

CHARTER TOWNSHIP OF OXFORD PLANNING COMMISSION REGULAR MEETING  
THURSDAY, FEBRUARY 23, 2023

A regular meeting of the Charter Township of Oxford Planning Commission was held Thursday, February 23, 2023 at the Oxford Township Meeting Room, 300 Dunlap Road, Oxford, Michigan 48371.

The meeting was called to order by Chairman Berger at 7:00 p.m.

**RESPECTS TO THE FLAG**

**ROLL CALL**

Members Present: **Jon Nold, Korey Bailey, Justin Ballard, Michael Spisz, Tom Berger**

Members Absent: Robert Turner, Ed Hunwick

Also Present: Township Planner Megan Masson-Minock, Township Engineer Jim Sharpe, Recording Secretary Susan McCullough, one OCTV camera operator, the applicants and 19 guests.

**APPROVAL OF AGENDA**

Commissioner Nold moved, Commissioner Ballard seconded, to approve the Charter Township of Oxford regular Planning Commission agenda for Thursday, February 23, 2023 as presented.

Ayes: 5                      Nays: 0                      Absent: 2

Motion Carried.

**CONFLICTS OF INTEREST/EX-PARTE CONTACT**

Commissioner Nold attended the neighborhood information session the applicant held with concerned residents on Wednesday, January 18, 2023.

**APPROVAL OF THE MINUTES**

**Planning Commission Regular Meeting – January 12, 2023**

Commissioner Nold moved, Commissioner Spisz seconded, to approve the regular Planning Commission meeting minutes for January 12, 2023 as presented.

Ayes: 5                      Nays: 0                      Absent: 2

Motion Carried.

**PUBLIC COMMENTS ON ITEMS NOT SCHEDULED FOR PUBLIC HEARING OR ON THE AGENDA**

Public comment began at 7:04 p.m.

There being no public comment on non-agenda items, public comment ended at 7:04 p.m.

**COMMISSIONERS' COMMENTS**

None.

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**PUBLIC HEARING(S)**

**Applicant: M/I Homes of Michigan, LLC, with a proposed zoning map amendment (rezoning) of two vacant parcels (04-21-200-002 and 04-21-200-005) from Local Commercial (C-1) to Multiple Family (RM).**

The purpose of this public hearing is to receive public comments regarding this petition for zoning map amendment from Local Commercial (C-1) to Multiple Family (RM). The properties are located on the north and south sides of Market Street, east of Cedar Street and west of Stony Lake Drive.

Presentation by the Petitioner

The petition was presented by **Mike Kennedy, VP of Land Acquisition, M/I Homes, 40950 Woodward Ave., Ste. 203, Bloomfield Hills, MI 48304** and **John Thompson, PEA Group, 1849 Pond Run, Auburn Hills, MI 48326**.

Open Public Hearing

Commissioner Nold moved, Commissioner Ballard seconded, to open the public hearing at 7:17 p.m.

Ayes: 5                      Nays: 0                      Absent: 2

Motion Carried.

Kittie Pugliese, 1032 Cedar Street, representing Bay Village, spoke in opposition to the proposed rezoning because of the increased density, increased stormwater runoff, and an increased impact on the water and sewer connections.

Janene Graham, 821 Cross Circle, thanked the developer for addressing residents' concern that the rezoning be negated if the project does not move forward. She expressed concern that the residents of the proposed townhomes would not be "qualified residents" of Waterstone, and concerns with increased runoff into Waterstone Lake.

Joseph Bigelow, 612 Eastlake Trail, stated that he does not support the proposed townhomes. He expressed concern with wastewater runoff being put into the lake, concern with a negative impact on property values, and increased traffic.

Greg Graham, 821 Cross Circle, stated that commercial development would be detrimental to the community. He suggested that a storage facility be built on the property.

Paul Dzikowski, 1235 Glass Lake Circle, asked what the starting cost of the townhome units would be.

Don Bokshan, 843 Stony Lake Court, representing Stony Lake Village, expressed concern with increased traffic on Stony Lake Drive, concern with the increased density especially on the south property and concern with the height of the proposed development.

Ernie Ritterhaus, 150 Stony Lake Drive, expressed concern with increased traffic, and concern with construction traffic using Stony Lake Drive.

Michelle Tyrrell, 610 Southshore Drive, representing the Shores, read a letter from Linda Coulter, 681 Southshore Drive, into the record. Ms. Coulter is concerned with the increased lake traffic and the increased density. Ms. Tyrrell stated that she shares the concerns previously stated by other residents.

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John Huff, 587 Eastlake Trail, stated concern with the reference to three-story developments in the Carlisle|Wortman letter. He is concerned with stormwater runoff with the development on the west side of the lake, and has filed a complaint with the DEQ regarding the quality of the lake water. He expressed concern with a negative impact on home values, the natural environment and the changing character of a natural area.

Brian Janks, 672 Brooks Lane, representing Golf Highlands, expressed concern with the increased density.

Don Wloszek, 569 Southshore Drive, stated that density is his main concern. He stated that he would like to see any approval limited to two stories. He does not feel that the land will tolerate the density that is being proposed.

Larry Evans, 641 W. Bay Shore Drive, expressed concern with the increased density. He feels the rezoning will have a negative impact on the development. He stated that a service business would be a better fit for the property.

Dan Lomasney, 621 Eastlake Trail, stated that he is mainly concerned with density, and the long and short-term impact on property values.

Close Public Hearing

There being no further comment, Commissioner Nold moved, Commissioner Spisz seconded, to close the public hearing at 7:48 p.m.

Ayes: 5                      Nays: 0                      Absent: 2

Motion Carried.

Comments from Township Consultants and Staff

Township Planner Masson-Minock was available to answer any questions of the Commission regarding the application and her review letter dated 02/15/2023.

Fire Marshal Frantz' review letter dated 01/04/2023 was included in the meeting packet.

Township Engineer Sharpe was available to answer any questions of the Commission regarding the application and his review letter dated 12/29/2022.

Review of Correspondence

The Commission received correspondence from the following, which were read into the record by Commissioner Nold:

1. Don Wloszek dated 01/20/2023 stating his questions and concerns regarding the proposed development.
2. David and Sharye Verbeke dated 02/16/2023 expressing their disagreement with the proposed development.
3. Marianne Kainz email dated 02/23/2023 expressing concern with the proposed rezoning.
4. OXI, LLC dated 02/06/2023 stating its approval and support for the proposed rezoning of the subject parcels.

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5. Mike and Linda Coulter dated 02/22/2023 read into the record by Michelle Tyrrell.

Commissioner Ballard moved, Commissioner Spisz seconded, to attach the five items of correspondence to the minutes of this meeting.

Ayes: 5                      Nays: 0                      Absent: 2

Motion Carried.

Commissioner Discussion

The Commission discussed the application.

Motion

Commissioner Nold moved, Commissioner Spisz seconded, to recommend approval to the Oxford Township Board of Trustees for a rezoning from C-1 (local commercial) to RM (multiple family) for parcels numbers 04-21-200-002 and 04-21-200-005 based upon a finding that the Applicant meets all factors relevant to the petition pursuant to Sec. 18.3 of the Township Zoning Ordinance and hereby recommend acceptance of the following conditions offered by M/I Homes: 1) The property may only be developed for residential townhomes and related accessory structures and amenities; and 2) The maximum number of residential townhome units on the property shall be forty-five (45) units on the condition that if the approved development and/or use of the rezoned land does not occur within 12-months, the land shall revert to its former zoning classification, unless such time is further extended by the Oxford Township Board of Trustees.

Roll Call:

Ayes: Berger

Nays: Spisz, Nold, Bailey, Ballard

Absent: Turner, Hunwick

Motion Failed.

Commissioner Nold moved, Commissioner Ballard seconded, to recommend approval to the Oxford Township Board of Trustees for a rezoning from C-1 (local commercial) to RM (multiple family) for parcel numbers 04-21-200-002 and 04-21-200-005 based upon a finding that the Applicant meets all factors relevant to the petition pursuant to Sec. 18.3 of the Township Zoning Ordinance and hereby recommends acceptance of the following conditions offered by M/I Homes: 1) the property may only be developed for residential townhomes and related accessory structures and amenities; and 2) the maximum number of residential townhome units on the property shall be forty-five (45) units on the condition that if the approved development and/or use of the rezoned land does not occur within 12-months, the land shall revert to its former zoning classification, unless such time is further extended by the Oxford Township Board of Trustees; and 3) lake restrictions for the property to be detailed for accessibility.

Roll Call:

Ayes: Nold, Ballard, Berger

Nays: Bailey, Spisz

Absent: Hunwick, Turner

Motion Failed.

Commissioner Nold moved, Commissioner Spisz seconded, that the Planning Commission forward tonight's proceedings of the Planning Commission dated February 23, 2023 to legal counsel to ensure the proper procedure was followed in the recommendation for outcome on the vote.

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Roll Call:

Ayes: Ballard, Nold, Bailey, Spisz, Berger

Nays: None

Absent: Hunwick, Turner

Motion Carried.

**UNFINISHED BUSINESS**

None.

**NEW BUSINESS**

None.

**COMMUNICATIONS AND/OR COMMITTEE REPORTS**

**Economic Development Committee**

None.

**Ordinance Review Committee**

None.

**PLANNER/ENGINEER REPORTS**

**Planner – Carlisle|Wortman**

Planner Masson-Minock introduced herself and provided a brief update regarding ongoing and upcoming projects.

**Engineer – Sharpe Engineering**

Engineer Sharpe provided an update regarding ongoing and upcoming projects.

**ADJOURNMENT**

Chairman Berger adjourned the meeting at 9:07 p.m.

\_\_\_\_\_  
Tom Berger, Chairman

\_\_\_\_\_  
Ed Hunwick, Secretary

Date approved: \_\_\_\_\_

smm