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**VILLAGE OF OXFORD
PLANNING COMMISSION
REGULAR MEETING MINUTES**

Planning Commission Members: Rose Bejma, Jack Curtis, Kelsey Cooke, Gary Douglas, Maureen Helmuth, Justin Ballard, Leslie Pielack

22 West Burdick Street Oxford, MI 48371	March 19, 2019	7:00 pm
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1. **CALL TO ORDER**

Chairman Gary Douglas called the meeting to order at 7:00 p.m.

2. **RESPECTS TO THE FLAG**

3. **ROLL CALL:** Members Present-Douglas, Bejma, Helmuth, Pielack, Ballard, Curtis, Cooke.

Staff Present: Mario Ortega AICP, Village Manager Joe Madore, Tere Onica Recording Secretary/Clerk-Treasurer.

4. **APPROVAL OF AGENDA: Meeting Agenda March 19, 2019**

MOTION: by Curtis/Helmuth to approve the Village of Oxford March 19, 2019, regular meeting agenda as presented. All present voting in favor. Motion carried.

5. **APPROVAL OF MEETING MINUTES: February 5, 2019 Regular Meeting**

MOTION: by Bejma/Ballard to approve the regular meeting minutes of February 5, 2019. All present voting in favor. Motion carried.

6. **CORRESPONDENCE:** None.

7. **PUBLIC HEARING:** None.

8. **OLD BUSINESS:** None.

9. **PUBLIC COMMENTS:** None.

10. **NEW BUSINESS:**

- a. **Sign Design Review -Apothecary, 51 S. Washington:** Planner Ortega commented on the image and size of the proposed channel cut sign. It is aesthetically pleasing, attractive and appropriate in scale with minimal glare and illumination. Permit fees have been paid. Approval was recommended.

MOTION: by Curtis/Ballard to approve the 29.85 sq. ft. sign design for Apothecary at 51 S. Washington as it meets the dimensional and location requirements of the Zoning Ordinance. All in favor. Motion carried.

- b. **Village Ridge Condominium Amendment:** Planner Ortega gave review of the Village Ridge Condominium Amendment as presented in the letter dated March 12, 2019 with the proposed use on parcel (04-27-126-068) located between Jordyn Way and Conda Lane. Buildings labeled 3, 4 and 5 would be comprised of 2-bedroom units that total seven (7) new 2-bedroom units. The dimensional requirements did not meet setback requirements in part, or at all indicating site plan approval would be contingent upon the applicant receiving the required variances. Off street parking requirements were a concern depending on whether

46 West Burdick Condominium residents were using the parking indicated for the new
47 development. Additional information is necessary. Landscaping, architecture, building height,
48 sidewalks, signage, exterior lighting Master Deed and By Laws were discussed citing a lack of
49 compliance with village standards as listed in the March 12, 2019 Memorandum from
50 McKenna.

51
52 Representative for Village Ridge, Dominic Torres, 206 Howling Pines Dr, Oxford responded
53 to remarks stating the Master Deed was approved in 2004. Mr. Torres added that the elevation
54 and landscaping would match what currently exists. There are 4-parking spaces per unit: 2 in
55 the garage and 2 in the driveway. It was thought that variances had been approved in the first
56 phase of development. If so, the variance remains with the parcel and there is no need to go
57 before the ZBA for setback variances. Commissioner Helmuth asked that the records be
58 retrieved from the basement to determine if needed variances are an issue.

59 **MOTION:** by Bejma/Helmuth to set aside Village Ridge condominium amendment until
60 records were pulled regarding any existing variances on the property and until standards
61 outlined by McKenna are met. All in favor. Motion carried.

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63 c. **Recreational Marihuana, Discussion:** Planner Ortega presented an outline, dated March 19,
64 2019 to frame discussion on a Recreational Marihuana Ordinance. Mr. Ortega commented on
65 Michigan Law, the history of Medical Marihuana, current Village policy, Marihuana facilities in
66 the Village and the State Approval Process. Mr. Ortega pointed out that there is a thin layer of
67 protection that is not likely to hold up in court. The option to prohibit until direction can be
68 given on what type of facilities the Village would like to allow in the Village and where they
69 would go is the direction many communities are taking. Mr. Ortega also suggested a
70 Moratorium, which is for a specific amount of time. Either option provides protection from
71 applications flooding the village if/when the state begins issuing permits for Recreational
72 Marihuana businesses.

73
74 There is lack of direction from the Council. This is a major policy decision on whether to
75 allow Recreational Marihuana business within the Village, or not with big impact. Election
76 statistics were quoted; it was noted that people who voted in favor of recreational marihuana
77 may not be in favor of a marihuana business in their backyard. There was concern for wasting
78 time and money developing an ordinance for something that may not be wanted. Public input
79 and a decision from Council to set policy was recommended. Also, the question posed of
80 where any of the six types of marihuana businesses would be located.

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82 The Village Council directed the issue go to the Planning Commission to begin the process
83 and to hold town hall meetings for public input. The Village Manager was directed to find
84 another location to hold town hall meetings for larger numbers of the public likely to show up
85 and give their opinion. An ordinance to prohibit recreational marihuana business in the
86 Village of Oxford had been given to Council.

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88 The need exists to put protection in place by Opting Out by either ordinance or moratorium,
89 then pursue options so that the Village is not vulnerable to the Marihuana industry.
90 Marijuana businesses will likely end up in communities that offer the least amount of
91 resistance. Once established, they cannot be removed.

92

93 It was suggested a joint meeting of the Planning Commission and Village Council be set up to
94 discuss and determine a course of action.

95 **MOTION:** by Bejma/Helmuth to invite the Village Council to attend a joint session with the
96 Planning Commission making Recreational Marihuana a single agenda item for discussion.

97 **Roll Call Vote:** Ayes: Cooke, Ballard, Douglas, Bejma, Helmuth, Pielack, Curtis. Nays: 0.
98 Absent:0. Motion carried.

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100 **11. PUBLIC COMMENT:**

101 Dave Bailey- Commented on Recreational Marihuana, the will of the voter, elected officials
102 duty to set policy and reluctance that may jeopardize re-election of an elected position.

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104 **12. CONSULTANT / ADMINISTRATIVE COMMENTS:** none.

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106 **13. COMMISSIONER COMMENTS:**

107 Oxford Township: Jack Curtis- Beaumont Hospital purchased 24-acres
108 on M-24 and made application to the State of Michigan for a Certificate of Need, also
109 reported on a water main project.

110 ZBA: Rose Bejma- Still looking for people to serve. Working on by-laws.

111 DDA: Chief Sholz reported on Fire Department lack of oversight regarding
112 Recreational Marihuana. All control falls under the State; grant award for a
113 façade and awning project; DDA Budget ready for adoption; M-24 Street Scape-plans
114 underway to promote businesses during construction; preparation of traffic congestion,
115 alternate routes; will be inconvenient but worth it. Patience please!

116 Weckle PUD project extended to August 2019.

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118 **14. ADJOURNMENT:**

119 **MOTION:** by Bejma/Helmuth to adjourn at 9:00 p.m. All present voting in favor. Motion
120 carried.

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123 Respectfully submitted,

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125

126 Tere Onica, Recording Secretary