

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

NOTICE AND AGENDA

Date: Thursday, March 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 – 03/09/23
7. Public comment on items not scheduled for Public Hearing or on this agenda
8. Commissioners' Comments
9. Public Hearing

The purpose of the public hearing is to receive public comments regarding a petition for zoning map amendment (rezoning) of a portion of parcel 04-30-200-058, known as Seymour Lake Park. The portion proposed for rezoning from Recreation – R to Single-Family (1 acre) (R-3) is 1.138 acres (gross) or 0.97 acres (net) of the ~24.4 acre parcel.

- 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, MARCH 9, 2023

A regular meeting of the Charter Township of Oxford Planning Commission was held Thursday, March 9, 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, Robert Turner, Justin Ballard, Michael Spisz, Tom Berger**

Members Absent: Ed Hunwick, Korey Bailey

Also Present: Township Attorney Brittney Ellis, Township Planner Megan Masson-Minock, Township Engineer Jim Sharpe, Fire Marshal BJ Frantz, Planning & Zoning Coordinator Cheryl Lotan, Recording Secretary Susan McCullough, one OCTV camera operator, the applicants and approximately 30 guests.

APPROVAL OF AGENDA

Commissioner Spisz moved, Commissioner Nold seconded, to approve the Charter Township of Oxford regular Planning Commission agenda for Thursday, March 9, 2023 as presented.

Ayes: 5 Nays: 0 Absent: 2

Motion Carried.

CONFLICTS OF INTEREST/EX-PARTE CONTACT

APPROVAL OF THE MINUTES

Planning Commission Regular Meeting – February 23, 2023

Commissioner Nold moved, Commissioner Spisz seconded, to approve the regular Planning Commission meeting minutes for February 23, 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 7:03 p.m.

There being no public comment on non-agenda items, public comment ended at 7:03 p.m.

COMMISSIONERS' COMMENTS

None.

PUBLIC HEARING(S)

Zoning Ordinance Text Amendment to permit retail Marihuana Retailers to co-locate with Medical Marihuana Provisioning Centers.

The purpose of this public hearing is to receive public comments regarding this petition for zoning ordinance text amendments to permit retail marihuana retailers to co-locate with medical marihuana provisioning centers.

CHARTER TOWNSHIP OF OXFORD PLANNING COMMISSION REGULAR MEETING
THURSDAY, MARCH 9, 2023

This amendment pertains to Section 2.2, Definitions; Section 3.4, Sub-Section O, Intent of Districts; Section 3.5, Schedule of Use Regulations; Section 5.35, Marihuana Uses; Section 6.26, Marihuana Regulations.

Attorney Ellis explained that the three existing developers, approved to construct and operate medical marihuana retail facilities in the Township's MP Marihuana Provisioning Overlay District, petitioned the Township Board of Trustees to consider a Zoning Ordinance Amendment to authorize the existing facilities to operate as adult-use marihuana retailers.

Presentation by the Petitioner

Tom D'Agostino, representing Lifted Investments, Mark James, representing Frequency Wellness LLC, and David Rice, representing Kurativ LLC, requested that the Planning Commission recommend approval of the proposed Zoning Ordinance amendment to the Township Board. The petitioners are requesting this change from medical use to adult-use marihuana because of the market conditions related to cannabis sales.

Open Public Hearing

Commissioner Nold moved, Commissioner Spisz seconded, to open the public hearing at 7:06 p.m.

Ayes: 5 Nays: 0 Absent: 2

Motion Carried.

Andy Burbidge, 810 Watersmeet, expressed his support for recreational sales of cannabis.

Marianne Kainz, 149 Stony Lake Drive, expressed concern with the allowance of recreational use marihuana and questioned the legality of the process.

Close Public Hearing

There being no further comment, Commissioner Nold moved, Commissioner Spisz seconded, to close the public hearing at 7:19 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 the proposed amendments.

Review of Correspondence

The Commission received correspondence from the following, which was read into the record by Chairman Berger:

Patricia Kerin, Director of Oncology & Senior Services, Trinity Health Oakland, dated 02/27/2023 stating her concerns regarding the proposed amendment.

Commissioner Discussion

The Commission discussed the application.

CHARTER TOWNSHIP OF OXFORD PLANNING COMMISSION REGULAR MEETING
THURSDAY, MARCH 9, 2023

Motion

Commissioner Nold moved, Commissioner Ballard seconded, to recommend approval to the Oxford Township Board of Trustees of the Amendment to Oxford Charter Township's Zoning Ordinance 67A, Sections 2.2; 3.4(O); 3.5(J); and 5.35 (A) through (D).

Roll Call:

Ayes: Ballard, Turner, Nold, Berger

Nays: Spisz

Absent: None

Motion Carried.

UNFINISHED BUSINESS

None.

NEW BUSINESS

Committee Assignments & Zoning Board of Appeals Liaison (appointment to expire 12/31/2023)

Chairman Berger made appointments to the following Committees:

Economic Development Committee of the Planning Commission (appointment to expire 12/31/2023)

Korey Bailey, Planning Commission Representative
Justin Ballard, Planning Commission Representative
Robert Turner, Planning Commission Representative

Ordinance Review Committee of the Planning Commission (appointment to expire 12/31/2023)

Jon Nold, Planning Commission Representative
Ed Hunwick, Planning Commission Representative
Tom Berger, Planning Commission Representative
Robert Turner, Planning Commission Representative (alternate)

Zoning Board of Appeals (appointment to expire 12/31/2023)

Korey Bailey, Planning Commission Representative

PC 23-001 – 411 North Oxford Road (04-22-246-001). Applicant: Kemp Building and Development, 275 W. Girard Ave., Madison Heights, MI 48071.

The applicant is requesting a preliminary and final site plan review for the renovation of an existing industrial building and expansion and improvements to the existing parking lot of more than 20 percent.

Ian Hurst, Kemp Building and Development, 275 W. Girard Ave., Madison Heights, MI 48071, was available to answer any questions of the Commission.

Planner Masson-Minock presented The Carlisle|Wortman review letter dated February 7, 2023.

Fire Marshal Frantz presented the Oxford Fire Department review letter dated February 23, 2023.

Engineer Sharpe presented the Sharpe Engineering review letter dated February 21, 2023.

CHARTER TOWNSHIP OF OXFORD PLANNING COMMISSION REGULAR MEETING
THURSDAY, MARCH 9, 2023

No residents spoke during public comment.

Commissioner Nold moved, Commissioner Spisz seconded, to approve the preliminary site plan for PC File No. 23-001, known by project name 411 N. Oxford Road. I'd like to reference in this approval The Kelly Firm letter dated 02/27/2023, Oxford Fire Department letter dated 02/23/2023, Carlisle|Wortman letter dated 03/01/2023, and the Sharpe Engineering letter dated 02/21/2023. Also, I'd like to make reference to the following: 1) Irrigation. We talked about irrigation; 2) We talked about the barrier-free design; 3) We talked about plan to clean up to match the County records, which is covered in some of the letters that we have; 4) We talked about the 60' right-of-way line for the future road right-of-way; 5) Referred to the modified fire department, which we have in that letter; 6) Light intensity right-of-way line to 1.0; 7) Light to supply with a dimmer and a timer for the lighting and then we would be looking for the waiver for the parking lot length of 18' would be acceptable.

Roll Call:

Ayes: Turner, Spisz, Nold, Ballard, Berger

Nays: None

Absent: None

Motion Carried.

Commissioner Nold moved, Commissioner Spisz seconded, to postpone the final site plan for PC File No. 23-001, known by project name 411 N. Oxford Road, to Thursday, April 13, 2023.

Roll Call:

Ayes: Nold, Spisz, Ballard, Turner, Berger

Nays: None

Absent: None

Motion Carried.

COMMUNICATIONS AND/OR COMMITTEE REPORTS

Economic Development Committee

None.

Ordinance Review Committee

Chairman Berger provided an update regarding upcoming projects.

PLANNER/ENGINEER REPORTS

Planner – Carlisle|Wortman

Planner Masson-Minock 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 8:25 p.m.

Tom Berger, Chairman

Ed Hunwick, Secretary

CHARTER TOWNSHIP OF OXFORD PLANNING COMMISSION REGULAR MEETING
THURSDAY, MARCH 9, 2023

Date approved: _____
smm

Unofficial

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

Thursday, March 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: Seymour Lake Township Park Residential Parcel

Applicant: Phil Castonia

Zoning map amendment (rezoning) of 0.97 acres of the ~24.4-acre parcel, from Recreation (R) to Single-Family (1 acre) (R-3).

The property is located at 510 S. Coats Road, on the west side of S. Coats Road, south of Seymour Lake Road (part of 04-30-200-058). Documents related to the public hearing will be available for inspection at the Township Building Department, during normal 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, clotan@oxfordtownship.org. All correspondence must be received by 12:00 (noon) on Friday, March 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, (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.



300 DUNLAP ROAD
OXFORD, MI 48371
(248) 628-9787 Fax: (248) 628-8139
WWW.OXFORDTOWNSHIP.ORG

PC 23-002

BTA 23-0003

APPLICATION FORM

PROJECT NAME: Seymour Lake Township Park Residential Parcel

Applicant: Name Phil Castonia
Address 2795 Seymour Lake Road
City Oxford State MI Zip 48371
Phone (248) 628-1720 Fax (248) 628-1854
Email pcastonia@oxparkrec.org

Property Information:
Common Description (Address) 570 S. Coats Rd
Tax Parcel No. 04-30-200-058
Legal Description (Attach to Application)
Zoning of Parcel(s) R-Recreation
Proposed use or activity Residential
Acreage or Size of Parcel(s) 1.138 Gross / 970 Net

Owner of Property:
Name Oxford Township Parks & Recreation
Address 2795 Seymour Lake Road
City Oxford State MI Zip 48371
Phone (248) 628-1720 Fax (248) 628-1854
Email pcastonia@oxparkrec.org

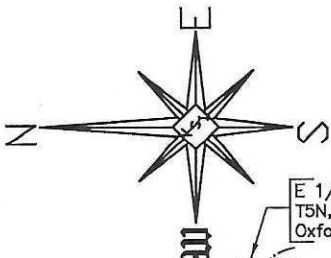
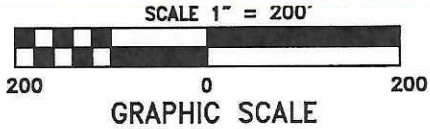
Persons Having a Legal Interest in the Property

	Name	Address	% Interest	Signature
1.	<u>N/A</u>			
2.				
3.				
4.				

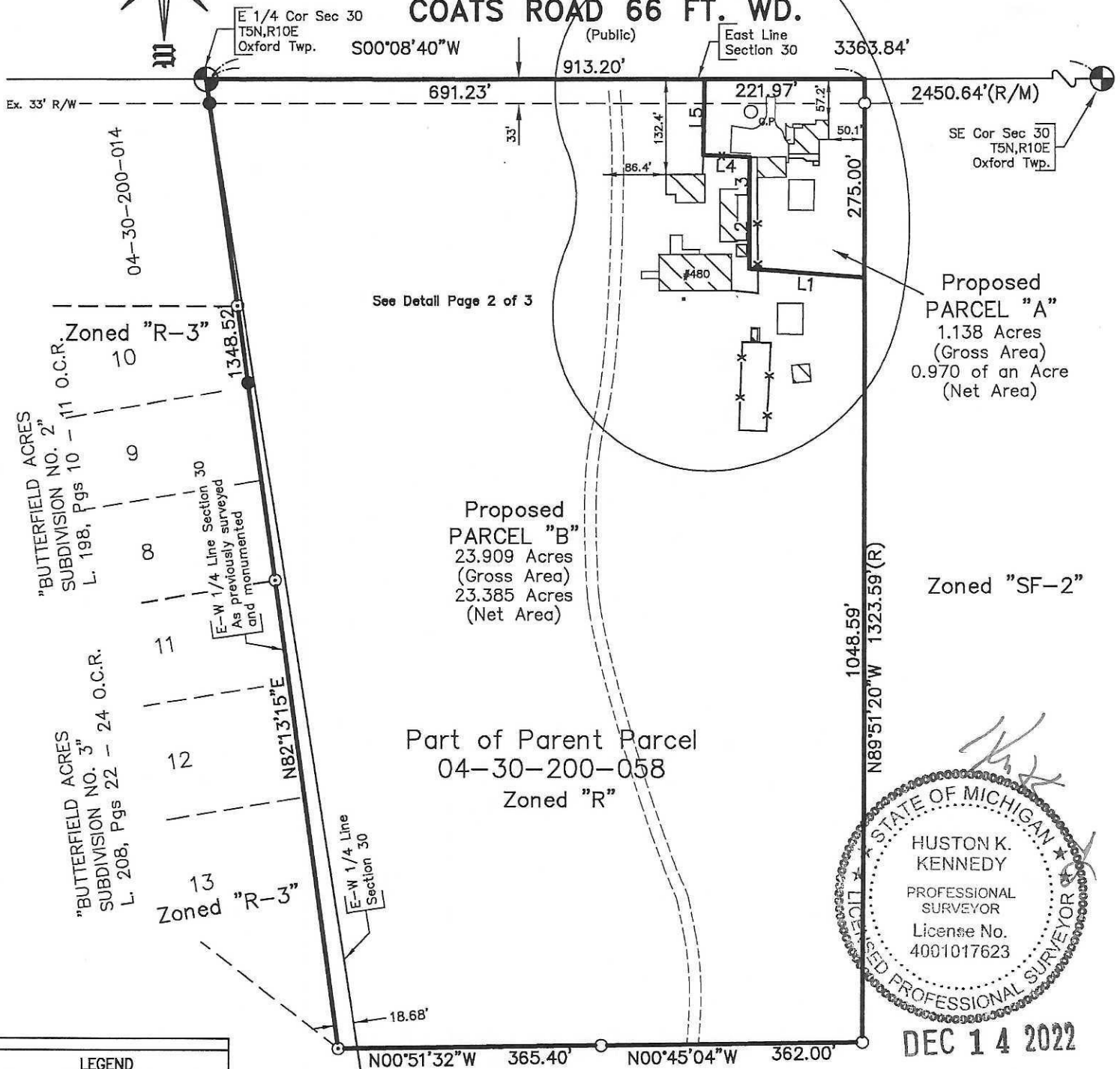
AFFIDAVIT: I agree the statement made above are true, and if found not to be true, any permit that may be issued may be void. Further, I agree to comply with the conditions and regulations provided with any permit that may be issued. Further, I agree that any approval that may be issued is with the understanding 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.

[Signature]
Signature

2/14/23
Date



COATS ROAD 66 FT. WD.



See Detail Page 2 of 3



DEC 14 2022

LEGEND

- = Found 1/2" Iron Rod
Unless Otherwise Noted
- = Set 1/2" Iron Rod W/Cap
- ⊙ = Found Concrete Monument
- M = Measured Distance
- R = Recorded Distance
- S = Set Distance
- P.O.B. = Point of Beginning
- *- = Ex. Fence Line

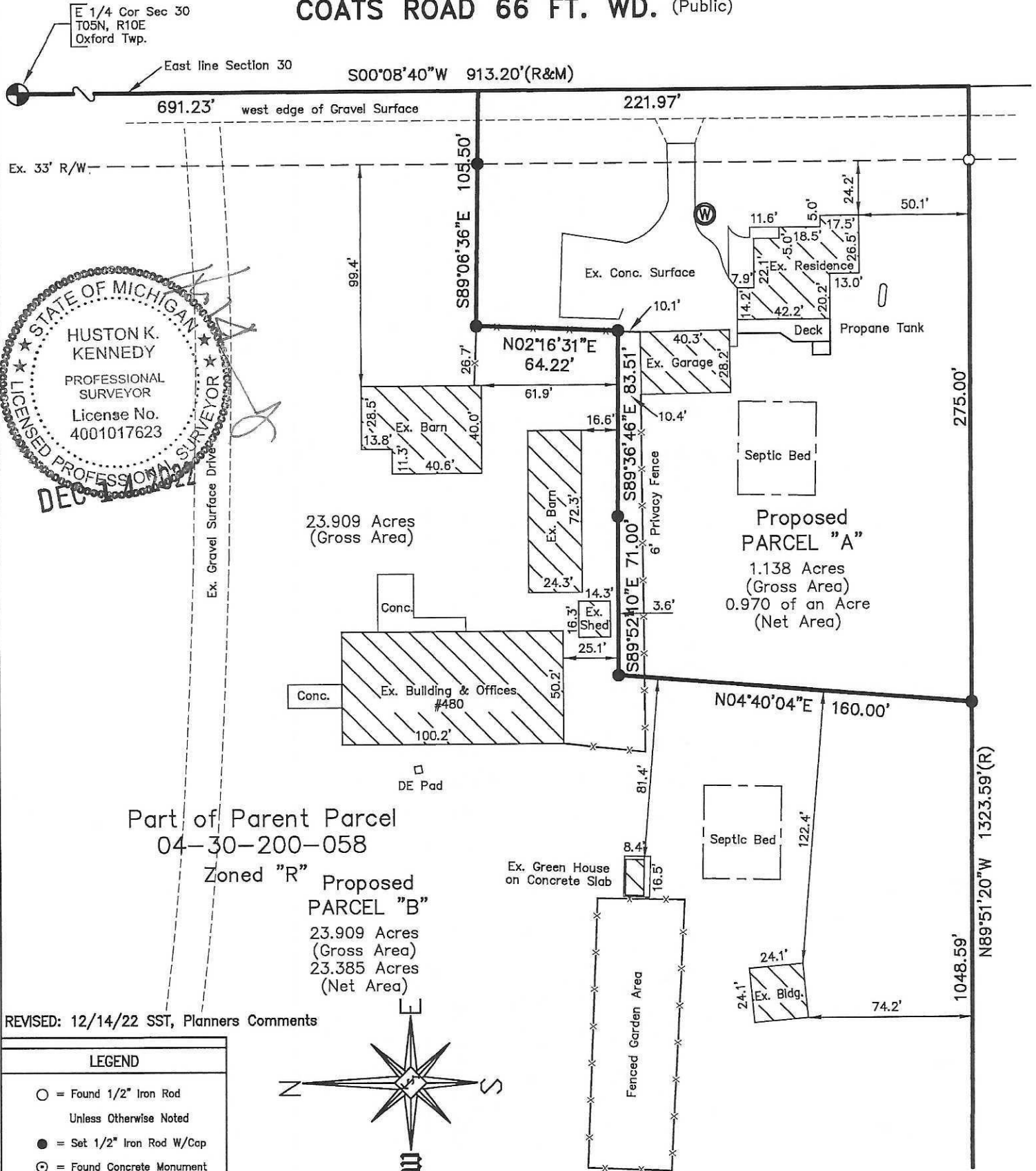
DWG No. 05-61671
Drawn By: SST

LINE	BEARING	DISTANCE
L1	S04°40'04"W	160.00'
L2	S89°52'10"E	71.00'
L3	S89°36'46"E	83.51'
L4	N02°16'31"E	64.22'
L5	S89°06'36"E	105.50'

REVISED: 12/14/22 SST, Planners Comments
 This survey was done without the benefit of a Title Policy, therefore, all easements of record and other factors relevant to title may not be shown.

When Recorded Please Return Original(s) To:
 Kennedy Surveying, Inc.
 105 N. Washington St.
 Oxford, Michigan 48371

COATS ROAD 66 FT. WD. (Public)



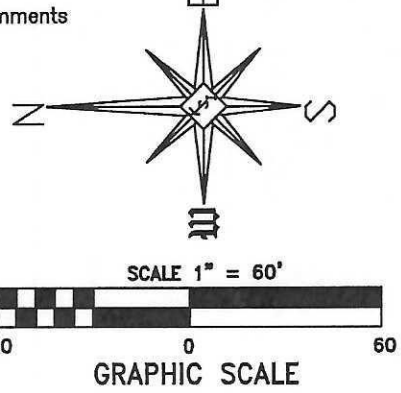
23.909 Acres (Gross Area)

Proposed PARCEL "A"
 1.138 Acres (Gross Area)
 0.970 of an Acre (Net Area)

Part of Parent Parcel
 04-30-200-058
 Zoned "R" Proposed
PARCEL "B"
 23.909 Acres (Gross Area)
 23.385 Acres (Net Area)

REVISED: 12/14/22 SST, Planners Comments

LEGEND	
○	= Found 1/2" Iron Rod Unless Otherwise Noted
●	= Set 1/2" Iron Rod W/Cap
⊙	= Found Concrete Monument
M	= Measured Distance
R	= Recorded Distance
S	= Set Distance
P.O.B.	= Point of Beginning
-x-x-	= Ex. Fence Line
DWG No. 05-61672	
Drawn By: SST	



NOTE: The Septic Disposal Beds as shown on this drawing are only approximate. The exact location of the Septic Disposal Beds must be determined prior to any construction activities in this area.

This survey was done without the benefit of a Title Policy, therefore, all easements of record and other factors relevant to title may not be shown.

When Recorded Please Return Original(s) To:
 Kennedy Surveying, Inc.
 105 N. Washington St.
 Oxford, Michigan 48371

Part of the Southeast ¼ of Section 30, Town 5 North, Range 10 East, Oxford Township, Oakland County, Michigan. Being more particularly described as beginning at the East ¼ corner of said Section 30; thence proceeding South 00°08'40" West 913.20 feet along the east line of said Section 30 to a point; thence North 89°51'20" West 1323.59 feet to a point; thence North 00°45'04" West 362.00 feet to a point; thence North 00°51'32" West 365.40 feet to the southwest corner of "BUTTERFIELD ACRES SUBDIVISION NO. 3" a plat recorded in Liber 208, pages 22-24 of Oakland County Records; thence North 82°13'15" East 1348.52 feet along the East-West ¼ line of said Section 30 (as previously surveyed and monumented), also the south line of said "BUTTERFIELD ACRES SUBDIVISION NO. 3" and the south line of "BUTTERFIELD ACRES SUBDIVISION NO. 2" a plat recorded in Liber 198 of Plats, on pages 10-11 of Oakland County Records to the Point of Beginning. Containing 25.047 Acres (Gross Area) or 24.357 Acres (Net Area). Reserved therefrom all easements and right of ways of record.

PROPERTY DESCRIPTION FOR PROPOSED PARCEL "A"


Part of the Southeast ¼ of Section 30, Town 5 North, Range 10 East, Oxford Township, Oakland County, Michigan. Being more particularly described as beginning at the East ¼ corner of said Section 30; thence proceeding South 00°08'40" West 691.23 feet along the east line of said Section 30 to the Point of Beginning; thence proceeding South 00°08'40" West 221.97 feet along the east line of said Section 30 to a point; thence North 89°51'20" West 275.00 feet to a point; thence North 04°40'04" East 160.00 feet to a point; thence South 89°52'10" East 71.00 feet to a point; thence South 89°36'46" East 83.51 feet to a point; thence North 02°16'31" East 64.22 feet to a vinyl fence corner; thence South 89°06'36" East 105.50 feet to the Point of Beginning. . Containing 49,582 Square Feet (Net Area) or 1.138 Acres (Gross Area) or 42,250 Square Feet (Net Area) or 0.970 of an Acre (Gross Area). Reserved therefrom all easements and right of ways of record.

PROPERTY DESCRIPTION FOR THE REMAINING PARCEL

Part of the Southeast ¼ of Section 30, Town 5 North, Range 10 East, Oxford Township, Oakland County, Michigan. Being more particularly described as beginning at the East ¼ corner of said Section 3; thence proceeding South 00°08'40" West 691.23 feet along the east line of said Section 30 to a point; thence North 89°06'36" West 105.50 feet to a vinyl fence corner; thence South 02°16'31" West 64.22 feet to a point; thence North 89°36'46" West 83.51 feet to a point; thence North 89°52'10" West 71.00 feet to a point; thence South 04°40'04" West 160.00 feet to a point; thence North 89°51'20" West 1048.59 feet to a point; thence North 00°45'04" West 362.00 feet to a point; thence North 00°51'32" West 365.40 feet to the southwest corner of "BUTTERFIELD ACRES SUBDIVISION NO. 3" a plat recorded in Liber 208, pages 22-24 of Oakland County Records; thence North 82°13'15" East 1348.52 feet along the East-West ¼ line of said Section 30 (as previously surveyed and monumented), also the south line of said "BUTTERFIELD ACRES SUBDIVISION NO. 3" and the south line of "BUTTERFIELD ACRES SUBDIVISION NO. 2" a plat recorded in Liber 198 of Plats, on pages 10-11 of Oakland County Records to the Point of Beginning. Containing 23.909 Acres (Gross Area) or 23.385 Acres (Net Area). Reserved therefrom all easements and right of ways of record. (Revised 12/14/2022)

NOTE

The bearings as expressed on this Proposed Land Division and used the property description are related to the bearing of the east line of Section 30, South 00°08'40" West.


Huston K. Kennedy, PS
Kennedy Surveying, Inc.



HKK/clk

DEC 14 2022



Carlisle | Wortman
ASSOCIATES, INC.

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

March 8, 2023

Zoning Map Amendment (Rezoning) for Oxford Township, Michigan

PETITION INTRODUCTION

Applicant:	Oxford Township Parks and Recreation Department (c/o Phil Castonia)
Owner:	Oxford Township Parks and Recreation Department
Others with Interest:	Unknown
Request:	Zoning map amendment from R, Recreation to R-3, Single-Family Residential (one acre)

PETITION DESCRIPTION

The applicant is requesting a zoning map amendment (also known as rezoning) of a portion of the parcel (04-30-200-058) known as Seymour Lake Park. The portion proposed for rezoning is on the south side of Seymour Lake Road, north of West Drahner Road, east of Baldwin Road, and west of South Coats Road. The request is for the property to change from their current R, Recreation district zoning to the R-3, Single-Family Residential (one acre) district.

The applicant has submitted a site plan that shows an existing residence in the southeast corner of the property, requesting for the twenty-five (25) acre property to be split into two (2) separate parcels, with the parent parcel (Parcel B) having a gross area of twenty-three point nine (23.9) acres and the resulting parcel (Parcel A) to have a gross acreage of one point one (1.1) acres. The applicant has noted that they intend to sell the resulting parcel in the future. There is a colonial-style house on the resulting parcel, which was used as a residential home prior to the acquisition of the parcel by the Parks and Recreation Department and currently rented as a single-family home. The parent parcel would continue the present recreation use as Seymour Lake Park.

The subject site received the following variances from the Zoning Board of Appeals at their meeting on February 13, 2023, with the condition that the “applicant must secure the necessary rezoning of the parcel through the Oxford Township Planning Commission and Township Board, suitable to surrounding zoning districts”:

- Minimum permitted lot size for Parcel A from five (5) acres to zero point nine seven (0.97) acres in the Recreation district.
- Minimum permitted lot width for Parcel A from three hundred thirty (330) feet to two hundred twenty-one point nine seven (221.97) feet in the Recreation district.
- Permitted side yard setback for Parcel B from fifty (50) feet to twenty-six point seven (26.7) feet in the Recreation district.
- Permitted side yard setback for Parcel B from fifty (50) feet to sixteen point six (16.6) feet in the Recreation district.
- Permitted side yard setback in Parcel A from fifty (50) feet to three point six (3.6) feet in the Recreation district.
- Permitted side yard setback in Parcel A from fifty (50) feet to twenty-five point one (25.1) feet in the Recreation district.

The petition is for a straight zoning map amendment, not a conditional zoning map amendment. The Township does not have an ability to place conditions on this type of zoning map amendment. Any specific concerns for a proposed use or development would have to be addressed in site plan review if a new use or structure was proposed. If rezoned, the existing house and accessory buildings on the parcel could be used for any allowed use in the R-1 zoning district, without Planning Commission approval.

PROPERTY INFORMATION

Location:	South of Seymour Lake Road, between Baldwin Road and South Coats Road
Parcel Numbers:	04-30-200-058
Lot Area:	25.047 acres total Parcel A, south of Seymour Lake Road: 1.138 acres Parcel B, west of Coats Road: 23.909 acres
Frontage:	Parcel A, south of Seymour Lake Road: ~1,018 feet Parcel B, west of Coats Road: ~221.97 feet
Existing Land Use:	Single-Family Residence, Township Parks & Recreation Municipal property

The properties in question are not located in either the water or sewer district.

The site has a handful of trees, does not have significant wetlands, and is relatively flat. Outside of the area of disturbance, within the property itself, are significant pockets of woodlands. However, these woodlands are not within the area proposed for rezoning, shown as the “Area of Interest” in Figure 2 on the following page.

Figure 1- Aerial of the Site



Source: Oakland County Michigan Property Gateway

Figure 2 – Aerial of Area of Interest



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

R, Recreation

The Recreation districts are intended to allow, with regulation, public and private recreational use of lands with such amenities as lakes, streams, pronounced topography, woodlands, wetlands, flood plains and similar natural features. It is further the intent of these districts that any use, improvement, or development of these lands should be designed to safeguard, preserve, and protect the natural features.

Proposed Zoning

R-3, Single-Family Residential (1 acre minimum)

R-1A, 1, 2 and 3, Single-Family Residential. The intent of the Single-Family Residential districts is to provide districts in which the principal land use is single-family residential, along with those uses which are compatible with a single-family residential environment and are customarily accessory to or supportive of such uses. A reasonable range of lot sizes is envisioned which will provide a variety of desirable and economically feasible housing opportunities for all members of the general public. 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 zoning map amendment is approved, the site could be developed with any of the potential permitted or special land uses in the R-3, Single-Family Residential (one acre) district. A summary of those uses, taken from Section 3.5 of the Zoning Ordinance, is listed below.

Additionally, a summary of the potential permitted and special land uses in the current R, Recreation district is included below.

The current Recreation zoning allows a number of contradictory uses compared to that allowed in the proposed zoning district, including conservation areas, gathering spaces, and general commercial oriented uses as opposed to the more residential and institutional uses allowed in R-3, including residential facilities, libraries, and places of worship. The proposed zoning district is primarily intended for residential uses.

R-3 Permitted Principal Uses	<ul style="list-style-type: none"> <i>Single-family dwelling, detached</i> <i>Child or adult family day care home</i> <i>State-licensed residential facility</i> <i>Recreational facility for residents of a development</i> <i>Essential services and structures, transmission and distribution lines, pipelines, telephone repeaters and related structures</i> <i>Municipal water treatment facility</i> <i>Polling place</i> <i>Bed and Breakfast residence</i> <i>Home occupations</i>
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R-3 Permitted Accessory Uses	<ul style="list-style-type: none"> <i>Accessory buildings, structures, or uses that are customarily incidental to permitted or special land uses</i>
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R-3 Special Land Uses	<ul style="list-style-type: none"> <i>Adult foster care group home</i> <i>Child or adult group day care home</i> <i>Library, museum, or similar noncommercial cultural facility</i> <i>Public or private park, recreation activity, or conservation area</i> <i>Transient, temporary amusement</i> <i>Place of worship</i> <i>Police, fire, or emergency medical services station</i> <i>Private elementary, middle, or secondary school</i> <i>Day care center</i> <i>Private airport or heliport</i>
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R Permitted Principal Uses	<ul style="list-style-type: none"> <i>Caretaker’s quarters</i> <i>Carry-out restaurant or concession stand</i> <i>Outdoor patio, excluding alcohol</i> <i>Sit-down restaurant</i> <i>Banquet hall, club, lodge hall, rental hall, or catering hall</i> <i>Boat livery or marina</i> <i>Golf course or driving range</i> <i>Public or private conservation area, forest preserve, game refuge, wildlife preserve, or park</i>
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R Permitted Principal Uses, continued *Public or private conservation area, forest preserve, game refuge, wildlife preserve or park, but excluding off-road vehicles of all types*
Public or private park, recreation activity, or conservation area
Recreation, indoor
Recreation, outdoor
Recreational facility for residents of a development
Transient, temporary amusement
Essential services and structures, transmission and distribution lines, pipelines, telephone repeaters and related structures
Municipal buildings not requiring outdoor storage
Municipal water treatment facility
Office of local, state, or federal government agency
Polling Place
Seasonal and temporary sales
Radio TV broadcasting, transmitting, or receiving tower, excluding wireless communication facilities

R Permitted Accessory Uses *Accessory buildings, structures, or uses that are customarily incidental to permitted or special land uses*

R Special Land Uses *Fairground*
Shooting range, Outdoor, or gun club
Municipal equipment or material storage yard
Office of nonprofit organizations, including but not limited to, labor unions, civic, social, or fraternal associations, or political or religious organizations, excluding those requiring large meeting or assembly halls
Hotel or motel

TRAFFIC GENERATION

Applying the Institute for Transportation Engineers (ITE) Trip Generation Manual, 11th Edition, for General Urban/Suburban and Rural Land Use to the provided site plan, the land uses allowed in proposed zoning district would likely generate traffic consistent with the existing use but more than a public park use, as shown in the table below:

Zoning	Use	Average Daily Rate	Estimated Vehicle Trips Per Day
R (Current)	Public Park (1.138 acres)	Weekday: 0.78 trips/acre	0.89 trips
		Saturday: 1.96 trips/acre	2.23 trips
		Sunday: 2.19 trips/acre	2.49 trips
R-3 (Proposed)	1 Single-Family dwelling unit	Weekday: 9.43 trips/dwelling unit	9.43 trips
		Saturday: 9.48 trips/dwelling unit	9.48 trips
		Sunday: 8.48 trips/dwelling unit	8.48 trips

The applicant did not provide a traffic impact assessment or estimate. The existing house on the resulting parcel proposed for rezoning has been used as a single-family home.

ZONING

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

	R (Current Zoning)	R-3 (Proposed Zoning)	Variance Received from Current Zoning	Site Dimensions
Net Lot Area (min)	5 acres	1 acre	0.97 acres	0.97 acres
Lot Width (min)	330 feet	150 feet	221.97 feet	221.97 feet
Setbacks				
Front	50 feet	35 feet	Existing non-conformity	24.2 feet
Side	50 feet	15 feet	26.7 feet	26.7 feet
<i>House to southern property line</i>			N/A	50.1 feet
<i>Detached garage to northern property line</i>			3.6 feet	10.1 feet
Rear	50 feet	30 feet	N/A	>30 feet
Maximum Lot Coverage	10%	15%	N/A	~8%
Building Height	35 feet, 2 stories	35 feet, 2.5 stories	N/A	Not provided

With the variances granted by the Zoning Board of Appeals on February 13, 2023, the portion of the site proposed for rezoning would comply with the dimensional and bulk standards for the proposed R-3 zoning district, except for the front yard setback. The front yard setback is an existing non-conformity in the current Recreation (R) zoning district.

MASTER PLAN

The following Goals, Objectives and Strategies from the 2019 Township Master Plan and the 2016 Township Parks and Recreation Master Plan apply:

2019 Township Master Plan

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.
<i>Objective #1:</i>	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.
<i>Strategy #4:</i>	Avoid higher residential densities in environmentally-sensitive areas of the Township.
<i>Strategy #6:</i>	Correspond higher residential densities with existing and planned utilities and existing and planned road capacity

2016 Township Parks and Recreation Master Plan

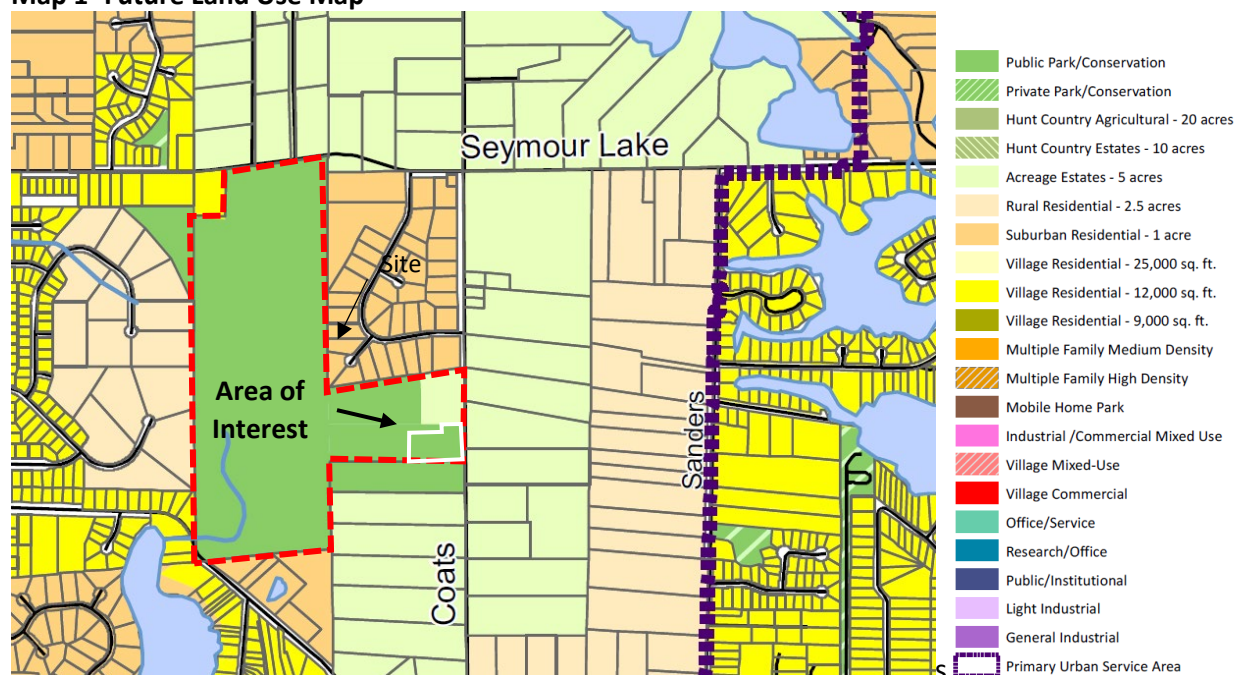
Recreation Land Use Goals:	Continue to consider the future recreation needs of the community and develop a vision for the community parks and recreation which will lead to future parkland dedication and development. Provide outstanding outdoor recreational opportunities for persons of all ages and abilities that are clean, functional, and safe.
<i>Objective #1:</i>	Maintain and upgrade existing parks to ensure a quality park system
<i>Objective #2:</i>	Develop new recreational facilities and provide outstanding parks
<i>Objective #4:</i>	Acquire and/or dedicate parkland
<i>Objective #6:</i>	Administration of parks and recreation services

To acquire and maintain additional parkland, the Township is selling sites that are not serving the public or a need of the Parks and Recreation Department. The subject site is leased and used as a single-family dwelling.

Further, the planned lot split does not involve any development of property or further expansion. This rezoning will not create increased density for the area nor will it expand demand upon or adversely impact utility service.

The site is located outside the Village Commercial area and the Primary Urban Service Area. Per the Future Land Use map below, the property is planned for Public Park/Conservation. Surrounding properties to the north, east and south are planned for Acreage Estate (5 acres minimum) and Suburban Residential (1 acre minimum).

Map 1- Future Land Use Map

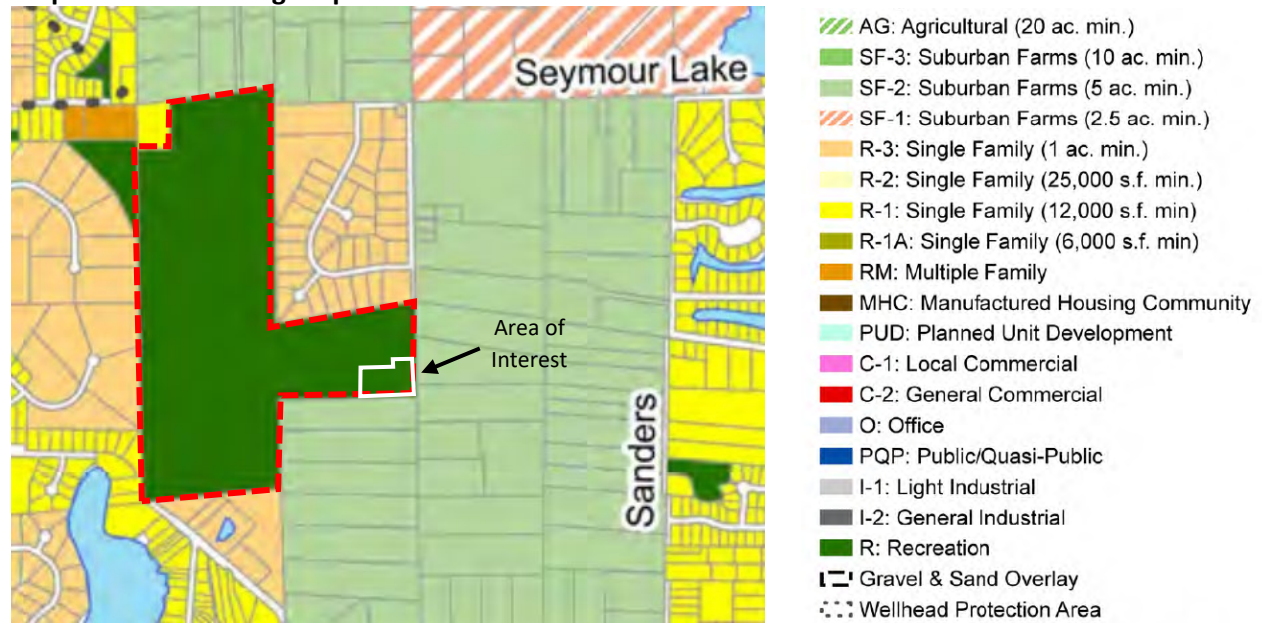


SURROUNDING PROPERTIES

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

	North	East	South	West
Surrounding Zoning	<i>R-3, Single Family (1 acre min.)</i>	<i>SF-2, Suburban Farms (5 acre min.)</i>	<i>SF—2, Suburban Farms (5 acre min.)</i>	<i>Recreation (5 acre min.)</i>
Surrounding Land Uses	<i>Single-Family homes</i>	<i>Single-Family Homes</i>	<i>Single-Family Homes</i>	<i>Township Parks & Rec. Facility</i>
Future Land-Use Map	<i>Suburban Residential (1 acre)</i>	<i>Recreation</i>	<i>Acreage Estates (5 acre)</i>	<i>Acreage Estates (5 acre)</i>

Map 2- Current Zoning Map



APPLICABLE LAND USE STANDARDS

The zoning map amendment process is described briefly in MCL 125.3202, which outlines the notice process and provides the authority for local governments to define the manner for changing district boundaries by ordinance.

Article 18 Amendment of the Zoning Ordinance outlines the processes and criteria for changing the text or zoning map. The Planning Commission holds a public hearing and forwards its recommendation to the Township Board for action.

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, zoning map amendments 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, Polices, and Future Land Use Map of the Master Plan. The requested zoning map amendment is consistent with the goals, policies, and future land use map of the master plan.

CWA Comment: *The requested rezoning can be seen as consistent with the residential land use goal, objectives and strategies of the 2019 Charter Township of Oxford Master Plan, and the 2016 Township Parks and Recreation 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.” The existing home on the subject site is a colonial, single-family home consistent with the surrounding residential character. An objective for residential development is to avoid higher residential densities in environmentally sensitive areas of the Township. The Green Infrastructure Map on page 107 of the 2019 Master Plan shows the subject site as a “Hub”. Hubs are ecologically significant areas that can provide habitat for plant and animal life. A rezoning of the proposed site to R-3, Single-Family Residential (one acre) would assure that that additional residences could not be developed on the property proposed for rezoning.*

This entire site is planned for Recreation, including the portion proposed for rezoning. The proposed R-3, Single-Family Residential (one acre) Residential district is not consistent with the future land use map. In order grant a rezoning 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 the site is the location of a Township park, it was likely thought that eventually the residential use of the house would cease. Since the Parks and Recreation Department has decided to sell the residence and associated property, circumstances have changed that would justify the proposed rezoning to the R-3 zoning district.

The recreation land use goal, objectives and strategies in the 2016 Recreation Master Plan call for the Township to consider the future recreation needs of the community and develop a vision for the community parks and recreation which will lead to future parkland dedication and development. The subject site has not been used as a recreation area and is not intended to do so in the future. The property is being managed by the Parks and Recreation Department, using Township resources and potentially limiting future parkland expansion. The Planning Commission could find that due to the current use of the property and goals, objectives and strategies of the 2016 Recreation Master Plan, that the R-3, Single-Family Residential (one acre) zoning designation is appropriate for this property.

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 with the potential uses in the proposed zoning district.*

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.

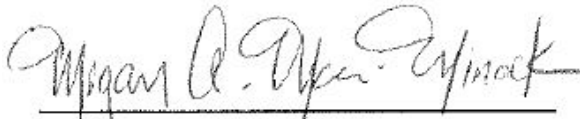
CWA Comment: *The potential uses in the proposed zoning district appear to be consistent with other adjacent single-family and recreation areas. The area is not within the water and sewer districts. The proposed rezoning would likely result in negligible traffic impacts.*

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

SUMMARY & COMMENTS

While the Master Plan calls for Recreation uses on this property, it is being currently used for a single-family home. The proposed R-3, Single-Family Residential (one acre) zoning is generally consistent with the goals and objectives outlined in the 2019 Charter Township of Oxford Master Plan as well as the 2016 Parks and Recreation Master Plan. If the Planning Commission chooses to recommend approval of the rezoning to the Township Board, the Commission should make specific findings as to justify deviation from the Future Land Use Map.

Sincerely,



Carlisle Wortman Associates, Inc.
Megan Masson-Minock, AICP
Senior Associate



Carlisle Wortman Associates, Inc.
Alissa Starling
Planner