordinance 67A.

Roll Call Vote:

Ayes: Bell, Berger, Black, Curtis, Fitchena, Kucemba, Lepping, Roesner, Silvester
Nays: None
Absent: None
Motion Carried

Commissioner Roesner noted that per the July 30, 2007 ZBA meeting, at Final Site Plan Approval the road has to be in a state the Planning Commission will accept meeting the minimum standards the variance granted. The ZBA allowed the project to go in on an unapproved road setting aside an easement for a cul-de-sac, and that a maintenance agreement would be in affect.

OLD BUSINESS - None

NEW BUSINESS -

DISCUSSION – Committee/Sub-Committee Appointments

2008 Appointments:

Planning Commission Sub Committee

Acreage/Lot Splits: Berger, Kucemba, Fitchena, Lepping
Gravel Inspections: Black, Curtis
Ordinance Review: Berger, Black, Lepping, Kucemba

Representatives to Other Committees

Safety Path Committee: Curtis, Fitchena
Water and Sewer Committee: Roesner

There was no discussion or concerns.

DISCUSSION – Meaning of “Village look” relating to architecture and its continuation as a policy.

Chairman Silvester thanked the public in attendance and stated this is not a discussion about Kohl's, it is about policy - what it means to the Commissioners and what it means to the public and should it be continued as a community.

Commissioners commented on what they believe the “village look” to be, its not just architecture but landscaping, open space, lighting components, pedestrian walkways, having an identity of the town and not of the building so as to be useable and presentable years from now, high quality standards the Township can be proud of. The phrase “neo urbanism” was used, to be more people oriented then the conventional way of doing a retail development. Commissioners agreed public input is important. It was noted the Planning Commission needs to follow the Master Plan and ordinance and is not turning developers away but trying to work with them to get a quality product that can blend in with the rural atmosphere. Citizens were assured all their comments are taken into consideration. It was noted that some of the things printed in the local paper about Planning Commission comments have been misunderstood.

Helen Smith, Oxford resident, does not support a village look or the look of Meijers. The Commissioners should be open to not just having a village look.

Jan Overley, Butterfield Acres, gave a history of downtown Oxford and stated there is no one look or style; does not support the policy, people do not have time to promenade through a shopping center, they want to get in out. This community has to commute to do everything – work, shop, etc. Wants to shop where she can do

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the most shopping in the least amount of time. Feels this policy is sending the community backwards and will not work in this Township, need to provide for community needs.

Mindy Denninger, Glenmoor, works full time and doesn't like having to drive far for basic shopping. Wants to see this kind of development (Kohl's) in our community and feels it would help the families that live here. Would like to see the Planning Commission work more with companies to get the very best of what they have to offer within the constraints of their corporation (bricks, landscaping, screening/barriers, etc.).

Cecilia Hosner – does not care if Kohl's comes or not and does not like the look of the store in White Lake which is what they are proposing for here. She also does not like the look of Meijers. She referenced Plymouth, Novi, and Milford which have developed slowly and built nice shopping areas and restaurants that people can walk to, she is all for this. She supports trees and wants them and a wall as screening if Kohl's should come in. The Planning Commission should be choosy. Does like the look of downtown Oxford and would like to see it continued out where people can walk and sit.

Diana Curtis, Oxford resident, feels the Commission has gotten a bad "rap", feels they are here to help the community and the concept was not outlined enough; there was an "explosion" about building facades and not enough conversation about trees, sidewalks, and the maintenance of those things – they can be beautiful if maintained. It is important to find a way to blend both "things" together and important for future growth. Noted she doesn't like the look of some of the downtown buildings (referencing the cellular store).

Henry Gleisner, Oxford Township, noted the recent criticism of the Planning Commission and in the past the Planning Commission has been "run over" by development that was ill-conceived and made promises for more density and tax revenue but instead created a dismal water and sewer system because expenses are higher than intake. He commented people move here for the rural environment. The phrase "village look" is misleading, it is the rural environment we are trying to maintain, this is what should be considered. Not opposed to Kohl's.

Linda McIntyre, 366 Lincoln, does not like the big box look, but suggested putting building towards the front of a development with parking in the back like the downtown area, Lives behind where Kohl's is being proposed and wants a wall, trees, and a berm between them for protection and privacy.

Nancy Gleisner, Ray Road, referenced the shopping center in Rochester between Barclay Road and Auburn Road which are big ugly box stores where some of them are vacant. Doesn't feel that is what Oxford residents want here, they want more like a Birmingham look, more rural traditional architectural look.

Commissioner Black commented he was Chairman of the Planning Commission when Meijers went in and the Commissioner wanted it designed differently then the run of the mill Meijers, and there was very little input from citizens. Since then Waterstone developed and increased the population of Oxford warranting commercial development which is what is happening now. He stressed how important public input is to the Planning Commission and you have to ask developers for what you want or you will never get it.

Carolyn Lieders - talked to several people and not one person was against building a Kohl's here and are excited about it. Oxford has changed since she moved here several years ago but still loves it, and having a Kohl's nearby would make it easier for her to shop as she gets older; doesn't feel it will look like a big box; and asked the Planning Commission not to hold up progress.

Commissioner Roesner commented the Planning Commission has to follow the Master Plan and ordinance which was developed from what citizens said they want. What do people want – a plain brown box or something that has architecture and quality to it? The Planning Commission isn't turning developers away, they are working with developers to get a quality building and sustainability. She also noted that her statement about "barn boots" has been misunderstood.

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Jim Graves, 346 Lincoln, spoke about Kohl's being close to his home and he and his neighbors want Kohl's to but up a wall between them.

Commissioner Bell kept a tally, there were three (3) people for the "village look" and four (4) against; three (3) neutral parties.

Commissioner Curtis commented it is the Planning Commission's job to work with developers to get the best for the community, to move forward, to try and get something that blends in with the rural atmosphere, and will provide jobs.

Planner Wortman stated the development being referred to tonight is a PUD and the Planning Commission has the right to ask for higher quality architectural standards, appearance, and aesthetics. He believes certain timeless elements of downtown Oxford can be borrowed and incorporated into a modern building like masonry, cornices, and windows.

Supervisor Dunn commented he is more interested in seeing everything mesh together in the area where Kohl's and the JFK development is proposed to go.

Commissioner Fitchena said no one on this Board wants to detour commercial development and have not turned anyone away. All comments from residents at prior meetings have been taken into consideration.

Chairman Silvester commented the Planning Commission is tasked with making the community look as good now and 30 years from now -- to look at the long term. He understands things are going to change and commercial has to come here, but does the public want a bunch of 100,000 sq. ft. cement block buildings that will be vacant in 10 years or do they want something that can be re-used by the next merchant that comes in. He agreed the Planning Commission needs public input.

Jim Lieders – talked about Frankenmuth being the only community that has been able to keep a theme and even there they are facing the same thing Oxford is outside the downtown area. Trying to maintain a theme here is never going to work.

PLANNER/ENGINEER REPORTS

Planner – Carlisle/Wortman – Nothing from the Planner.

Engineer – Giffels-Webster – Nothing from the Engineer.

ADJOURNMENT

Black moved, Bell seconded, to adjourn the meeting at 9:14 pm.

Ayes: 9 Nays: 0 Absent: 0 Motion Carried

Donald Silvester, Chairman

Tom Lepping, Secretary

Date approved: 02/14/2008

lmh