

**CHARTER TOWNSHIP OF OXFORD  
PLANNING COMMISSION REGULAR MEETING**

**NOTICE AND AGENDA**

Date: Thursday, February 23, 2023

Time: 7:00 p.m.

Place: Oxford Township Meeting Room, 300 Dunlap Road, Oxford, MI 48371

1. Call to order
2. Respects to the flag
3. Noting of roll
4. Approval of the agenda
5. Conflicts of Interest/Ex-Parte Contact
6. Approval of Minutes – Planning Commission Regular Meeting – 01/12/23
7. Public comment on items not scheduled for Public Hearing or on this agenda
8. Commissioners’ Comments
9. Public Hearing

The purpose of this hearing is to receive public comments on 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). Properties are located on the north and south sides of Market Street, east of Cedar Street and west of Stony Lake Drive.

- i. Presentation by Petitioner
- ii. Open Public Hearing
- iii. Public Testimony
- iv. Close Public Hearing
- v. Comments from Township Consultants and Staff
- vi. Review of Correspondence
- vii. Commission Discussion
- viii. Motion
- ix. Discussion on Motion
- x. Vote

10. Unfinished Business
11. New Business
12. Communications and/or Committee Reports
  - A. Economic Development Committee
  - B. Ordinance Review Committee
13. Planner/Engineer Reports
  - A. Carlisle|Wortman
  - B. Sharpe Engineering
14. Adjournment

The Charter Township of Oxford will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audio tapes of printed materials being considered at the meeting/hearing. Individuals with disabilities requiring auxiliary aids or services shall contact the Charter Township of Oxford, by writing or calling Curtis W. Wright, Township Clerk at 248-628-9787, ext. 108 as soon as possible to allow the Township sufficient time to have available the aids and services.

Thomas Berger, Chairman  
Planning Commission  
Charter Township of Oxford  
300 Dunlap Road  
Oxford, MI 48371  
(248) 628-9787

CHARTER TOWNSHIP OF OXFORD PLANNING COMMISSION REGULAR MEETING  
THURSDAY, JANUARY 12, 2023

A regular meeting of the Charter Township of Oxford Planning Commission was held Thursday, January 12, 2023 at the Oxford Township Meeting Room, 300 Dunlap Road, Oxford, Michigan 48371.

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

**RESPECTS TO THE FLAG**

**ROLL CALL**

Members Present: **Jon Nold, Justin Ballard, Robert Turner, Michael Spisz**

Members Absent: Korey Bailey, Ed Hunwick, Tom Berger

Also Present: Township Planner Zach Michels, Township Engineer Jim Sharpe, Fire Marshal B.J. Frantz, Recording Secretary Susan McCullough, one OCTV camera operator and two guests.

**APPROVAL OF AGENDA**

Commissioner Nold moved, Commissioner Ballard seconded, to approve the Charter Township of Oxford regular Planning Commission agenda for Thursday, January 12, 2023 as presented.

Ayes: 4                      Nays: 0                      Absent: 3

Motion Carried.

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

**APPROVAL OF THE MINUTES**

**Planning Commission Regular Meeting – December 22, 2022**

Commissioner Nold moved, Commissioner Ballard seconded, to approve the regular Planning Commission meeting minutes for December 22, 2022 as presented.

Ayes: 4                      Nays: 0                      Absent: 3

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**

Commissioner Nold explained that the meeting information will not be displayed on the screens due to a technical difficulty.

Vice Chairman Spisz wished everyone a Happy New Year and thanked Supervisor Curtis and the Township Board for reappointing him to the Planning Commission.

**PUBLIC HEARING(S)**

None.

CHARTER TOWNSHIP OF OXFORD PLANNING COMMISSION REGULAR MEETING  
THURSDAY, JANUARY 12, 2023

**UNFINISHED BUSINESS**

None.

**NEW BUSINESS**

**Election of Officers**

**Chairperson**

Commissioner Nold nominated Commissioner Berger to serve as Chairman.

Commissioner Ballard seconded the nomination.

Commissioner Berger accepted the nomination via email.

As there were no other nominations, Commissioner Berger will serve as Chairman for 2023 by unanimous consent.

**Vice-Chairperson**

Commissioner Nold nominated Commissioner Spisz to serve as Vice-Chairman.

Commissioner Ballard seconded the nomination.

Commissioner Spisz accepted the nomination.

As there were no other nominations, Commissioner Spisz will serve as Vice-Chairman for 2023 by unanimous consent.

**Secretary**

Commissioner Nold nominated Commissioner Hunwick to serve as Secretary.

Commissioner Ballard seconded the nomination.

As there were no other nominations, Commissioner Hunwick will serve as Secretary for 2023 by unanimous consent.

**PC22-013 – Meijer Amended Final Site Plan**

The applicant is requesting an amended final site plan approval for parking lot and landscaping changes to facilitate the sale of a portion of the site to create a new out lot site for Taco Bell.

Circulation within the Meijer parking lot would be reconfigured, and the number of parking spaces for Meijer would be reduced.

Existing parking lot landscape islands and landscaping would be removed, and new parking lot landscape islands and landscaping would be installed. Changes are not proposed for other portions of the Meijer site.

The purpose of amended final site plan review is to determine if the proposed use and site are consistent with Township ordinances and other applicable county, state, and federal laws and regulations and to identify reasonable conditions that may be necessary to mitigate potential negative impacts to surrounding properties and the community.

**Mike Wizynajtys, REC Engineers (representing Meijer)**, was available to answer any questions of the Commission.

Planner Michels presented the Carlisle|Wortman review letter dated December 22, 2022.

Engineer Sharpe presented the Sharpe Engineering review letter dated December 29, 2022.

CHARTER TOWNSHIP OF OXFORD PLANNING COMMISSION REGULAR MEETING  
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The Oxford Fire Department review letter dated January 4, 2023 was included in the packet.

The Kelly Firm letter, dated December 29, 2022 and written by Attorney Ellis, was reviewed.

No residents spoke during public comment.

Commissioner Nold moved, Commissioner Turner seconded, to approve the Resolution to approve the amendment to the final site plan for PC File number 22-013, commonly known by the project name “Meijer FSP Amendment” on the basis that the Site Plan meets the criteria set forth in Sec. 8.5 of the Zoning Ordinance so as to permit deviations from the requirements of Section 8.6 (Off-Street Parking Requirements by Use) of the Oxford Township Zoning Ordinance, conditioned upon the following: (1) Applicant submittal of revised Plans addressing stated deficiencies as set forth in Reports submitted by township consultants and administration; and (2) Applicant obtaining approval for or waiver of a development agreement approved by the Township Board of Trustees in accordance with the Township Zoning Ordinance. Consultant reports and reports generated by township administration as referenced herein shall be attached to the approved meeting minutes dated January 12, 2023.

Ayes: 4                      Nays: 0                      Absent: 3

Motion Carried.

The motion was approved unanimously by all members present.

**PC22-009 – Taco Bell Final Site Plan**

The applicant is requesting final site plan approval for a new fast-food restaurant, which is a permitted use in the C-2 General Commercial zoning district. Preliminary site plan approval was granted with conditions on August 25, 2022.

The proposed project site is currently part of landscaping and parking/circulation for Meijer. This area would be developed with a new building, parking, and landscaping to support the proposed Taco Bell, which will include indoor service and dining, a drive-through, and an outdoor patio. Circulation within the Meijer parking lot would be reconfigured, and the number of parking spaces for Meijer would be reduced. This modification requires Planning Commission approval of site plan amendment for Meijer.

The purpose of final site plan review is to determine if the proposed use and site are consistent with Township ordinances and other applicable county, state, and federal laws and regulations and to identify reasonable conditions that may be necessary to mitigate potential negative impacts to surrounding properties and the community.

**Greg Lautzenheiser, L+A Architects, Inc. and Mike Wizynajtys, REC Engineers, (both representing Great Lakes Taco, LLC)** were available to answer any questions of the Commission.

Planner Michels presented the Carlisle|Wortman review letter dated December 22, 2022.

Engineer Sharpe presented the Sharpe Engineering review letter dated December 29, 2022.

The Oxford Fire Department review letter dated December 20, 2022 was included in the packet.

CHARTER TOWNSHIP OF OXFORD PLANNING COMMISSION REGULAR MEETING  
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The Kelly Firm letter, dated December 29, 2022 and written by Attorney Ellis, was reviewed.

No residents spoke during public comment.

Commissioner Nold moved, Commissioner Ballard seconded, to approve the Resolution, as amended, to approve the final Site Plan for PC File number 22-009, known by the project name “Oxford Township Taco Bell.” Such Resolution shall memorialize the Planning Commission’s decisions, determinations, and findings made on January 12, 2023, and shall memorialize all conditions placed on Final Site Plan Approval; Final Site Plan Approval shall be additionally conditioned upon the following: (1) Applicant submittal of revised plan and application addressing stated deficiencies as set forth in reports submitted by township consultant and administration; (2) Applicant providing all information required by the Township Zoning Ordinance as noted in Township consultant reports and/or by township administration; (3) Applicant obtaining approval for a land division and obtaining an access easement over the Meijer property that is satisfactory to township administration; and (4) Applicant obtaining approval for or waiver of a development agreement approved by the Township Board of Trustees in accordance with the Township Zoning Ordinance. Consultant reports and reports generated by township administration as referenced herein shall be attached to the approved meeting minutes dated January 12, 2023. In addition, the dumpster enclosure shall be masonry, painted to match the building.

Ayes: 4                      Nays: 0                      Absent: 3

Motion Carried.

The motion was approved unanimously by all members present.

**ORC 2023 Priority List**

Commissioner Nold moved, Commissioner Turner seconded, that the Ordinance Review Committee (ORC) Priority List 2023 be amended to include review of Environmental Provisions related to noise and exemptions and Electric Vehicle (EV) charging stations and to forward the list to the Township Board with a favorable recommendation.

Ayes: 4                      Nays: 0                      Absent: 3

Motion Carried.

The motion was approved unanimously by all members present.

**COMMUNICATIONS AND/OR COMMITTEE REPORTS**

**Economic Development Committee**

None.

**Ordinance Review Committee**

Planner Michels provided an update regarding ongoing projects of the ORC.

**PLANNER/ENGINEER REPORTS**

**Planner – Carlisle/Wortman**

Planner Michels provided an update regarding ongoing and upcoming projects.

**Engineer – Sharpe Engineering**

Engineer Sharpe provided an update regarding ongoing and upcoming projects.

CHARTER TOWNSHIP OF OXFORD PLANNING COMMISSION REGULAR MEETING  
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**ADJOURNMENT**

Vice Chairman Spisz adjourned the meeting at 7:52 p.m.

\_\_\_\_\_  
Michael Spisz, Vice Chairman

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

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

Unofficial



**CHARTER TOWNSHIP OF OXFORD  
PLANNING COMMISSION  
NOTICE OF PUBLIC HEARING**

**Thursday, February 23, 2023 at 7:00 pm**

Notice is hereby given that, under the provisions of the Charter Township of Oxford Zoning Ordinance and the Michigan Zoning Enabling Act, the Charter Township of Oxford Planning Commission will conduct a public hearing at Charter Township of Oxford Meeting Room at 300 Dunlap, Oxford, MI 48371.

The purpose of the public hearing is to receive public comments on the following petition:

Project Name: Waterstone Towns

Applicant: M/I Homes of Michigan, LLC

Zoning map amendment (rezoning) with conditions offered by the applicant of two vacant parcels, 7.2 total acres, from Local Commercial (C-1) to Multiple Family (RM). The conditions offered are the property may only be developed for residential townhomes, related accessory structures and amenities; and the maximum number of residential townhome units on the property shall be forty-five (45) units. Properties are located north and south of Market Street, east of Cedar Street, west of Stony Lake Drive (04-21-200-002 and 04-21-200-005).

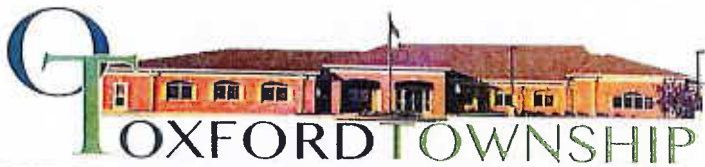
Documents related to the public hearing will be available for inspection at the Township Building Department, during business hours (9:00 am - 4:00 pm weekdays, excluding holidays).

Members of the public are welcome to attend the public meeting in person or by counsel to express views on the petition. Written comments should be addressed to Thomas Berger, Commission Chair, 300 Dunlap, Oxford, MI 48731-0003, or may be sent by email to Cheryl Lotan at [clotan@oxfordtownship.org](mailto:clotan@oxfordtownship.org). All correspondence must be received by 12:00 (noon) on Friday, February 17, 2023.

The Planning Commission will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audio tapes of printed materials being considered at the meeting, to individuals with disabilities at the meeting upon seven days' notice to the Planning Commission. Individuals with disabilities requiring auxiliary aids or services should Charter Township of Oxford, by writing or calling, Curtis W. Wright, Township Clerk, at [cwright@oxfordtownship.org](mailto:cwright@oxfordtownship.org) or (248) 628-9787, as soon as possible to allow the Township sufficient time to have available the aids and services.

CC: All property owners within 300 feet.

Published: Oxford Leader February 8, 2023  
Posted: Oxford Township  
Village of Oxford



**CHARTER TOWNSHIP OF OXFORD**  
 300 Dunlap Road • Oxford, Michigan 48371  
 Phone: (248) 628-9787 • Fax: (248) 628-8139  
 www.oxfordtownship.org

**APPLICATION FORM**

**PROJECT NAME:** TBD - in the interim, we use "Waterstone Towns"

**Applicant:** Name M/I Homes of Michigan, LLC, Mike Kennedy, VP of Land Acquisition  
 Address 40950 Woodward Ave, Ste 203  
 City Bloomfield Hills State MI Zip 48304  
 Phone 248-724-6574 Fax \_\_\_\_\_  
 Email MKennedy@MIHomes.com

**Property Information:**  
 Address vacant land on Market Street  
 Tax Parcel No. P 04-21-200-002 & P 04-21-200-005  
 Legal Description (Attach to Application)  
 Acreage or Size of Parcel (s) 4.6 acres and 2.6 acres  
 Zoning District C-1 Local Commercial  
 Proposed use or activity Residential Townhomes

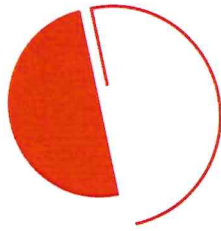
**Owner of Property:**  
 Name Contour Development Group LLC  
 Address 40950 Woodward Ave, Ste 300  
 City Bloomfield Hills State MI Zip 48304  
 Phone 248-385-2330 Fax 248-385-2310  
 Email David@Contourcompanies.com

Persons having a Legal Interest in the Property

	Name	Address	% Interest	Signature
1.	<u>see above owner</u>			
2.				
3.				
4.				

**AFFIDAVIT:** I agree the statements made above are true, and if found not to be true, any permit that may be issued may be void. Further, I agree to comply with the conditions and regulations provided with any permit that may be issued. Further, I agree that any approval that may be issued is with the understanding all applicable sections of the Charter Township of Oxford Zoning Ordinance will be complied with. Further, I agree to give permission for officials of the Charter Township of Oxford, Oakland County, and the State of Michigan to enter the property subject to this permit application for purposes of inspection.

Mike Kennedy 11/11/222  
 Signature Date



CONTOUR  
DEVELOPMENT  
GROUP

November 10, 2022

To: Oxford Township  
Oakland County  
State of Michigan

To Whom It May Concern:

Contour Development Group LLC is the owner of the parcels of property located in Oxford Township, Michigan, which are described on Exhibit A attached hereto (the "Property"). Contour Development Group LLC, as seller, has entered into a Purchase Contract with M/I Homes of Michigan, LLC, as buyer, for the sale of the Property.

This letter confirms that Contour Development Group LLC has granted to M/I Homes of Michigan, LLC, the right and authority to apply for and obtain from Oxford Township, Oakland County and any other governmental agencies having jurisdiction, zoning, site plan and engineering plan approvals and such other governmental approvals and permits that are required for the development of the Property by M/I Homes of Michigan LLC as a residential townhouse project.

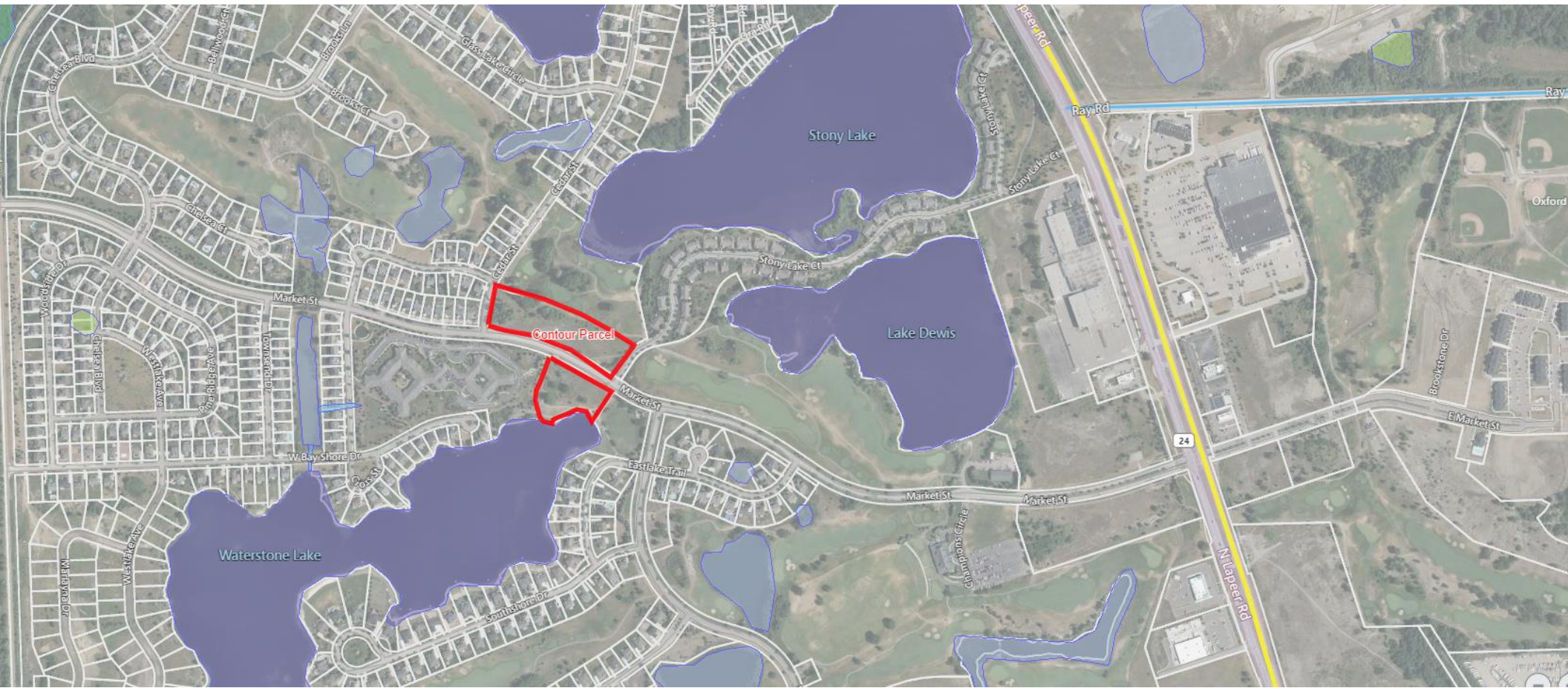
Sincerely,

Contour Development Group LLC

By:   
David Dedvukaj

Its: Member

cc: Mike Kennedy, M/I Homes of Michigan LLC





**Exhibit A**

**DESCRIPTION OF THE PROPERTY**

PARCEL A:

Commencing at a property controlling corner which is South 01 degree 49 minutes 06 seconds East 8.43 feet from the West 1/4 corner of Section 21, Town 5 North, Range 10 East, Oxford Township, Oakland County, Michigan; thence North 01 degree 49 minutes 06 seconds West 8.43 feet to the West 1/4 corner of said Section 21; thence along the West line of Section 21 and the centerline of Granger Road (width varies) North 01 degree 49 minutes 06 seconds West 3106.40 feet to the Northwest corner of said Section 21; thence North 84 degrees 28 minutes 42 seconds East 3365.42 feet along the North line of said Section 21; thence South 35 degrees 45 minutes 03 seconds West 123.74 feet; thence South 54 degrees 14 minutes 57 seconds East 167.00 feet; thence South 35 degrees 45 minutes 03 seconds West 257.40 feet; thence South 54 degrees 14 minutes 57 seconds East 60.00 feet; thence South 35 degrees 45 minutes 03 seconds West 330.05 feet; thence 348.28 feet along the arc of a circular curve to the left, having a radius of 620.00 feet, central angle of 32 degrees 11 minutes 06 seconds and long chord bearing South 19 degrees 39 minutes 30 seconds West 343.71 feet; thence South 03 degrees 33 minutes 57 seconds West 126.23 feet; thence 401.56 feet along the arc of a circular curve to the right, having a radius of 1357.00 feet, central angle 16 degrees 57 minutes 17 seconds, and long chord bearing South 76 degrees 41 minutes 24 seconds East 400.10 feet to the point of beginning, said curve also being the South line of West Market Street (86 feet wide); thence 267.64 feet along the arc of a circular curve to the right, having a radius of 1357.00 feet, central angle 11 degrees 18 minutes 01 second and long chord bearing South 62 degrees 33 minutes 45 seconds East 267.21 feet, said curve also being the South line of said West Market Street; thence South 56 degrees 54 minutes 44 seconds East 174.25 feet along the South line of said West Market Street; thence South 33 degrees 05 minutes 16 seconds West 190.88 feet to a point on an intermediate traverse line along the Northerly shore of Waterstone Lake, said point lying North 33 degrees 05 minutes 16 seconds East 25.0 feet from the edge of water; thence along an intermediate traverse line the following three (3) courses: North 54 degrees 11 minutes 22 seconds West 117.26 feet; South 64 degrees 34 minutes 07 seconds West 189.93 feet; North 72 degrees 05 minutes 20 seconds West 90.48 feet to a point lying North 08 degrees 36 minutes 22 seconds West 26.0 feet from the water's edge; thence North 08 degrees 36 minutes 22 seconds West 84.91 feet; thence 125.74 feet along the arc of a circular curve to the right, having a radius of 260.00 feet, central angle 27 degrees 42 minutes 32 seconds, and long chord bearing North 09 degrees 11 minutes 59 seconds East 124.52; thence North 23 degrees 03 minutes 15 seconds East 170.01 feet to the point of beginning, being apart of the Northeast 1/4 of said Section 21, Town 5 North, Range 10 East.

Tax Item No. 04-21-200-005

PARCEL B:

Commencing at a property controlling corner which is South 01 degree 49 minutes 06 seconds East 8.43 feet from the West 1/4 corner of Section 21, Town 5 North, Range 10 East, Oxford Township, Oakland County, Michigan; thence North 01 degree 49 minutes 06 seconds West 8.43 feet to the West 1/4 corner of said Section 21; thence along the West line of Section 21 and the centerline of Granger Road (width varies) North 01 degree 49 minutes 06 seconds West 3106.40 feet to the Northwest corner of said Section 21; thence North 84 degrees 28 minutes 42 seconds East 3365.42 feet along the North line of said Section 21; thence South 35 degrees 45 minutes 03 seconds West 123.74 feet; thence South 54 degrees 14 minutes 57 seconds East 167.00 feet; thence South 35 degrees 45 minutes 03 seconds West 257.40 feet; thence South 54 degrees 14 minutes 57 seconds East 60.00 feet; thence South 35 degrees 45 minutes 03 seconds West 330.05 feet; thence 134.60 feet along the arc of a circular curve to the left, having a radius of 620.00 feet, central angle 12 degrees 26 minutes 19 seconds and long chord bearing South 29 degrees 31 minutes 54 seconds West 134.33 feet to the point of beginning; thence South 66 degrees 41 minutes 16 seconds East 93.29 feet; thence 704.96 feet along the arc of a circular curve to the right, having a radius of 1668.00 feet, central angle 24 degrees 12 minutes 55 seconds and long chord bearing South 69 degrees 01 minute 12 seconds East 699.72 feet; thence South 56 degrees 54 minutes 44 seconds East 129.20 feet; thence 91.92 feet along the arc of a circular curve to the left, having a radius of 280.00 feet, central angle 18 degrees 48 minutes 30 seconds, and long chord bearing South 42 degrees 29 minutes 31 seconds West 91.50 feet; thence South 33 degrees 05 minutes 16 seconds West 134.73 feet; thence North 56 degrees 54 minutes 44 seconds West 114.25 feet along the North line of West Market Street (86 feet wide); thence 713.51 feet along the arc of a circular curve to the left, having a radius of 1443.00 feet, central angle 28 degrees 19 minutes 51 seconds and long chord bearing North 71 degrees 04 minutes 39 seconds West 706.27 feet, said arc also being the North line of said West Market Street; thence North 03 degrees 33 minutes 57 seconds East 40.21 feet thence 213.68 feet along the arc of a circular curve to the right, having a radius of 620.00 feet, central angle 19 degrees 44 minutes 47 seconds; and long chord bearing North 13 degrees 26 minutes 21 seconds East 212.62 feet to the point of beginning, being a part of the Northeast 1/4 of said Section 21, Town 5 North, Range 10 East.

Tax Item No. 04-21-200-002

## **M/I HOMES MICHIGAN WATERSTONE DEVELOPMENT**

**Property:** Parcel A (#04-21-200-005) & Parcel B (#04-21-200-002)

**Area:** Parcel A - 2.6-acres & Parcel B - 4.6-acres, Total = 7.2-acres

**Current Zoning:** Local Commercial (C-1)

**Proposed Zoning:** Multiple Family (RM)

**Description of Proposed Land Use:** Multiple Family Residential Townhouses (medium-high density) consistent with the surrounding Market Street developments. Although a site plan is not being approved with this rezoning application, M/I Homes is proposing to build nine for sale multi-family buildings totaling 45-units (see **Attached Exhibit A**).

**Estimate Completion Date:** Horizontal Construction – Summer 2024  
Vertical Construction – Summer 2024 to Fall 2025

**Rezoning Narrative:** Pursuant to the provisions of the Oxford Township Zoning Ordinance No. 67A Article 18 Section 18.3, we are requesting the Zoning Map of Oxford Township to be amended to rezone the Parcels 04-21-200-002, & 04-21-200-005. We are requesting to rezone these parcels from Local Commercial (C-1) to Multiple Family (RM).

### **Location & Existing Conditions:**

The properties are located on the north and south side of Market Street approximately 1/2-mile west of Lapeer Road (M-24) in Oxford Township. Parcel B to the north of Market St. (04-21-200-002) is 4.6 acres of undeveloped land. Parcel A to the south of Market Street (04-21-200-005) is 2.6 acres and is also undeveloped. The surrounding uses include single-family houses to the west (Bay Village), multi-family housing to the northeast (Stony Lake Village), and senior living (Independence Village) to the southwest. The two properties are then further bordered by the Boulder Pointe Golf Course to the north and east, and Waterstone Lake to the south.

There is an existing drive access for the north parcel and two existing drive accesses for the south parcel. A community path runs through the back of the southern parcel, while a golf cart path runs through the back of the parcel to the north. There is a sign easement on the corner of Market Street and Stony Lake Drive on the northern parcel.

### **Existing Zoning & Future Land Use:**

The current zoning for both subject parcels is **Local Commercial (C-1)**. In accordance with the Township's Master Plan, both parcels are designated as "Village Commercial". Village Commercial is designated to be small and local commercial developments intended for "day-to-day shopping and service".

The parcels are bordered by Recreation (R) to the east and to the north. The northern parcel is bordered by Single Family (R-1A) to the west and Multiple Family (RM) to the northeast. The southern parcel is bordered by Multiple Family (RM) to the west.

### **Proposed Use & Site Plan:**

Under the proposed rezoning both parcels would become **Multi-family Residential (RM)** zoning to facilitate a transition between non-residential districts and lower density single-family districts. The existing sign for Stony Lake Village will remain at the southeast corner of the northern parcel. The example sketch (**see Exhibit A**) provides multi-family unit density and layout which meets the current RM zoning requirements in Ordinance 67A, Article 3.8.

A by-right parallel plan sketch has been provided (**see Exhibit B**). This plan provides an example of what could be built under the current C-1 zoning of the two properties. A multi-family development on the subject parcels is more compatible with the surrounding area, when compared to constructing over 40,000 square feet of retail/restaurant space. The resulting noise, smell, lighting, and traffic created by drive-thru restaurants, banquet halls, and retail would be a nuisance to the golfers, laker users and residences alike.

The nearest commercial space to the subject parcels is about 3/4-mile away. Everything that surrounds the subject parcels is recreational via the Boulder Pointe Golf Course, or residential in the style of single family or multifamily developments. This **Spot Zoning** may have been pre-planned by the original landowner's petition, but it is not compatible with the surrounding developments. This has been shown by the lack of any commercial development in this area since the Waterstone development started over 20 years ago.

We understand the original planning intent was to provide a pocket retail node for the Waterstone community. However, Market Street does not and probably will never have enough traffic to support commercial development. Based on SEMCOG records, when you drive north of the Village of Oxford the traffic drops from 34,000 to 15,000 (AADT). This section of Lapeer Road is classified by SEMCOG as a Minor Arterial Road. These roads serve less intense development areas like small retail centers office centers and industrial/business parks which are consistent with the **Village Commercial District**. Whereas Market Street is defined as a Local Collector Road. Collectors provide a connection between local streets and the arterial street system. Their primary function is to provide direct access to single-family residential properties.

The by-right plan provides more than 30,000 square feet of commercial/restaurant space. Based on the ITE Trip Generation Manual, the retail development would generate 1200 to 2,500 trips per day.

**Downzoning to RM** a 45-unit multi-family development would generate an estimated 250 trips per day.

A further example of Market Street not being able to support commercial shopping This is evidenced by the multiple vacancies and frequent turn-over for the existing store fronts along the M-24 corridor at Market Street (**see Figure 1**).



Figure 1 – Vacant Commercial Spaces at 589, 591, & 593 North Lapeer Road

As noted in the Oxford Township Master Plan, while it is imperative to the Township to set aside adequate area for commercial and industrial development, it is important for the Township to not set aside an excessive amount of commercial and industrial land. It is believed that currently the Township does not have the adequate population and traffic flow to support an additional commercial development in this area (see Figure 2).



Figure 2 – Vacant Commercial Spaces at 614 & 700 North Lapeer Road

Constructing a C-1 development on these parcels would result in vacant commercial storefronts similar to what we are seeing in northern Oxford Township.

### **Rezoning Standards:**

Although the Township does not have specific rezoning criteria, we've adapted the Special Land Use Ordinance (Section 4.5) to provide a possible guideline for the Planning Commission:

- A. *The proposed land use must be compatible with adjacent uses of land in terms of location, size and character and will have no negative impact on adjacent property or the surrounding neighborhood; and,*

1. *Will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and will not change the essential character of the area.*

**The proposed rezoning and development would be consistent with the architectural and zoning to the surrounding developments, and further create a community feel along Market Street.**

2. *Will not be hazardous or disturbing to existing uses or uses reasonably anticipated in the future.*

**The proposed development will be far enough away from the existing properties as to not disturb the existing housing, lake users, pedestrian traffic, and the golfers. The current zoning would provide semi-truck loading, trash dumpsters, order speaker boxes, parking lot lights, commercial signage, and pavement up to the edge of the golf course and lake.**

3. *Will be an improvement in relation to property in the immediate vicinity and to the Township as a whole.*

**The proposed rezone to RM zoning would be more in line with the development of the Waterstone area.**

**There are no other spaces for commercial development throughout the Waterstone development besides two parcels that have frontage on M-24. The parcels subject to this rezone request are approximately a 1/2-mile from the intersection of Market Street and M-24. If developed as C-1, the subject parcels would not get the traffic needed to support the businesses.**

B. *The proposed land use must be consistent with and promote the intent and purpose of this Zoning Ordinance and other applicable codes.*

**This development would be in an area of similar residential developments and would maintain the aesthetic and feel of the surrounding community.**

C. *The proposed land use must not pose an unreasonable impact upon the natural environment;*

**Downzoning the properties from Commercial to Residential will have less impact on the environment. The proposed rezoning to RM would allow the development to stay farther away from Market Street and the existing golf course and lake. Developing this parcel under the C-1 zoning would result in a development that is pushed to the outer limits of the parcels and have a greater impact on the surrounding environment.**

D. *The proposed land use must be compatible with the capacities of public services and facilities affected by the proposed use;*

1. *Will be served adequately by essential public services and facilities or that the persons responsible for the establishment of the proposed use will provide adequately any such service or facility.*

**The existing public utilities are stubbed to or are running through the subject parcels and are adequately sized to service the proposed development under the proposed RM rezone.**

2. *Will not create excessive additional public costs and will not be detrimental to the economic welfare of the Township.*

**No excessive public costs will be generated by the proposed rezone and corresponding development as no publicly funded infrastructure will be needed.**

- E. *The proposed land use must be consistent with vehicular turning patterns, traffic flow, intersections, view obstructions, ingresses and egresses, off-street parking and other existing conditions in the district;*

**Rezoning the subject parcels to RM zoning would generate less daily traffic to the parcels than was initially designed for under C-1 zoning.**

- F. *The proposed land use must be designed located, planned, and operated, so that the public health, safety and welfare will be protected;*

**The development will be designed in accordance with the Oakland County and Oxford Township standards to protect the public.**

- G. *The proposed land use must be consistent with the goals, objectives and future land use plan described in the Charter Township of Oxford Master Plan.*

**By eliminating the excess commercial space dedicated in the Township's Master plan and aligning the development with the two properties to the west, the goals and objectives of the Master Plan are being followed.**

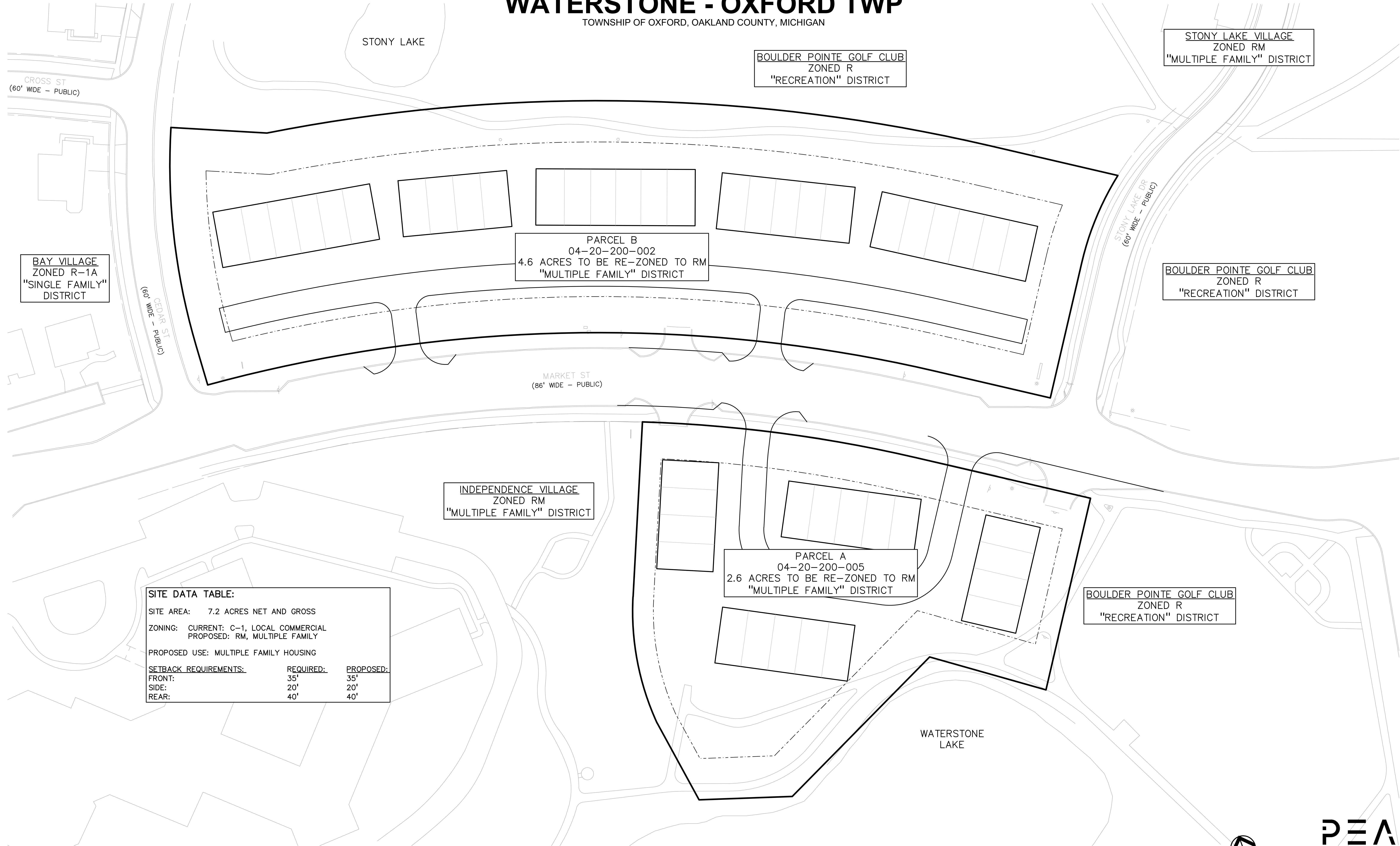
### **Reasons of Recommendation**

The Planning Commission may consider the following for reasons of recommending the Parcels from C-1 to RM:

1. Removes a non-conforming and obsolete spot zoning
2. Creates a consistent residential zoning and extends the community along Market Street.
3. Multiple-family dwelling units are compatible with surrounding uses and zoning in terms of the environment, density, traffic volumes, aesthetics, infrastructure, and potential influence on property values.
4. Market Street is capable of safely and efficiently accommodating expected traffic volumes generated by the proposed number of multiple-family dwelling units.
5. The capacity of public utilities and services is sufficient to accommodate the proposed number of multiple-family dwelling units without compromising the city's health, safety, and welfare.
6. There is an apparent demand in the Township for multiple family dwelling units in relation to the amount of land in the city currently zoned and available to accommodate the demand.
7. The rezoning of the property does not unreasonably impact the adjacent properties.
8. The proposed rezoning will allow the site to be developed in a manner consistent with Oxford Township's Master Plan and maintain the flow of a residential community along the Boulder Pointe Golf Course, while eliminating excess commercial spaces within the community.

# WATERSTONE - OXFORD TWP

TOWNSHIP OF OXFORD, OAKLAND COUNTY, MICHIGAN



BOULDER POINTE GOLF CLUB  
ZONED R  
"RECREATION" DISTRICT

STONY LAKE VILLAGE  
ZONED RM  
"MULTIPLE FAMILY" DISTRICT

CROSS ST  
(60' WIDE - PUBLIC)

BAY VILLAGE  
ZONED R-1A  
"SINGLE FAMILY" DISTRICT

60' WIDE - PUBLIC  
CEDAR ST

PARCEL B  
04-20-200-002  
4.6 ACRES TO BE RE-ZONED TO RM  
"MULTIPLE FAMILY" DISTRICT

60' WIDE - PUBLIC  
STONY LAKE DR

BOULDER POINTE GOLF CLUB  
ZONED R  
"RECREATION" DISTRICT

MARKET ST  
(86' WIDE - PUBLIC)

INDEPENDENCE VILLAGE  
ZONED RM  
"MULTIPLE FAMILY" DISTRICT

PARCEL A  
04-20-200-005  
2.6 ACRES TO BE RE-ZONED TO RM  
"MULTIPLE FAMILY" DISTRICT

BOULDER POINTE GOLF CLUB  
ZONED R  
"RECREATION" DISTRICT

**SITE DATA TABLE:**

SITE AREA: 7.2 ACRES NET AND GROSS

ZONING: CURRENT: C-1, LOCAL COMMERCIAL  
PROPOSED: RM, MULTIPLE FAMILY

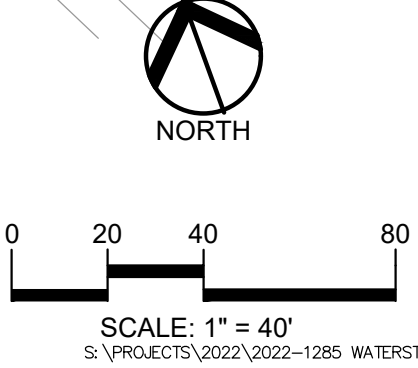
PROPOSED USE: MULTIPLE FAMILY HOUSING

SETBACK REQUIREMENTS:	REQUIRED:	PROPOSED:
FRONT:	35'	35'
SIDE:	20'	20'
REAR:	40'	40'

WATERSTONE LAKE

CLIENT:  
M/I HOMES OF MICHIGAN  
40950 WOODWARD AVE.  
BLOOMFIELD HILLS, MI

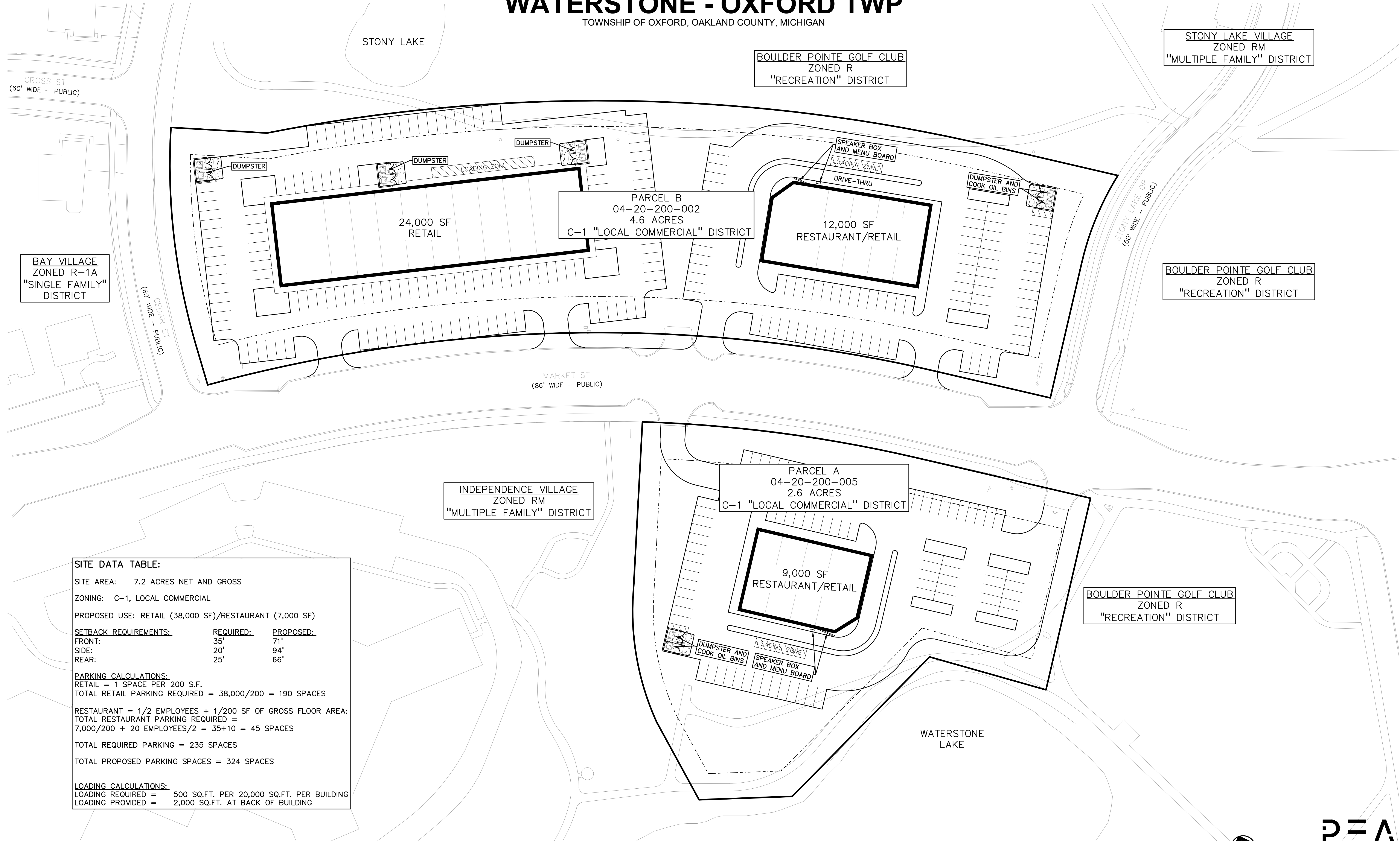
# EXHIBIT A - SITE PLAN SKETCH



**PEA GROUP**  
t: 844.813.2949  
www.peagroup.com  
PEA JOB NO. 2022-1285  
DECEMBER 19, 2022  
S:\PROJECTS\2022\2022-1285 WATERSTONE - OXFORD TWP\DWG\CONCEPT\CONCEPT 2-SAMPLE.dwg

# WATERSTONE - OXFORD TWP

TOWNSHIP OF OXFORD, OAKLAND COUNTY, MICHIGAN



**SITE DATA TABLE:**

SITE AREA: 7.2 ACRES NET AND GROSS  
 ZONING: C-1, LOCAL COMMERCIAL  
 PROPOSED USE: RETAIL (38,000 SF)/RESTAURANT (7,000 SF)

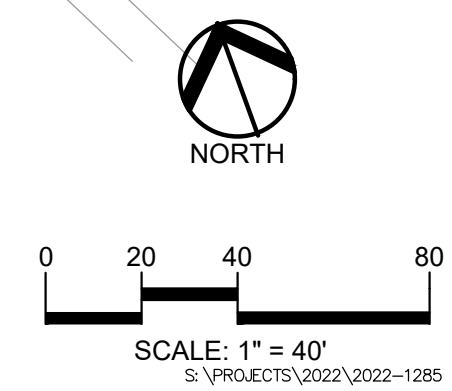
SETBACK REQUIREMENTS:	REQUIRED:	PROPOSED:
FRONT:	35'	71'
SIDE:	20'	94'
REAR:	25'	66'

**PARKING CALCULATIONS:**  
 RETAIL = 1 SPACE PER 200 S.F.  
 TOTAL RETAIL PARKING REQUIRED = 38,000/200 = 190 SPACES  
 RESTAURANT = 1/2 EMPLOYEES + 1/200 SF OF GROSS FLOOR AREA:  
 TOTAL RESTAURANT PARKING REQUIRED = 7,000/200 + 20 EMPLOYEES/2 = 35+10 = 45 SPACES  
 TOTAL REQUIRED PARKING = 235 SPACES  
 TOTAL PROPOSED PARKING SPACES = 324 SPACES

**LOADING CALCULATIONS:**  
 LOADING REQUIRED = 500 SQ.FT. PER 20,000 SQ.FT. PER BUILDING  
 LOADING PROVIDED = 2,000 SQ.FT. AT BACK OF BUILDING

## EXHIBIT B - BY-RIGHT PARALLEL SKETCH

CLIENT:  
**M/I HOMES OF MICHIGAN**  
 40950 WOODWARD AVE.  
 BLOOMFIELD HILLS, MI



**PEA GROUP**  
 t: 844.813.2949  
 www.peagroup.com  
 PEA JOB NO. 2022-1285  
 DECEMBER 19, 2022  
S:\PROJECTS\2022\2022-1285 WATERSTONE - OXFORD TWP\DWG\CONCEPT\CONCEPT 4.dwg



Detroit Division  
40950 Woodward Ave., Suite 203  
Bloomfield Hills, MI 48304  
248.221.5000

January 20, 2023

Ms. Cheryl Lotan  
Planning and Zoning Coordinator  
Charter Township of Oxford Planning Department  
300 Dunlap Road  
Oxford, Michigan 48371

RE: Rezoning Application  
Parcels 04-21-200-002 and 04-21-200-005  
Market Street between Stony Lake Drive & Cedar Street  
Oxford Township, Oakland County, Michigan

Dear Ms. Lotan:

M/I Homes of Michigan, LLC has submitted an application to rezone the above parcels (collectively, the "Property") from C-1, Local Commercial, to RM, Multiple Family. Following the submission of our Rezoning Application to the Township, M/I Homes held a meeting with the neighboring property owners on January 18, 2023, to discuss the rezoning and M/I Homes' plans for the Property.


Based on the feedback we received at the meeting, M/I Homes would like to offer certain conditions to our Rezoning Application. In accordance with Section 18.5 of Oxford Township's Zoning Ordinance, M/I Homes hereby voluntarily offers and agrees to the following conditions regarding the use and development of the Property if our Rezoning Application is approved by the Township:

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.

M/I Homes is offering these conditions to its Rezoning Application to ensure that, if the Property is rezoned to RM, the Property will be developed and used in a manner that is compatible with surrounding properties.

We look forward to presenting our vision for the Property at the upcoming Planning Commission meeting. In the meantime, if anyone has any questions, please do not hesitate to contact me. Thank you.

M/I Homes of Michigan, LLC

By:   
Mike Kennedy  
VP of Land Acquisition



Detroit Division  
40950 Woodward Ave., Suite 203  
Bloomfield Hills, MI 48304  
248.221.5000

**Owner Consent to Rezoning Conditions**

The undersigned owner of the Property consented to the Rezoning Application that was filed by M/I Homes of Michigan, LLC with the Township and hereby consents to the above rezoning conditions offered by M/I Homes of Michigan, LLC, if the Property is rezoned to RM.

Sincerely,

Contour Development Group LLC

By:  \_\_\_\_\_

Its: MANAGED \_\_\_\_\_

OXI, L.L.C.  
40900 Woodward Ave., Suite 200  
Bloomfield Hills, Michigan 48304

February 6, 2023

Ms. Cheryl Lotan  
Planning and Zoning Coordinator  
Charter Township of Oxford Planning Department  
300 Dunlap Road  
Oxford, Michigan 48371

RE: M/I Homes Rezoning Application  
Parcels 04-21-200-002 and 04-21-200-005  
Market Street between Stony Lake Drive & Cedar Street  
Oxford Township, Oakland County, Michigan

Dear Ms. Lotan,

M/I Homes of Michigan, LLC has provided us with a copy of its rezoning application and rezoning conditions offered to the Township. Please be advised that OXI, L.L.C., as the Master Developer of the Waterstone community, approves and supports the proposed rezoning of the subject parcels.

Sincerely,

OXI, L.L.C.

By: Lawrence Lax

Its: Authorized Representative



**Carlisle | Wortman**  
ASSOCIATES, INC.

117 NORTH FIRST STREET SUITE 70 ANN ARBOR, MI 48104 734.662.2200 734.662.1935 FAX

February 15, 2023

**Zoning Map Amendment with Conditions  
(Conditional Rezoning)  
for  
Oxford Township, Michigan**

**PETITION INTRODUCTION**

**Applicant:** M/I Homes Michigan (c/o John B. Thompson of PEA Group, Inc.)  
**Owner:** Contour Development Group, LLC  
**Others with Interest:** Unknown  
**Request:** Zoning map amendment from C-1, Local Commercial to RM, Multiple-Family Residential

**PETITION DESCRIPTION**

The applicant is requesting a zoning map amendment with voluntary conditions (also known as a conditional rezoning) of two vacant parcels (04-21-200-002 and 04-21-200-005) on the north and south sides of Market Street, east of Cedar Street and west of Stoney Lake Drive. The request is for both properties to change from their current C-1, Local Commercial district to the RM, Multiple-Family Residential district, with the following conditions offered by the applicant:

- The property may only be developed for residential townhomes, related accessory structures and amenities; and
- The maximum number of residential townhome units on the property shall be forty-five (45) units.

The petition is for a conditional zoning map amendment. Section 4.05 of the Michigan Zoning Enabling Act and Section 18.5 of the Township Zoning Ordinance allow for a conditional rezoning where the owner seeking a rezoning may voluntarily propose conditions regarding the use and/or development of the land

Benjamin R. Carlisle, *President* Douglas J. Lewan, *Executive Vice President* John L. Enos, *Vice President*  
David Scurto, *Principal* Sally M. Elmiger, *Principal* R. Donald Wortman, *Principal*  
Paul Montagno, *Principal*, Megan Masson-Minock, *Principal*, Laura Kreps, *Senior Associate*  
Richard K. Carlisle, *Past President/Senior Principal*

as part of the rezoning request. The Planning Commission, after a public hearing, may recommend to the Township Board approval, approval with recommended changes, or denial of the conditional rezoning. However, unlike a site plan, Township officials cannot impose conditions on the application. Only the applicant, via an offer of conditions in writing, can impose conditions on the proposed conditional rezoning.

The applicant has submitted a development plan for the properties developed as multiple-family with forty-five (45) dwelling units shown in total. The applicant has also provided a parallel plan under the current zoning with 45,000 square feet of commercial and restaurant uses on the parcels in question. If the conditional rezoning is approved, the applicant would need to submit for site plan review, when a more detailed site plan would be reviewed by the Planning Commission.

## PROPERTY INFORMATION

<b>Location:</b>	North and south of Market Street, between Cedar Street and Stoney Lake Drive
<b>Parcel Numbers:</b>	04-21-200-002 and 04-21-200-005
<b>Lot Area:</b>	7.2 acres total Parcel A, south of Market Street (04-21-200-005): 2.6 acres Parcel B, north of Market Street (04-21-200-002): 4.6 acres
<b>Frontage:</b>	Parcel A, south of Market Street (04-21-200-005): ~440 feet Parcel B, north of Market Street (04-21-200-002): ~827 feet
<b>Existing Land Use:</b>	Vacant

Figure 1- Aerial of the Site



Source: Oakland County Michigan Property Gateway

The properties in question are located in water district as well as the sewer district. The Township Engineer, in their letter dated December 29, 2022, confirmed that the existing sewer and water systems have capacity to support a multiple family development similar to the one shown in the site plan sketch submitted with the original rezoning application.

The site has a few trees, does not have significant wetlands or woodlands on site and is relatively flat. In the southeast corner of Parcel B, there is a cluster of landscaping and an entrance monument sign for Stony Lake Village. The sign and landscaping are in an easement.

## ZONING

A summary of the current and proposed zoning districts and the intent of those districts is below.

A map showing the existing and proposed zoning districts is included later in the Surrounding Properties section of this report.

### Existing Zoning

#### **C-1, Local Commercial**

*The Local Commercial districts are intended to provide a limited number of locations for clusters of retail stores and personal service establishments for the everyday convenience of the nearby residential neighborhoods. In order to protect nearby residential areas, all C-1 uses must be conducted within a completely enclosed building, except where otherwise expressly provided in this ordinance.*

### Proposed Zoning

#### **RM, Multiple-Family Residential**

*The intent of the Multiple-Family Residential district is to provide sites for two-family and multiple-family residential land use, along with those uses which are compatible with a multiple-family residential environment and are customarily accessory to or supportive of such uses. These districts are intended to serve the Township's limited needs for higher density residential land use. Such districts shall serve as zones of transition between non-residential districts and lower density single-family districts, and shall have access to major thoroughfares and centralized sewer and water facilities. Certain other private and public uses are also intended for these districts, subject to conditions which will insure their compatibility with the main use and character of these districts*

## POTENTIAL USES

If the conditional zoning map amendment is approved, the site could be developed only as residential townhomes, related accessory structures and amenities. A summary of the potential permitted and special land uses in the current C-1, Local Commercial district is included below. The current zoning district allows a greater number of uses, including office, commercial, and automobile oriented uses. The proposed zoning district is primarily intended for residential uses and the conditions offered limit the uses to residential townhouses, related structures and amenities.

### Conditional Rezoning

*Residential Townhomes*

### Proposed Uses

*Related structures and amenities*

**C-1 Permitted  
 Principal Uses**

- Administrative or professional office*
- Office of local, state, or federal government agency or nonprofit organization*
- Police, fire, or emergency medical services station*
- Post office or other similar governmental office serving nearby residential areas*
- Financial or business service establishment, such as banks or credit unions*
- Personal service establishment*
- Retail use of up to 10,000 square feet in gross floor area*
- Seasonal and temporary sales*
- Sit-down restaurant*
- Banquet hall, club, lodge hall, rental hall, or catering hall*
- Shooting range, indoor*
- Dry cleaning drop-off center*
- Laundromat*
- Essential Services*
- Polling place*
- Home occupation*

**C-1 Permitted  
 Accessory Uses**

*Accessory buildings, structures, or uses that are customarily incidental to those uses listed above*

**C-1 Special Land Uses**

- Day care center*
- Funeral Home*
- Medical or dental office, excluding veterinarian establishments and medical facilities permitting overnight patients*
- Technical training*
- Upper-story residential*
- Bar or lounge*
- Carry-out restaurant or concession stand*
- Drive-in restaurant*
- Outdoor patio, excluding alcohol*
- Health and fitness club*
- Recreation, Indoor*
- Recreation, Outdoor*
- Automobile convenience mart*
- Automobile service center*
- Automobile service station*
- Bulk propane sales and dispensing stations, subject to state licensing regulations*
- Drive-in/drive-thru business associated with permitted use*

**TRAFFIC GENERATION**

Applying the Institute for Transportation Engineers (ITE) Trip Generation Manual, 11th Edition, for General Urban/Suburban and Rural Land Use, the proposed condition of no more than forty-five (45) townhomes or attached single-family housing units would likely generate significantly less traffic than the currently allowed commercial uses. The table on the following page show estimated traffic generation for the current zoning and the proposed conditions. We did not include the average daily trips estimated for the townhomes on Sundays, as that trip generation rate by dwelling unit was lower than both the weekday and Saturday rate for that use. The ITE Trip Generation Manual used did not provide daily trip generation based on square footage on Saturdays or Sundays for strip retail plazas.

Zoning	Use	Average Daily Rate	Estimated Vehicle Trips Per Day
<b>C-1 (Current)</b>	45,000 gross square feet in strip retail plazas	54.45 trips/1,000 square feet of gross leasable area on a weekday	2,460.25 trips on weekdays
<b>RM (Proposed)</b>	45 single-family attached dwelling units (townhomes)	7.20 trips/dwelling unit on a weekday	324 trips on weekdays
		8.76 trips/dwelling unit on a Saturday	394.2 trips on Saturdays

In their original proposal, the applicant provided slightly different traffic estimates: 1,200-2,500 trips per day for current zoning and 250 trips per day for the proposed zoning of RM.

## ZONING

A summary of the developmental standards for the current and proposed zoning districts is below.

	C-1 (Current)	RM (Proposed)
<b>Lot Area (min)</b>	10,000 square feet	See §3.8(B)
<b>Lot Width (min)</b>	100 feet	200 feet
<b>Setbacks</b>		
<b>Front</b>	35 feet	35 feet
<b>Side</b>	20 feet	20 feet
<b>Rear</b>	25 feet	40 feet
<b>Maximum Lot Coverage</b>	30%	40%
<b>Building Height</b>	35 feet, 2 stories	45 feet, 3 stories

§3.8(B) of the Zoning Ordinance determines the minimum lot area in the RM district based on the number and type of multiple-family units. Using the highest multiplier of 6,000 square feet for units with four (4) bedrooms or more, Parcel A and Parcel B exceed the minimum lot size for the number of dwelling units shown on the Site Plan Sketch and would conform with the proposed zoning. Under the conditions offered by the applicant, any proposed development would need to meet the setbacks for the RM zoning district shown in the above table.

## MASTER PLAN

The following Goals, Objectives and Strategies from the 2019 Township Master Plan apply:

**Residential Land Use Goal:**

The density, type and character of residential development in Oxford should meet the housing needs of Township residents while maintaining and enhancing the traditional village and resort-style of development found in the Oxford area.

**Objective #1:** Allow for a range of housing opportunities at different densities and styles while remaining consistent with the character of surrounding areas, and taking into consideration the availability of public utilities and the natural capacity of the land.

**Strategy #1:** Consolidate higher residential densities in areas adjacent to the Village and M-24 corridor, within the urban service boundary.

**Strategy #6:** Correspond higher residential densities with existing and planned utilities and existing and planned road capacity.

**Strategy #7:** Provide a variety of senior housing opportunities, ranging from independent, reduced-maintenance living to assisted living facilities to ensure that residents can continue to age in place within the Township.

**Commercial Land Use Goal:** Commercial development within Oxford Township should meet the needs of Township residents, while promoting Oxford’s unique character.

**Strategy #3:** Provide local/neighborhood commercial uses, where appropriate, to serve the convenience needs of local residents.

**Strategy #4:** Maintain physical and visual separation between commercial/office development and residential areas, while promoting pedestrian connections between them.

The site is located within the Village Commercial area and has been planned for that future land use designation since the 2005 Oxford Township Master Plan, if not longer. Properties to the north, east and south are within the Private Park/Conservation Area, associated with the Boulder Pointe Golf Club. The property abutting Parcel A to the west, is in the Multiple-Family High Density area. To the west of Parcel B, the property is in the Village Residential area, planned for single-family lots of nine thousand (9,000) square feet or more.

**Future Land Use Map Village Commercial**

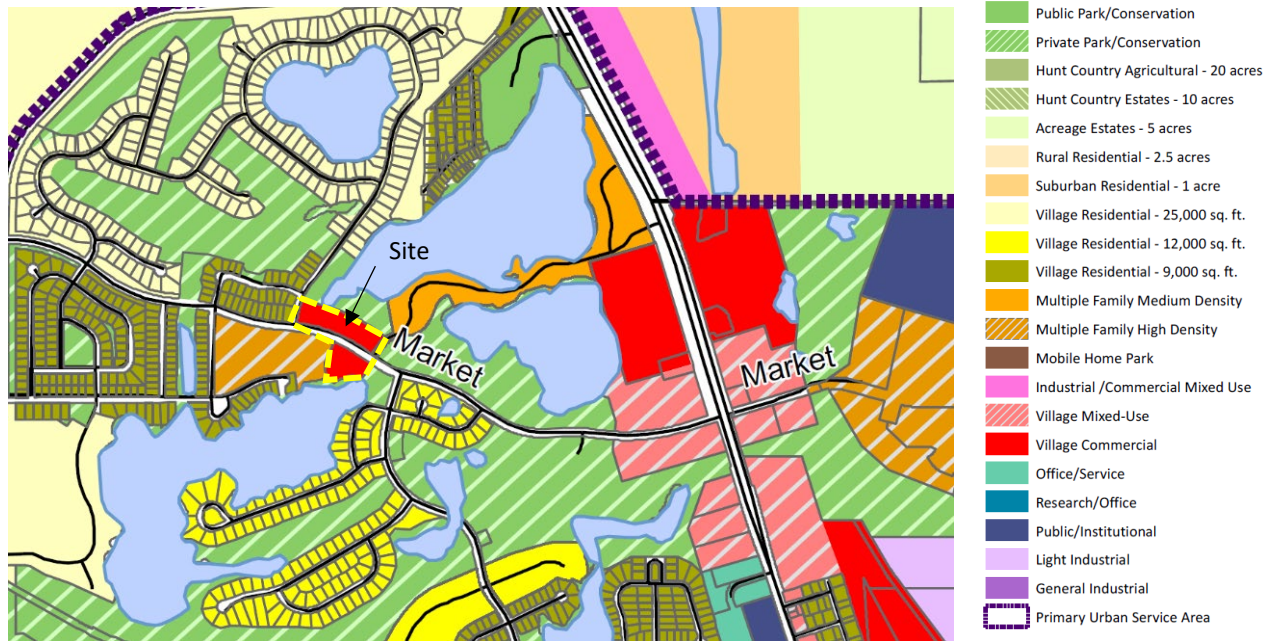
*The Village Commercial designation includes sites for existing or future commercial development compatible with the character of the Village of Oxford. To achieve this, commercial buildings should have a strong relationship to the sidewalk and road; parking should generally be placed at the side or rear. Village Commercial areas should primarily serve the day-to-day shopping and service needs of Township residents. As such, large-format retailers (“big-box” users over 65,000 sq. ft.) and regional shopping centers should be carefully regulated.*

A guiding factor in the creation of the Future Land Use Map was the “Adequacy of Commercial and Industrial Land.” The section describing this factor stated, “While it is important to ensure that adequate commercial and industrial land is available to provide needed services, jobs, and tax revenue, it is equally important to avoid setting aside excessive acreage for future commercial and industrial uses. Excessive areas planned for commercial or industrial uses (beyond that which could be supported by the market) are likely to remain vacant or underutilized, and may negatively impact the overall character of

the Township. For this reason, the Future Land Use Plan anticipates only the limited expansion of commercial uses outside of areas presently planned for commercial/industrial uses.”

The Planning Commission may recommend a land use that conflicts with the future land use designation if circumstances have significantly changed since the Master Plan was adopted. The subject properties have been planned for Village Commercial since 2005, if not longer. Since that time, the demand for commercial property has decreased in Oxford Township and in the nation overall with the increased options for shopping on-line due to changes in technology and in consumer behavior.

**Map 1- Future Land Use Map**



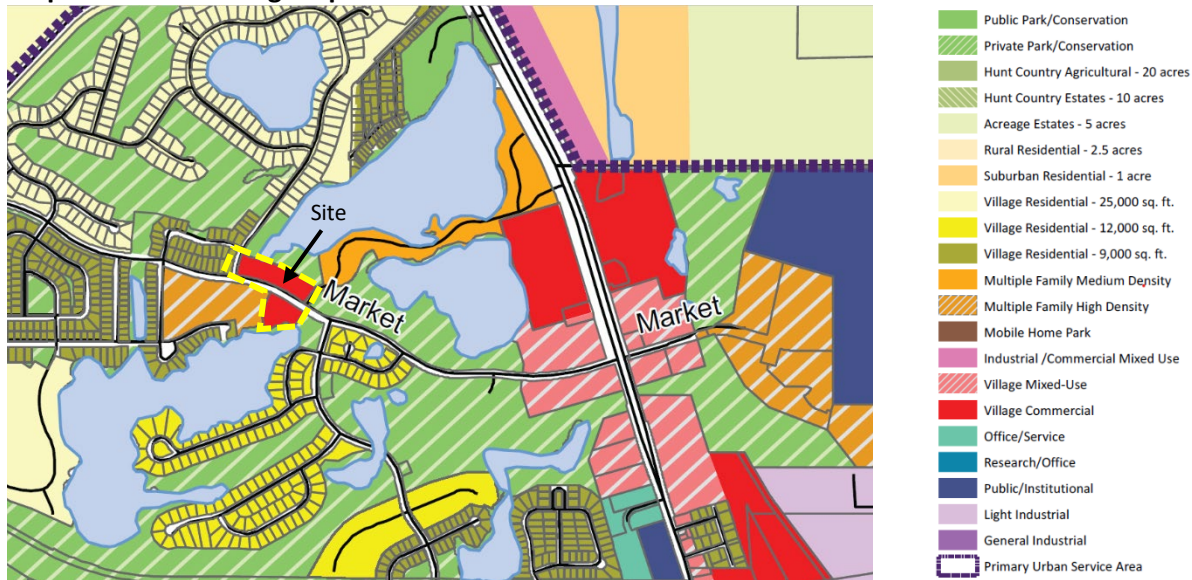
Source: 2019 Charter Township of Oxford Master Plan

**SURROUNDING PROPERTIES**

The surrounding properties are a mix of residential and recreational uses, as noted below. A map showing the current zoning districts are on the following page.

	North	East	South	West
Surrounding Zoning	R Recreation	R Recreation	None (Lake)	R-1A: Single Family (6,000 s.f. min.) RM, Multiple Family
Surrounding Land Uses	Golf course	Open space	Lake	Single-family residential Retirement apartments
Future Land-Use Map	Private Park/Conservation	Private Park/Conservation	Private Park/Conservation	Village Residential- 9,000 sf Multiple-Family High Density

**Map 2- Current Zoning Map**



Source: Charter Township of Oxford Zoning Map

**APPLICABLE LAND USE STANDARDS**

Section 18.5 of the Zoning Ordinance outlines the process and procedure for a conditional rezoning. Sub-section C has the following requirements for conditional rezonings:

Requirement	Discussion
<i>The offer of conditions may not purport to authorize uses or developments not permitted in the requested Zoning District.</i>	Single-family attached dwellings, such as townhomes, are a permitted use in the proposed RM district. The requirement is met.
<i>The owner’s offer of conditions shall bear a reasonable and rational relationship to the property for which the conditional rezoning is requested</i>	The owner’s offer to limit the density and type of housing is reasonable and rational. Similar types of the housing are near by and the limitation on the number of units would limit impacts on adjacent properties, the road system and infrastructure. The requirement is met.
<i>The Planning Commission and Township Board shall, at a minimum, consider all the review considerations contained in Section 18.2(C)</i>	See the discussion below.

The Section 18.2 (C) of the Zoning Ordinance does not contain specific criteria for review. Rather it states that “the Planning Commission shall evaluate all factors relevant to the petition.” In general, conditional rezonings are reviewed for consistency with the goal, policies, and future land use map of the Master Plan, for compatibility of the site with the potential uses in the proposed zoning district, for compatibility with the surrounding area, and for potential impacts on infrastructure and public services. Our comments below address these areas.

1. Goals, Policies, and Future Land Use Map of the Master Plan. The requested conditional rezoning is consistent with the goals, policies, and future land use map of the master plan.

**CWA Comment:** *The requested conditional rezoning can be seen as consistent with the residential land use goal, objectives and strategies of the 2019 Charter Township of Oxford Master Plan. The residential land use goal states that “the density, type and character of residential development in Oxford should meet the housing needs of Township residents while maintaining and enhancing the traditional village and resort-style of development found in the Oxford area.” With Waterstone Lake to the south and the golf course to the north, townhomes that meet the housing need of Township residents could be built on the subject property in a resort-style development. An objective for residential development is that a range of housing opportunities and styles should be allowed while remaining consistent with the character of the surrounding areas. The 2019 Master Plan noted that multiple-family land uses increased by approximately 178.5%, between 2010 and 2015, but land dedicated to multiple-family uses accounted for less than 1% of total Township land area. The conditional rezoning of the subject properties to allow townhomes could be seen as fulfilling a housing need of Oxford Township residents.*

*This site is planned for the Village Commercial area. The proposed conditional rezoning to the RM, Multiple-Family Residential district is not consistent with the future land use map, which calls for the site to be Village Commercial. The subject properties have been planned for Village Commercial since at least 2005. In order grant a rezoning, conditional or not, contrary to the Future Land Use Map, the Planning Commission would need to find that circumstances have changed to a point that justifies the proposed rezoning.*

*Since 2005, the demand for commercial land use has diminished in Oxford Township and nationally, due to increased availability of on-line commerce and subsequent changes in consumer behavior. The applicant submitted evidence of vacant commercial storefronts off of Lapeer Road. In addition, three of the four corners at the intersection of Market Road and Lapeer Road, land zoned C-1 and C-2, are vacant. The commercial land use goal, objectives and strategies in the 2019 Master Plan state that commercial uses should meet the needs of Township residents; be limited to M-24, near the Village of Oxford and along major thoroughfares for neighborhood shopping; and serve the convenience needs of local residents. The Planning Commission could find that due to decrease in need of Oxford residents for local, brick and mortar storefronts to meet their convenience shopping needs that the Village Commercial designation is inappropriate for these properties.*

2. Site Compatibility. Compatibility of the site's physical, geological, hydrological and other environmental features with the uses or special uses permitted in the proposed zoning district.

**CWA Comment:** *The site appears to generally be physically compatible for townhomes.*

3. Surrounding Area. The compatibility of all the potential uses allowed in the proposed zoning district with the surrounding area in terms of impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values.

**CWA Comment:** *The proposed townhomes appear to be generally consistent with other adjacent single-family and multiple-family residential areas, as well as the lake and golf course. The area is within the water and sewer districts. The proposed conditional rezoning would likely result in lower traffic impacts.*

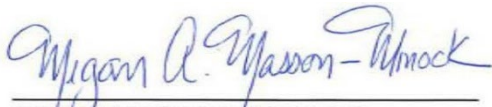
*We defer to the Township Engineer for further comment on potential infrastructure impacts.*

## SUMMARY & COMMENTS

While the Master Plan calls for Village Commercial uses on these properties, those uses were planned almost twenty (20) years ago, when on-line shopping was limited and there was a greater anticipated demand for commercial land uses. The proposed conditional rezoning to RM, Multiple-Family Residential district with the conditions offered could be seen as in keeping with the residential land use goal, objectives and strategies of the 2019 Charter Township of Oxford Master Plan. If the Planning Commission chooses to recommend approval of the conditional rezoning to the Township Board, the Commission should make specific findings as to how circumstances have changed since 2005 and 2019 to justify a deviation from the Future Land Use Plan.

I will be in attendance at the February 23, 2023 Planning Commission meeting. In the meanwhile, we are happy to answer any questions.

Sincerely,



---

**CARLISLE/WORTMAN ASSOC., INC**  
Megan Masson-Minock, AICP  
Principal



# OXFORD FIRE DEPARTMENT

96 N. Washington St. • Oxford, Michigan, 48371  
Ph. (248) 969-9483 • Fax. (248) 969-9489

January 4, 2023

Re: Rezoning M/I Homes  
Parcel #04-21-200-002, And 04-21-200-005  
Market St. Between Stoney Lake Dr. & Cedar Street  
Oxford, MI. 48371

The Oxford Fire Department has No Objection to the proposed Rezoning of parcel 04-21-200-002 & amp; 04-21-200-005 from C-1 to the proposed RM

Fire Marshal  
BJ Frantz  
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**Project Name: Rezoning M/I Homes – Market St**  
**Review Phase: Rezoning**

Date Received: **December 22, 2022** SE Project # **014.57.00**  
Date of Review: **December 29, 2022** Oxford Twp T&A Acct: **BTA22-0002**

Parcels: 04-21-200-002 & 04-21-200-005

Drawings Reviewed: PEA Plans (ALTA, Exhibit A & B Site Plan Sketchs)

**Review Action: No Objections**

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Dear Ms. Lotan,

We are in receipt of the documents submitted for the proposed rezoning of the above-noted parcels from C-1 to RM. The properties are located on the north side of Market Street between Stony Lake Drive and Cedar Street and on the south side of Market Street adjacent to the Independence Village senior living complex.

Along with the rezoning application, the applicant has submitted two conceptual site layouts. No floor plans, building renderings, or engineering information has been provided, nor are they required at this time. Our office has no issues with the submitted rezoning information, but we do have comments that may be pertinent to the parcels from an engineering perspective should this progress into a development project.

Please accept the comments noted below for your consideration. If you have any questions, please do not hesitate to contact me.

Respectfully,

Jim Sharpe  
President

cc (via email): Tom Berger – Oxford Twp PC Chairman  
Zach Michels – Carlisle/Wortman Assoc, Inc.  
Matt Majestic – Oxford Fire Chief  
Brittney Ellis – The Kelly Firm  
Mike Kennedy – M/I Homes  
John Thompson – PEA Group

## **GENERAL INFORMATION**

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The project consists of the rezoning of two separate parcels from C-1 (Local Commercial) to RM (Multiple Family). The parcels being considered are a 4.6 acre parcel on the north side of Market Street and a 2.6 acre parcel on the south side of Market Street. Both parcels are generally open with no existing buildings, a few Cottonwood trees, and no apparent wetland areas. The parcel on the north side of Market Street abuts the Boulder Pointe golf course and the parcel on the south side of Market Street abuts Waterstone Lake.

## **SITE ELEVATIONS**

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- Both parcels are relatively flat and appear conducive for development without the need for significant land balancing.

## **SANITARY SEWER**

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- Both parcels proposed for rezoning are located within the Oxford Township sewer district. If the zoning change is allowed, the existing sewer system does have capacity to support a multifamily development similar to the one being shown in the Exhibit A site plan sketch.

## **WATER DISTRIBUTION**

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- Both parcels proposed for rezoning are located within the Oxford Township water district. If the zoning change is allowed, the existing water supply system does have capacity to support a multifamily development similar to that being shown in the Exhibit A site plan sketch.
- An existing water main runs in an east-west direction across the south parcel. This water main may need relocation to accommodate the layout of a proposed development.

## **STORM SEWER**

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- A storm sewer stub exists for the north parcel. Previous information indicates that this parcel was included in the design of the Stony Lake condominium development, thus sufficient capacity should exist to accommodate proposed onsite storm water.
- The south parcel will require an independent storm sewer system that will likely discharge to Waterstone Lake.

## **PAVEMENTS, SIDEWALKS, AND CURBING**

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- There are existing drive approaches and on-street parking to access and support both parcels. Market Street is under the jurisdiction of the Road Commission for Oakland County (RCOC), so any proposed construction within the Market Street right-of-way will require a permit from the RCOC.

- An existing portion of the Boulder Pointe golf course cart path is located on the north parcel. Either the cart path will need to be relocated onto the golf course property or an easement to allow the path over the parcel will be required.
- Existing sidewalks from the Independence Village complex are located on the south parcel. Either the sidewalks will need to be relocated or an easement to allow the sidewalks over the parcel will be required.

## **PROJECT SUMMARY**

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In our opinion, the Township has sufficient infrastructure to service the multifamily development at the proposed rezoning locations based on the Exhibit A sketch. Site plan and engineering drawings in accordance with the Township's engineering standards and related ordinance requirements will be required if the project progresses into a development project.

**From:** [Don Wloszek](#)  
**To:** [Cheryl Lotan](#)  
**Subject:** Project Name Waterstone Towns Rezoning from C-1 to RM - Meeting on Jan 26 7 pm  
**Date:** Friday, January 20, 2023 10:59:24 AM

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Cheryl,

Many residents of the Waterstone community met with the developer M/I Homes and their engineering firm to discuss the rezoning. A few questions or concerns I have from the discussion:

1. I have no issue with a development but concern I have is the proposed residential zoning outlined in the documents provided allows for a 45' tall 3 story structure. The builder showed an example of a two story structure but if rezoning is approved there should be wording to limit the number of stories and height to be equal to or less than similar homes in the area.
2. I would like clarification on the difference between medium density multi family and the proposed high density housing. The developer and engineer could not answer the question.
3. The proposed site plan shows four structures on the south side and five on the north side of market with little space in between them. Depending on the height of the structures and overall length they might be too massive and are not in line with the "natural capacity of the land" per the 2019 Township Master Plan. I would like the developer to bring at least three renderings of the street views looking straight from Market Street, approaching from the east and west for both sides of Market Street for the Jan 26 meeting at 7 pm so I/we can make a more informed decision about the structure size.
4. With such a large development heavy truck traffic will beat up the road. I would like to see some sort of provision to for the developer to provide substantial funding to resurface Market Street once the development is complete. Depending on how much wear and tear from construction, this might possibly be a shared cost with the Waterstone Master Association. This might be an issue to be addressed in the site plan approval phase.
5. If rezoning is approved I would recommend an easement be granted for the existing paved walkway at the northeast corner of Waterstone Lake and the golf cart path on the 2nd hole par 3.

Thank you,  
Don Wloszek

Sent from my iPhone

**From:** [dave.dverbeke.com](mailto:dave.dverbeke.com)  
**To:** [Cheryl Lotan](mailto:Cheryl.Lotan)  
**Subject:** Planning Commission Public Hearing comments  
**Date:** Thursday, February 16, 2023 5:18:49 PM

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February 16, 2023

Mr. Thomas Berger, Commission Chair  
300 Dunlap  
Oxford, MI 48731

Via e-mail to: Cheryl Lotan at [clotan@oxfordtownship.org](mailto:clotan@oxfordtownship.org)

**Subject:** Rezoning Petition "Waterstone Towns" Properties C-1 to RM  
Planning Commission Public Hearing

We are homeowners in the Bay Village of Waterstone residing at 1138 Cross Street – less than 300 feet from the subject property. We appreciate the opportunity to comment in writing to the proposed rezoning as we are out of town and cannot attend the meeting.

We agree with the builder that the C-1 zoning is no longer necessary or appropriate for the land on either the north and south sides of Market Street.

However, we strongly disagree with the proposed high-density development on this acreage for the following:

1. The proposed RM zoning is a very broad designation creating an opportunity for many types of structures that are inconsistent with the neighborhood.
2. Townhouses are a significantly different type of structure than the rest of the 1200 or so homes in the development. They do not fit in and will diminish the quality of the development in our opinion.
3. None of the homes in Waterstone are built with anything close to the density suggested by the builder. In our mind, a townhouse development of this density bears the look of row houses found on the east coast and will significantly effect the quality of the Waterstone development.
4. I understand that all the homes in Waterstone are resident site condominium owned homes (with a very limited number of rentals). We don't see any indication that this is a resident owned condominium development nor that it will fall under the rules of the Waterstone Master Deed or Bylaws or will have their own HOA.
5. The land on the south side of Market Street is a premium location on Waterstone lake. Three or four premium homes (perhaps with shared driveways) would match the high value of that land. They would be consistent with the other homes on the lake, and particularly the new homes on the west end of the lake. An excellent fit for the neighborhood.
6. Market is the main entrance to the Waterstone community. Imagine driving in from Lapeer Rd – Club house on the left, golf course on the right. A few homes on the left,

all nice size with matching lots, Golf course on the left. Cross Waterstone Road, gazebo on the left, golf course on the right. Then 27 or so townhouses jammed in on the right, north side. What were the planners thinking?

- a. Consider houses like those found in Bay Village that would fit on this area, or duplex condos as found on Stoney Lake Rd instead of townhouses.
- b. Townhouses just don't fit on this land.

I understand the owner/builder of this land wants an adequate return for their investment. This should not be accomplished at the expense of our community.

We do not understand the zoning opportunities well enough to suggest an alternative zone to RM. Please suggest an alternative change to this builder that will produce a use for this land consistent with the Waterstone community you have so artfully crafted.

Sincerely,

David and Sharye Verbeke