

Village of Oxford Planning Commission Agenda
Council Chamber- 22 W. Burdick St., Oxford MI, 48371
Tuesday, March 15, 2022, 7:00 P.M.

Public input will be allowed during Item 9, Public Comment. Public may voluntarily state their name and address for the record. In adherence to the Open Meetings Act, this time is for commissioners to hear comments from the public and not to engage in discussion with the public. Each person will be allowed an opportunity to speak for no more than 3 minutes. All comments will be addressed to the Chairman.

1. Call to Order by Chairman Justin Ballard at 7:00pm
2. Respects to the Flag
3. Roll Call: Kelly Arkles, Justin Ballard, Scott Flynn, Maureen Helmuth, Michelle McClellan, Jon Nold, Leslie Pielack.
4. Approval of Agenda: March 15, 2022
5. Approval of Minutes: March 1, 2022
6. Correspondence: None
7. New Business:
 - a. **PC-22-03, 450 S. Glaspie St.**, (MJ 21-07). PID # PO-04-26-326-011. Applicant AEY Capital, LLC d/b/a Gage, Property Owner MAV 1, LLC. Adult Use Marijuana Retail Establishment. Zoning I-1, Industrial.
 - b. **PC-22-04, 1000 Industrial Drive**, (MJ 21- 08). PID# PO-04-26-376-010. Applicant 453 S. Broadway, Inc. Jeffery Yatooma. Property Owner Mark Smith, Purchase Agreement with Hydra Real Estate Development, LLC. Adult Use Marijuana Retail Establishment. Zoning District: I-1, Industrial.
8. Old Business: None.
9. Public Comment:
10. Consultant & Administration Comments:
11. Commissioner Comments:
 - Oxford Township Planning Commission Update
 - ZBA Update
 - DDA Update
12. Adjournment:

VILLAGE OF OXFORD
PLANNING COMMISSION
March 1, 2022 - 7:00 p.m.
REGULAR MEETING MINUTES

Meeting Location ▪ 22 W Burdick Street, Oxford, MI ▪ Tel: (248) 628-2543
www.thevillageofoxford.org

1. CALL TO ORDER

Chairman Justin Ballard called the meeting to order at 7:00 p.m.

2. RESPECTS TO THE FLAG

3. ROLL CALL: Members Present: 7. Arkles, Ballard, Flynn, Helmuth, McClellan, Nold, Pielack .
Absent: 0. Staff Present: Recording Secretary Tere Onica, McKenna Planner Mario Ortega.

4. APPROVAL OF AGENDA: Meeting Agenda March 1, 2022.

MOTION: by Nold/McClellan to approve the March 1, 2022, agenda as presented.
All in favor. Motion carried.

5. APPROVAL OF MEETING MINUTES: January 18, 2022, Regular Meeting Minutes.

MOTION: by Arkles/Helmuth to approve the Village of Oxford January 18, 2022, planning commission regular meeting minutes as presented. All in favor. Motion carried.

6. CORRESPONDENCE: None.

7. NEW BUSINESS:

- a. **Sign Permit Application, PC 22-05, 53 S. Washington Street, Defined Café.** PID# PO-04-27-204-011, Wall Sign Area 27 SF facing Washington Street. Zoning: C-1 Core. Business Owner Andrea Esse; Applicant/Contractor: Allied Signs, Inc. Discussion on illumination, subjective standards, top limit on what a luminance level should be. The Defined Café wall sign faces Washington Street at an angle. The sign style will impact the amount of surface area glare with a box style sign having the potential to create a greater distraction for drivers.

MOTION: by Flynn/Nold to approve PC 22-05, 53 S. Washington Street, Defined Café wall sign facing S. Washington Street as presented contingent upon the installation of a dimmer control module with sign lighting not to exceed 100 lumens.

Roll Call Vote: Ayes: 7. Arkles, Flynn, Ballard, Nold, McClellan, Helmuth, Pielack.
Nays: 0. Absent: 0. Motion carried.

8. OLD BUSINESS: None.

9. PUBLIC COMMENT: Commissioner Nold spoke as a resident raising concerns over the geographical location of potential marijuana facilities to new residential developments, multi-family housing and public schooling sites within the Village and Township of Oxford, MI. He presented letters addressed to the Planning Commission and the Village Council.

10. CONSULTANT & ADMINISTRATION COMMENTS:

11. COMMISSIONER COMMENTS:

Oxford Township Planning Commission

48 ZBA Update-no meeting.

49 DDA Update

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51 **12. ADJOURNMENT:**

52 **MOTION:** by Helmuth/ Arkles to adjourn at 7:30 p.m. All in favor. Motion carried.

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56 Respectfully submitted,

57 Tere Onica, Recording Secretary

VILLAGE OF OXFORD
Planning Commission
22 West Burdick, P.O. Box 94
Oxford, MI 48371-0094
248-628-2543



SITE PLAN REVIEW APPLICATION

A site plan submitted for review and approval shall contain all of the following data prior to its submission. Site plans shall consist of an overall plan for the entire development. All plans must be legible and sufficient quality to provide for reproduction.

Article 9, Chapter 1 of the Zoning Ordinance, has been provided in order to ensure that all site plan information and requirements have been provided by the applicant for Planning Commission review. Missing information could result in a delay in plans being reviewed by the Planning Commission until all required information has been provided.

Applicant must provide **15 copies** of the site plan, application, fees, and all relative documents at least twenty-five (25) days prior to the next regularly scheduled meeting of the Planning Commission.

DATE 12-16-2021 PROJECT ADDRESS 450 S. Glaspie St., Oxford, MI 48371

APPLICANT INFORMATION

Name:
AEY Capital, LLC

Address:
888 W. Big Beaver Rd., Suite 870

City: Troy **State:** MI **Zip:** 48084

Phone: 586-630-8338 **Cell:** 586-630-8338

Email:
davidmalinoski@gageusa.com and/or legal@gageusa.com

PROPERTY OWNER INFORMATION

Name:

Address:

City: **State:** **Zip:**

Phone: **Cell:**

Email:

If applicant is not the owner, describe applicant's interest in the property. (Proof of ownership OR affidavit is required.)

See attached Landlord Consent

PROPERTY DESCRIPTION			
Description of Proposed Project:			
Marijuana Retail Facility			
Zoning Classification:	<input type="checkbox"/> R-1 Single Family	<input type="checkbox"/> C-1 Central Business – Core	
	<input type="checkbox"/> RM Multiple Family	<input type="checkbox"/> C-1 Central Business - Transition	
	<input checked="" type="checkbox"/> I-1 Industrial	<input type="checkbox"/> C-2 General Business	
		<input type="checkbox"/> P-1 Vehicular Parking	
Present Use:		Proposed Use:	
Warehouse- personal storage		Special Land Use- Marijuana	
Front Yard Setback	60 ft.	Building Height	36 ft.
Side Yard Setback	N 42 ft.; S 90 ft.	Lot Coverage (%)	15.8 %
Rear Yard Setback	232 ft.	Total Floor Area	17,525 sq. ft.
Lot Size	110,903 sq. ft.	Off Street Parking	43 cars

PROFESSIONALS WHO PREPARED DRAWINGS			
Name:			
C & A Engineers, LLC			
Mailing Address:			
10722 Corkery Ln.			
City:		State:	Zip:
Grand Ledge		MI	48837
Telephone:		Email:	
517-898-8152			
Design Responsibility:			
Name:			
Mailing Address:			
City:		State:	Zip:
Telephone:		Email:	
Design Responsibility:			

ATTACH THE FOLLOWING:

1. 15 folded copies of the site plan, sealed by a registered architect, engineer, or landscape architect.
2. Digital copies of application, site plan, and all supporting documentation.
3. A brief written description of the existing and proposed uses, including but not limited to: hours of operation, number of employees on largest shift, number of company vehicles, etc.

4. Proof of property ownership or interest in property (purchase agreement, etc.)

5. Fees: \$200.00 Application Fee
Multi-Family/Commercial/Industrial see Cost form

6. If necessary, review comments or approval received from county, state, or federal agencies that have jurisdiction over the project, including but not limited to:

- ☐ Oakland County Road Commission ☐ Michigan Department of Environmental Quality
☐ Oakland County Health Department ☐ Oakland County Drain Commissioner
☐ Michigan Department of Natural Resources

PLEASE NOTE: The applicant or a designated representative **MUST BE PRESENT** at all scheduled review meetings or the site plan may be tabled due to lack of representation.

Failure to provide true and accurate information on this application shall provide sufficient grounds to deny approval of a site plan application or to revoke any permits granted subsequent to site plan approval.

APPLICANT'S ENDORSEMENT

All information contained herein is true and accurate to the best of my knowledge. I acknowledge that the Planning Commission will not review my application unless all information required in this application and the Zoning Ordinance have been submitted. I further acknowledge that the Village of Oxford and its employees or agents shall not be held liable for any claims that may arise as a result of acceptance, processing, or approval of this site plan application.



Signature of Applicant

12-16-2021

Date _____

See attached Landlord Consent

Signature of Property Owner

Date _____

**LANDLORD CONSENT TO OPERATE LEASED PREMISES AS
A MARIJUANA RETAIL FACILITY**

This Landlord consent to operate Leased Premises as a Marijuana Retail Facility ("ACKNOWLEDGEMENT & CONSENT"), dated August 1st, 2021, is given by MAV 1, LLC ("Landlord")

INTRODUCTORY STATEMENTS

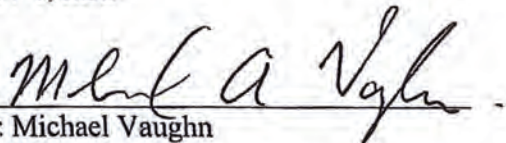
- A. The Landlord and AEY Capital, LLC ("Tenant") entered into a written Lease Agreement dated July 26, 2021, with respect to certain premises located at 450 S. Glaspie St., Oxford Village (the "Leased Premises").
- B. Pursuant to Village of Oxford Ordinance and Code, Landlord must give its express permission for Tenant to operate the Leased Premises as a Marijuana Retail Facility.

In consideration of the above Introductory Statements, and pursuant to the rules and regulation of the Village of Oxford, Landlord agrees as follows:

- 1. **Permission to Operate Leased Premises as a Marijuana Retail Facility.** Landlord hereby acknowledges and consents to Tenant using the Leased Premises as a Marijuana Retail Facility.

The Landlord has executed this Acknowledgement and Consent as of the date listed below its signature.

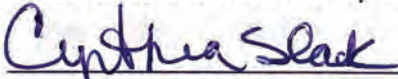
Landlord:
MAV 1, LLC



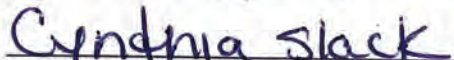
By: Michael Vaughn
Its: Owner

Dated: 7-26-2021

Subscribed and Sworn to by Michael Vaughn before me on 7/26/2021.



Notary Public signature



Notary Public Printed name

State of Michigan, county of Oakland
Acting in the County Of Oakland, Michigan
My commission expires: 2/13/2026

EXECUTIVE SUMMARY

Owned and Operated by sole owner, David Malinoski, AEY Capital, LLC ("AEY") ("Gage Cannabis Company") is equipped with 3 years of Michigan marijuana operations knowledge and over 20 years of experience working in regulated industries and retail spaces. Quite possibly the most experienced applicant in the state of Michigan, Dave Malinoski and AEY Holdings, LLC (and its sister companies, all owned by Mr. Malinoski) holds a combined 35 MRTMA and MMFLA licenses and related permits. Gage Cannabis is simply the gold standard of marijuana in the State of Michigan. This combined retail and marijuana operations knowledge will be further disseminated through well-trained and knowledgeable staff members, who will be able to explain the differences in effect, quality, purity, and flavor between different products. AEY will hire directly from the Oxford community, adding more than 30 jobs to the town's economy and providing in-house training to eliminate any market knowledge prerequisites to hiring. The Company's dedication to education extends to its employees, who will be thoroughly trained on the Company's products, processes, the medical application of marijuana, and more. Additionally, Mr. Malinoski has amassed a team of experienced executives, consultants, and advisors to ensure AEY is socially conscience, diverse, inclusive, employee & customer happiness driven and achieves 100% regulatory compliance. AEY has built a team of legal and compliance professionals, as well as operations and production professionals to ensure the company consistently operates above all state and local requirements.

OWNERS/OPERATORS

David J. Malinoski

Business Experience

David J. Malinoski has over fifteen years as a project manager and construction superintendent for multi-million-dollar properties. He took this experience into the medical cannabis sector in early 2009 and has consulted on the design and ongoing operations of over 20 sanctioned caregiver operations.

Marijuana Operations

At this time, Dave and AEY Capital, LLC (and other Dave Malinoski companies) are the largest permit holders of MMFLA/MRTMA licenses in the state of Michigan. Gage's Michigan footprint has grown significantly since their first retail opening in the state in September 2019. Today, the Company owns seven operating provisioning centers/retail facilities (dispensaries), three cultivation facilities, and one processing facility across the state of Michigan, with five more to open by the end of the second quarter of 2021.

Currently David Holds interest in the following Marijuana licenses:

AEY Capital Detroit, State of Michigan, **License – PC-000368/ Exp. 7/30/2021**

AEY Capital Harrison Twp., State of Michigan, **License-AU-P-000138/ Exp. 6/04/2021**

AEY Capital Harrison Twp., State of Michigan, **License-GR-C-000393/ Exp. 7/30/2021**

AEY Capital Harrison Twp., State of Michigan, **License-PR-000167/ Exp. 7/30/2021**

AEY Capital Marijuana Retailer Ferndale, MI, **License-AU-R-000329/ Exp. 6/4/2021**

AEY Capital Traverse Village, MI, **License-PC-000447/ exp. 7/30/2021**

AEY Capital, LLC Adrian Marijuana retailer AKA rec license, **License-AU-R-000243/ exp. 7/30/2021**

AEY Capital, LLC Adrian Provisioning Center, **License-PC-000538, exp. 7/30/2021**

AEY Capital, LLC Grand Rapids, Provisioning Center, **License-PC-000538, exp. 7/30/2021**

AEY Warren Amber Large State of MI Facility License, **exp. 7/30/2021**

AEY Warren Amber Small State of MI Facility license, **exp.7/30/2021**

Class C Marijuana Grower License, AEY Capital, LLC, **Exp. 6/4/2021- AU-G-C-000253**

Class C Marijuana Grower License, AEY Capital, LLC, **Exp. 6/4/2021-AU-G-C-000254**

Class C Marijuana Grower License, AEY Capital, LLC, **Exp. 6/4/2021-AU-G-C-000255**

Class C Marijuana Grower License, AEY Capital, LLC, **Exp. 6/4/2021-AU-G-C-000256**

Class C Marijuana Grower License, AEY Capital, LLC, **Exp. 6/4/2021-AU-G-C-000257**

Grower license Class C, AEY Capital, LLC, 391 Midland, Monitor Twp. **Exp-7/30/2021- GR-C-000475**

Grower license Class C, AEY Capital, LLC, 391 Midland **Exp. 7/30/2021, GR-C-000580**

Grower license Class C, AEY Capital, LLC, 391 Midland **Exp. 7/30/2021, GR-C-000581**

Grower license Class C, AEY Capital, LLC, 391 Midland **Exp. 7/30/2021, GR-C-000582**

Thrive Enterprises, LLC, Battle Creek provisioning center, **Exp. 7/18/2021, PC-000433**

Thrive Enterprises, LLC, Ferndale, **Exp. 7/18/2021, PC-000290**

Company Ownership

AEY Capital, LLC is a Limited Liability Company registered in the state of Michigan.

The Company is owned and operated by:

David Malinoski-Sole Owner-100%

Company Location

The Company is located at the following address:
450 S. Glaspie St.



MCKENNA

February 7, 2022

Mr. Joseph Madore
Village Manager
Village of Oxford
22 W. Burdick Street
Oxford, MI 48317

Subject: **Gage/AEY Capital Marijuana Retailer – Site Plan Review #3** (*Site Plan Dated January 31, 2022 and received February 1, 2022*)

Location: **450 S. Glaspie Street – Parcel ID# 04-26-326-011** (*East side of Glaspie Street, south of Scripser Park*)

Zoning: **I-1, Industrial**

Dear Mr. Madore:

At the Village's request, we have reviewed the revised site plan for the establishment of an adult use marijuana retailer at the above referenced location. The applicant is AEY Capital, LLC doing business as (d/b/a) Gage and the property owner is MAV 1, LLC.

SITE LOCATION AND EXISTING CONDITIONS

The site is located on the east side of Glaspie Street, south of Scripser Park and is zoned I-1, Industrial. The site is an improved lot approximately 2.48 acres in area. It is occupied by a one story building approximately 15,660 square foot (SF) in floor area.

An existing concrete and gravel parking lot with an indeterminate number of parking spaces is also located on the site which has been used as an outdoor storage yard. There is a grass lawn area with some existing trees to the front/west of the building and in the east/rear yard of the site. The aerial photo to the right provides context.

PROPOSED USE

The applicant is proposing to establish an approximately 4,600 SF adult use marijuana retailer in the front portion of the building with the remaining 11,060 SF identified as non-cannabis storage.





ADULT USE MARIJUANA FACILITY ORDINANCE COMMENTS

Section 4.1.29 of the zoning ordinance outlines the standards applicable to adult use marijuana facilities. We provide the following comments regarding the applicable standards.

- 1. Location.** Section 4.1.29(C) requires adult use marijuana facilities to be located in the I-1 Industrial district and at least 500 feet from the nearest lot line of any child care center, day care facility, school or like facility. The revised application includes a scaled and dimensioned sensitive use location map which confirms that the site is at least 500 feet from the nearest cited facilities. The applicant is in compliance with this standard.
- 2. Hours of Operation.** Adult use marijuana retailers may only be open from 9:00 a.m. to 9:00 p.m. Page 12 of the operations plan within the applicant's submitted document states the retailer will operate from 9:00 a.m. to 9:00 p.m. The applicant is in compliance with this standard.
- 3. Odor Control Plan.** Section 4.1.29(D)(2) requires all marijuana facilities to be equipped with a mechanical system that at all times effectively confines any odor to the interior of the building. A six page detailed air filtration and odor control plan has been submitted with the revised application. It states that carbon air filters, canister filters and ozone filters will be used as components within the air handling system for the facility. The applicant has not provided a detailed mechanical system plan as this is not usually required until the building permit application phase of a project.

The American Society of Heating, Refrigerating and Air Conditioning Engineers (ASHRAE) has developed a test method to determine a filter's ability to capture airborne particles. In commercial facilities, the minimum efficiency reporting value (MERV) rating of 14 or greater captures more than 90% of particulates as small as 1.0 microns. This is effective for all microscopic particles like pollen, mold, spores and dust. The applicant is proposing to use carbon filters with a MERV rating of 14 which will be an effective means of odor control.

We suggest the submittal of a detailed mechanical system plan that can be reviewed by the Village's mechanical inspector to determine the effectiveness of the proposed odor control system. Alternatively, the Planning Commission may consider granting site plan approval contingent upon approval of a mechanical plan by a licensed inspector during the building permit process.

- 4. Waste Water Control Plan.** Section 4.1.29(D)(3) requires all marijuana facilities to be designed and operated to minimize the amount of pesticides, fertilizers, nutrients and marijuana that may be discharged into the public waste water and stormwater systems. A retail facility does not use pesticides, fertilizers or nutrients as part of its operation. The site does not need to provide additional treatment systems given the lack of contaminants on site.

A narrative titled Waste Disposal Plan Overview is included on page 29 of the applicant's submittal document and states that any marijuana-related waste will be mixed with non-consumable solid waste and will be rendered into an unusable or unrecognizable form. The proposed waste control plan is generally in compliance with ordinance standards.

- 5. Security Plan.** Section 4.1.29(D)(4) requires all marijuana facilities to have an adequate security plan to prevent access and removal of marijuana by non-authorized personnel. The applicant has included a security plan overview along with a camera location plan within their submittal document. The detailed security plan does not include the location of secured doors or the details of the types of cameras proposed. This site and building will be inspected by MRA and the Michigan State Police prior to being granted a license to operate to



ensure the site meets State standards. However, the Village ordinance requires review by the Village Chief of Police of a detailed security plan. The security plan must be reviewed by the Police Chief and revised based on any required changes.

- 6. Other Operational Standards.** Section 4.1.29(D)(5) through (12), excluding subparagraph (9) which is addressed below, are additional operational standards for the use. They require that all marijuana related operations must be conducted indoors, comply with any inspections, are prohibited from smoking or consuming marijuana on-site, cannot create a noise, odor, or sound nuisance nor transfer their license to another entity. The applicant has signed a release of liability, indemnification and waiver document along with an oath of application which have been included with the revised submittal documents. These acknowledgements include acknowledgement by the applicant that they shall not violate the ordinances of the Village. The application is in compliance with these ordinance standards.

SITE PLAN REVIEW COMMENTS

Article 9, Chapter 1 of the zoning ordinance outlines the information requirements, review procedures and approval criteria for site plans within the Village. We provide the following comments for your consideration based on the zoning ordinance, other applicable Village ordinances and sound planning principals. We note that the parcel and zoning data on sheet C.1 is incorrect

- A. Additional Uses on Site.** Approximately 13,125 SF within the building is identified as non-cannabis storage. Note 5 on Sheet C.3 does state that the warehouse space will be white boxed for a leasable tenant space. Sheet C.2 has been revised to include a new Note 13 which states that the rear yard is not proposed for outdoor storage moving forward. Any current use of the outdoor storage yard must be ceased prior to occupancy of the marijuana facility unless the use has a valid certificate of occupancy. Any future use of the leasable tenant space and/or rear yard shall be required to submit an application and receive the appropriate approvals prior to occupancy based on the applicable review process.
- B. Dimensional Requirements.** Section 3.4.4 lists the dimensional standards for buildings and setbacks in the I-1 zoning district. Sheet C.2 includes the setbacks for the existing building which is in compliance with ordinance standards.
- C. Building Architecture.** Elevations have now been provided on Sheet A.2. and pictures of the current building are provided. The current office, and proposed marijuana retailer location, has a grey split face concrete block facade with a blue horizontal strip near the roof line. The rear warehouse building has a grey split face concrete block foundation wall with a blue vertical metal siding wall up to the roof line. The applicant is proposing to change the color of the vertical metal siding to a brown while the horizontal stripe would be an orange. While not architectural significant, the building is typical of industrial structures and is in good condition. The applicant must indicate the proposed colors and any material changes on a revised elevation.
- D. Off-Street Parking Requirements.** Article 7, Chapter 1 outlines off-street parking requirements. The standard for a conventional retail sales establishment is to provide enough parking for employees and customers while ensuring parking lots are designed to function efficiently. The minimum off-street parking requirement for a retailer is one space per 350 SF of floor area.

Section 9.1.9 outlines the required criteria for granting site plan approval. Specifically, Section 9.1.9(J) requires that off-street parking lots must accommodate the intensity of the proposed uses and minimize conflicts with adjacent uses. To determine compliance with this standard, it will be necessary to determine the



parking needs for all uses that will generate a parking demand. Sheet C.3 now includes proposed parking calculations based on the composition of the uses. These uses include:

1. **Marijuana Customer Capacity.** Marijuana retail facilities in other locations are known to have a high number of on-site customer visits. The small size of the product requires less floor space and allows for more points of contact between a salesperson and a customer, almost similar to a watch or jewelry store. The applicant is proposing to utilize a retail system where each customer or acquainted customers will be escorted by a sales person (budtender). Four customer groups will be accompanied to the sales floor while the remainder will wait in the waiting room. Based on this process, they are proposing 18 parking spaces dedicated for in-store customers.
2. **Retail Employees.** The applicant's personnel forecast within the submittal document and note 2 on sheet C.3 indicates the potential for up to 30 employees. They are stating the greatest number of employees on site during any shift shall be 10. Revised sheet C.3 indicates that 11 employee parking spaces are provided.
3. **Curb-side Pick-up.** Recent trends for retailers includes some form of customer curb-side pickup or walk up service. Curb-side pick-up customers will not enter the waiting or retail areas of the building and those spaces will not be available for employees or retail customers entering the building. While the applicant states they are trying to move away from the curbside model they have provided four (4) dedicated curbside parking spaces.
4. **Warehouse Space.** Sheet C.3 notes that approximately 11,522 SF within the building is identified as non-cannabis storage. This storage area may only be used for a permitted or special use within the I-1 district. Based on Section 7.1.9, which requires one parking space per 1,700 SF of warehouse floor area, seven (7) parking spaces are required for the industrial white box space and nine (9) spaces have been provided.

Based on the provided information, the site should provide enough parking to accommodate a standard level of commercial activity for all on site uses.

- E. **Parking Lot Design and Circulation.** Section 7.1.3(B)(h) requires that parking and loading areas along with circulation or access drives shall have concrete curbing installed along the perimeter of the vehicular use area to prevent encroachments. Sheet C.3 shows new curbs around the perimeter of the parking lot and the dimensions of the parking spaces are in compliance with ordinance standards.
1. **Barrier Free Parking.** Section 7.1.10 includes the minimum dimensional standards for barrier free parking spaces. Sheet C.3 has been revised and the proposed two (2) barrier-free parking spaces are in compliance with ordinance standards.
- F. **Exterior Lighting.** A photometric plan has been provided on Sheet C.5. It includes the location and maximum mounting height of fixtures along with pictures of the proposed fixtures and a table of the light levels. The applicant has included a note that all existing fixtures will be replaced with the new fixtures and that they will be mounted on fixed brackets to ensure fixtures are not capable of being angled after installation. Detailed cut sheets are also provided on new sheet C.6. As proposed the lighting plan is in compliance with ordinance standards.



- G. Landscaping.** A separate landscape plan has been provided with the revised documents. The site plan shows the location all existing deciduous trees and evergreen shrubs. The existing five trees and 27 shrubs in front of the building meet the requirements for areas adjacent to public rights-of-way in Section 7.2.5(E). the plant schedule indicates 32 boxwoods while only 27 are shown on the landscape plan. The schedule should be corrected.

While the zoning ordinance requires not more than 30% of any single plant species on a site, it would appear that the existing plantings exceed this standard and are currently legally nonconforming. Per Section 7.2.9 the Planning Commission may reduce or waive any specific landscape standards upon a determination that the screening and intent of the landscape standards have been satisfied.

- 1. Parking Lot Perimeter Screening.** Section 7.2.5(A) requires screening the parking lot from the adjacent street right-of-way. One (1) tree and three (3) shrubs are required per 15 linear feet of a parking area, exclusive of any access drives and have been provided to the south of the drive. The Planning Commission encourages the use of native species and discourages the use of any species that are currently subject to known diseases or infestations. We defer to the Planning Commission as to whether the proposed sugar maple and dogwoods are appropriate.
- H. Dumpster Enclosure.** The site plan shows the location of a new dumpster enclosure in the northeast corner of the asphalt parking lot. A cross section detail of an enclosure is shown on sheet C.3 which is in compliance with ordinance standards.
- I. Signage.** The site plan does not show any proposed signage. The elevations on revised sheet A.2 indicate the location of three wall mounted signs and one free-standing sign. All signage will require a separate sign application. Any proposed signage will be reviewed for zoning ordinance compliance at the time of application for a sign permit.

RECOMMENDATION

The site and proposed use are in compliance with ordinance standards. We recommend that the Planning Commission grant site plan approval contingent upon the following:

1. The submittal of revised elevations that indicate the proposed color and/or material changes.
2. Approval of an odor control/mechanical plan by a licensed inspector during the building permit process that is in compliance with Section 4.1.29(D)(2).
3. Approval of the security plan by the Police Chief.
4. Any additional requirements of the Village Engineer.

Please do not hesitate to contact us with any questions.

Respectfully submitted,

McKENNA

Mario A. Ortega, AICP
Principal Planner

Oxford Village Communications

From: Paul O'Meara <POMeara@rowepsc.com>
Sent: Friday, October 1, 2021 6:55 AM
To: Oxford Office
Cc: Oxford Village Clerk; Oxford Village Manager; Robert Davis (rdavis@davislistman.com); Mario Ortega
Subject: RE: [EXTERNAL]: Site Plan Review: 450 S Glaspie (AEY Capital)

Good morning Kim,

The plans for this project appear to be for a building renovation only. With that in mind, I won't have anything to comment on.

From: Oxford Office <office@thevillageofoxford.org>
Sent: Thursday, September 30, 2021 4:16 PM
To: Mario Ortega <MOrtega@mcka.com>; Paul O'Meara <POMeara@rowepsc.com>
Cc: Oxford Village Clerk <Clerk@thevillageofoxford.org>; Oxford Village Manager <Manager@thevillageofoxford.org>; Justin Ballard <justin.ballard@ballardintl.com>; Robert Davis (rdavis@davislistman.com) <rdavis@davislistman.com>
Subject: [EXTERNAL]: Site Plan Review: 450 S Glaspie (AEY Capital)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Please see attached for your review.

Kimberly Dawe
Administrative Assistant



The Village of Oxford, Michigan
22 W. Burdick Street, Oxford, MI 48371
Office Phone: (248) 628-2543
E-mail: office@thevillageofoxford.org



OXFORD FIRE DEPARTMENT

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

October 6, 2021

Re: Plan review
Site Plan
450 Glaspie Street
Oxford MI, 48371

The Oxford Fire Department has received and reviewed the plans that have been submitted for the above address. The plans are **Approved** with the following comments.

- The Address Shall be legible and placed in a position that is visible from the street.
- A Knox Box will be required to be mounted to right or left side of the main entrance to the building
- Fire Lane No parking signs shall be posted on the drive on the north side of the building

Please forward further questions to Lieutenant Frantz

Lieutenant BJ Frantz
Fire inspector
Office: 248 969-9483
Cell: 248 916-8600



THE VILLAGE OF

Oxford
MICHIGAN



INSPECTORS: POLICE

Attached are a full set of plans that have been checked in and stamped received.
Please review 450 S. GLASPIE for:

(MS RETAIL)

- ☐ Completeness
- ☐ Current code
- ☐ Life and safety issues

Please make any notes in the space below, sign and date this form below.

PROPER LIGHTING ON ALL ANGLES OF BUILDING
VIDEO SURVEILLANCE INTERIOR / EXTERIOR OF BUILDING
ALARM SYSTEM

Signed: [Signature] - Chief of Police
Date: 10/5/21

THE VILLAGE OF

Oxford
MICHIGAN



INSPECTORS: DPW

Attached are a full set of plans that have been checked in and stamped received.
Please review 450 S. GLASPIE for:

(MS RETAIL)

- ☐ Completeness
- ☐ Current code
- ☐ Life and safety issues

Please make any notes in the space below, sign and date this form below.

No Change to Water/sewer Services.

Signed: Don Brinkley

Date: 10-6-21

VILLAGE OF OXFORD
Planning Commission
22 West Burdick, P.O. Box 94
Oxford, MI 48371-0094
248-628-2543



SITE PLAN REVIEW APPLICATION

A site plan submitted for review and approval shall contain all of the following data prior to its submission. Site plans shall consist of an overall plan for the entire development. All plans must be legible and sufficient quality to provide for reproduction.

Article 9, Chapter 1 of the Zoning Ordinance, has been provided in order to ensure that all site plan information and requirements have been provided by the applicant for Planning Commission review. Missing information could result in a delay in plans being reviewed by the Planning Commission until all required information has been provided.

Applicant must provide **15 copies** of the site plan, application, fees, and all relative documents at least twenty-five (25) days prior to the next regularly scheduled meeting of the Planning Commission.

DATE _____ PROJECT ADDRESS _____

APPLICANT INFORMATION

Name:

Address:

City:

State:

Zip:

Phone:

Cell:

Email:

PROPERTY OWNER INFORMATION

Name:

Address:

City:

State:

Zip:

Phone:

Cell:

Email:

If applicant is not the owner, describe applicant's interest in the property. (Proof of ownership OR affidavit is required.)

PROPERTY DESCRIPTION			
Description of Proposed Project:			
Zoning Classification:	<input type="checkbox"/> R-1 Single Family	<input type="checkbox"/> C-1 Central Business – Core	
	<input type="checkbox"/> RM Multiple Family	<input type="checkbox"/> C-1 Central Business - Transition	
	<input type="checkbox"/> I-1 Industrial	<input type="checkbox"/> C-2 General Business	
		<input type="checkbox"/> P-1 Vehicular Parking	
Present Use:		Proposed Use:	
Front Yard Setback	ft.	Building Height	ft.
Side Yard Setback	ft.	Lot Coverage (%)	%
Rear Yard Setback	ft.	Total Floor Area	sq. ft.
Lot Size 2.14 acres,	sq. ft.	Off Street Parking	cars

PROFESSIONALS WHO PREPARED DRAWINGS			
Name:			
Mailing Address:			
City:		State:	Zip:
Telephone:		Email:	
Design Responsibility:			
Name:			
Mailing Address:			
City:		State:	Zip:
Telephone:		Email:	
Design Responsibility:			

ATTACH THE FOLLOWING:

1. 15 folded copies of the site plan, sealed by a registered architect, engineer, or landscape architect.
 2. Digital copies of application, site plan, and all supporting documentation.
 3. A brief written description of the existing and proposed uses, including but not limited to: hours of operation, number of employees on largest shift, number of company vehicles, etc.
 4. Proof of property ownership or interest in property (purchase agreement, etc.)
 5. Fees: \$200.00 Application Fee
 Multi-Family/Commercial/Industrial see Cost form
 6. If necessary, review comments or approval received from county, state, or federal agencies that have jurisdiction over the project, including but not limited to:
- | | |
|---|---|
| <input type="checkbox"/> Oakland County Road Commission | <input type="checkbox"/> Michigan Department of Environmental Quality |
| <input type="checkbox"/> Oakland County Health Department | <input type="checkbox"/> Oakland County Drain Commissioner |
| <input type="checkbox"/> Michigan Department of Natural Resources | |

PLEASE NOTE: The applicant or a designated representative **MUST BE PRESENT** at all scheduled review meetings or the site plan may be tabled due to lack of representation.

Failure to provide true and accurate information on this application shall provide sufficient grounds to deny approval of a site plan application or to revoke any permits granted subsequent to site plan approval.

APPLICANT'S ENDORSEMENT

All information contained herein is true and accurate to the best of my knowledge. I acknowledge that the Planning Commission will not review my application unless all information required in this application and the Zoning Ordinance have been submitted. I further acknowledge that the Village of Oxford and its employees or agents shall not be held liable for any claims that may arise as a result of acceptance, processing, or approval of this site plan application.

Signature of Applicant

10-11-2021
Date

See attached property owner affidavit

Signature of Property Owner

Date _____

STATEMENT FORM PROPERTY OWNER AUTHORIZING USE OF THE PROPERTY

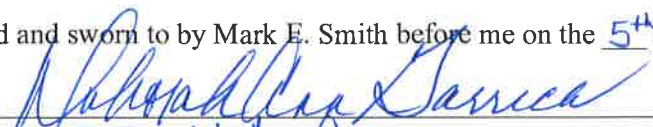
1000 Industrial Drive, LLC, by Mark E. Smith, its member/authorized agent ("Seller"), being duly sworn declares it is the owner of record of the real property located at 1000 Industrial Drive, Oxford, MI 48371, Parcel ID 04-26-376-010 ("Property"). Seller further declares that it has signed a Purchase Agreement, effective as of October 30, 2020, with Hydra Real Estate, LLC ("Hydra") in regard to the sale of the Property ("Purchase Agreement"). Pursuant to the terms of the Purchase Agreement, Hydra subsequently assigned the Purchase Agreement to Oxford Development Group, LLC ("Purchaser").

Seller does not object to Purchaser, or an entity that is commonly controlled with Purchaser, including but not limited to Space Stone, Inc. or MPM-R IX, LLC applying to the Village of Oxford for municipal approval of a Commercial Medical Marihuana Facility, as defined by the Michigan Medical Marijuana Act of 2008, the Medical Marihuana Facilities Licensing Act of 2016, and the Michigan Regulation and Taxation of Marihuana Initiated Law of 2018; provided that it is on the understanding that any closing on the sale of the Property must be in accord with the terms of the Purchase Agreement; and, provided further, that Seller does not authorize any change to the zoning or permitted uses of the Property.

1000 Industrial Drive, LLC

By:  Date: 10-5-2021
Mark E. Smith
Its: Member/Authorized Agent

Subscribed and sworn to by Mark E. Smith before me on the 5th day of October, 2021.

Signature 
Printed name DEBORAH ANN GARRICK
Notary public, State of Michigan, County of Oakland
My commission expires 02-20-2022
Acting in the County of Oakland



Existing and Proposed Use

1000 Industrial Drive

Currently the property is utilized as a marine storage and repair facility

The proposed use is to operate as a marihuana retailer under the Michigan Regulation and Taxation of Marihuana Initiated Law of 2018.

Proposed Hours of Operation

Monday – Sunday, 9:00 a.m. to 9:00 p.m.

*Closed or limited hours on holidays.

Employees and Vehicles

During peak hours/days the largest number of employees working at one time is approximated at 8 to 10 employees.

The number of vehicles parked long-term is estimated at 10 to 12 vehicles per day. This is predominately comprised of our employees, vendors, and occasionally contractors. The remaining vehicle traffic would require short-term parking mostly for our customers as they shop our store.

GRETCHEN WHITMER
GOVERNOR



ORLENE HAWKS
DIRECTOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING
VIA ELECTRONIC MAIL

Date: September 09, 2021

Addressee: 453 S. Broadway, Inc.
Address: 2207 Orchard Lake Rd.
Sylvan Lake, MI 48320

RE: Prequalification status for your pending application

Dear Applicant:

The Marijuana Regulatory Agency (Agency) considered your partial application for prequalification status and determined that you have prequalification status pursuant to the licensing provisions of the Michigan Regulation and Taxation of Marihuana Act (MRTMA) and associated rules. This letter may be provided to a municipality as documentation of your prequalification status. Please note that this is a pending status until all application requirements of the MRTMA and associated rules are completed. A state license for a marihuana establishment cannot be issued at this stage of the application process. During complete application review, the Agency will consider all information relevant to eligibility including information that has been newly acquired or information that is newly apparent since determination of prequalification status.

If you have not already done so, please submit a marijuana establishment license application (Step 2) for each state license for which you wish to apply. You may submit an application online through the Accela Citizen Access Portal on the Agency website at www.michigan.gov/mra or your application may be submitted by mail:

Mailing Address:

Marijuana Regulatory Agency
Licensing Division
Adult-Use
P.O. Box. 30205
Lansing, MI 48909

Sincerely,

Licensing Division
Marijuana Regulatory Agency



MCKENNA

February 9, 2022

Mr. Joseph Madore
Village Manager
Village of Oxford
22 W. Burdick Street
Oxford, MI 48317

Subject: **1000 Industrial Marijuana Retailer – Site Plan Review #2** (*Site Plan Dated January 26, 2022*)

Location: **1000 Industrial Drive – Parcel ID# 04-26-376-010** (*Southwest corner of the S Glaspie Street and Oxford Lake Drive intersection*)

Zoning: **I-1, Industrial**

Dear Mr. Madore:

At the Village's request, we have reviewed a revised site plan for the establishment of an adult use marijuana retailer at the above referenced location. The applicant is Jeffery Yatooma of 453 S. Broadway, Inc. The current property owner is Mark Smith of 1000 Industrial Drive, LLC, who has signed a purchase agreement with Hydra Real Estate Development, LLC of which Jeffery Yatooma is a member.

SITE LOCATION AND EXISTING CONDITIONS

The site is 2.144 acres in area and is occupied by one 3,750 square foot (SF) single-story building and one 224 SF accessory building. The majority of the site has been used as an outdoor winter storage yard for boats and is comprised of a concrete surface or gravel/dirt surface. The northern perimeter of the site is comprised of a grass lawn area. A fence with an opaque fabric cover runs along the north and south property line. A concrete block wall runs along the west property line. The southern adjacent property is also utilized for outdoor boat storage and appears to only be accessible via the 1000 Industrial Dr. subject parcel. The subject parcel is accessed via a gate to Oxford Lake Drive at the northeast of the site. The photo to the right provides context.

PROPOSED USE

The applicant is proposing to establish an adult use marijuana retailer in the existing primary building.



DETROIT
1938 Franklin Street
Suite 203
Detroit, Michigan 48207

○ 313.888.9882
F 248.596.0930
MCKA.COM

Communities for real life.



ADULT USE MARIJUANA FACILITY ORDINANCE COMMENTS

Section 4.1.29 of the zoning ordinance outlines the standards applicable to adult use marijuana facilities. We provide the following comments regarding the applicable standards.

1. **Location.** Section 4.1.29(C) requires adult use marijuana facilities to be located in the I-1 Industrial district and at least 500 feet from the nearest lot line of any child care center, day care facility, school or like facility. The site is zoned I-1. The revised application includes two scaled and dimensioned location maps which confirm that the site is at least 500 feet from the nearest cited facilities. The applicant is in compliance with this standard.
2. **Hours of Operation.** Adult use marijuana retailers may only be open from 9:00 a.m. to 9:00 p.m. Page 39 of the business plan within the applicant's submitted document states the retailer will operate from 9:00 a.m. to 9:00 p.m. seven days per week. The applicant is in compliance with this standard.
3. **Odor Control Plan.** Section 4.1.29(D)(2) requires all marijuana facilities to be equipped with a mechanical system that at all times effectively confines any odor to the interior of the building. An Odor Mitigation Plan is included with the applicant's submittal documents. The applicant proposes to install a photohydroionization unit along with activated-carbon filters in the HVAC system. The applicant has not provided a detailed mechanical system plan as this is not usually required until the building permit application phase of a project.

The American Society of Heating, Refrigerating and Air Conditioning Engineers (ASHRAE) has developed a test method to determine a filter's ability to capture airborne particles. In commercial facilities, the minimum efficiency reporting value (MERV) rating of 14 or greater captures more than 90% of particulates as small as 1.0 microns. This is effective for all microscopic particles like pollen, mold, spores and dust. A detailed product sheet for the carbon filters is included and shows the highest MERV rating to be 10. The applicant must indicate the types and rating of any proposed filters. We recommend the use of a filter with a MERV rating of 14 or higher.

We suggest the submittal of a detailed mechanical system plan that can be reviewed by the Village's mechanical inspector to determine the effectiveness of a proposed odor control system. Alternatively, the Planning Commission may consider granting site plan approval contingent upon approval of a mechanical plan by a licensed inspector during the building permit process.

4. **Waste Water Control Plan.** Section 4.1.29(D)(3) requires all marijuana facilities to be designed and operated to minimize the amount of pesticides, fertilizers, nutrients and marijuana that may be discharged into the public waste water and stormwater systems. A retail facility does not use pesticides, fertilizers or nutrients as part of its operation. The site does not need to provide additional treatment systems given the lack of contaminants on site.

A narrative titled Waste Disposal Plan begins on page 34 of the applicant's submittal document which outlines the waste disposal process and states all waste disposed will be recorded in several logs. The proposed waste control plan is generally in compliance with ordinance standards.

5. **Security Plan.** Section 4.1.29(D)(4) requires all marijuana facilities to have an adequate security plan to prevent access and removal of marijuana by non-authorized personnel. The applicant has included a detailed security plan along with a security device access plan and camera location plan. The detailed security plan includes the location of secured doors along with a product detail sheet for the cameras. This site and building will be inspected by MRA and the Michigan State Police prior to being granted a license to



operate to ensure the site meets State standards. However, the Village ordinance requires review by the Village Chief of Police of a detailed security plan. The security plan should be reviewed by the Police Chief and revised based on any required changes.

6. **Other Operational Standards.** Section 4.1.29(D)(5) through (12), excluding subparagraph (9) which is addressed below, are additional operational standards for the use. They require that all marijuana related operations must be conducted indoors, comply with any inspections, are prohibited from smoking or consuming marijuana on-site, cannot create a noise, odor, or sound nuisance nor transfer their license to another entity. The applicant has signed a release of liability, indemnification and waiver document along with an oath of application. These acknowledgements typically include agreement by the applicant that they shall not violate the ordinances of the Village. The application is in compliance with these operational standards.

SITE PLAN REVIEW COMMENTS

Article 9, Chapter 1 of the zoning ordinance outlines the information requirements, review procedures and approval criteria for site plans within the Village. We provide the following comments for your consideration based on the zoning ordinance, other applicable Village ordinances and sound planning principals.

- A. **Additional Uses on Site.** As mentioned above, the site has been used for outdoor winter boat storage and the proposed marijuana retailer will only be using the northern half of the subject site. In addition, the adjacent property on the south has also been used for storage and appears to only be accessible from the subject site. A January 26, 2022 letter from Avanti Development Group, LLC states that there are no plans for development of the southern portion of the site and the current use will vacate. No boat storage will occur.
- B. **Adjacent Southern Property.** The adjacent southern parcel appears to only have access to a public street over the 1000 Industrial Rd parcel. The applicant must indicate if the southern parcel will retain access to a public road over its property. If an easement and associated access drive is not provided over the 1000 Industrial Rd parcel, the southern parcel will have to obtain a new curb cut onto Oxford Lake Drive.
- C. **Dimensional Requirements.** Section 3.4.4 lists the dimensional standards for buildings and setbacks in the I-1 zoning district. Based on the setbacks and dimensions on Sheet C2.0, the building is legally non-conforming with the front yard setback requirement.
- D. **Building Architecture.** Elevations have been provided on Sheet A2.0 including the proposed colors. Three overhead doors on the building's south elevation are proposed to be in-filled with concrete block and painted. The applicant is proposing to paint all existing elevations with two shades of grey and one black. The building is of a typical industrial style and is adequate for the industrial district.
- E. **Off-Street Parking Requirements.** Article 7, Chapter 1 outlines off-street parking requirements. The standard for a conventional retail sales establishment is to provide enough parking for employees and customers while ensuring parking lots are designed to function efficiently. The minimum off-street parking requirement for a retailer is one space per 350 SF of floor area. However, Section 9.1.9 outlines the required criteria for granting site plan approval. Specifically, Section 9.1.9(J) also requires that off-street parking lots must accommodate the intensity of the proposed uses and minimize conflicts with adjacent uses. To determine compliance with this standard, it will be necessary to determine the parking needs for each component of the marijuana retailer that will generate a parking demand along with all other uses on the site. These separate uses include:



1. **Marijuana Customer Capacity.** Marijuana retail facilities in other locations are known to have a high number of on-site customer visits. The small size of the product requires less floor space and allows for more points of contact between a salesperson and a customer, almost similar to a watch or jewelry store. The applicant is proposing to utilize a retail system where each customer or acquainted customers will be escorted by a sales person (budtender). Six (6) customer groups will be accompanied to the sales floor while up to eight (8) customers will wait in the reception area. Based on this process, they are proposing 14 parking spaces dedicated for in-store customers.
2. **Retail Employees.** The applicant's staffing plan within the submittal document indicates the potential for up to 15 employees to staff the facility. Sheet C3.0 indicates a total of 15 employees but does not specify if this comprises all employees including retail sales staff, managers, receptionists, and security guards. Fifteen (15) parking employee parking spaces are provided.
3. **Curb-side Pick-up.** Recent trends for retailers includes some form of customer curb-side pickup or walk up service. Curb-side pick-up customers will not enter the waiting or retail areas of the building and those spaces will not be available for employees or retail customers entering the building. The revised sheet C3.0 states that three (3) curb-side pickup spaces are provided.
4. **Additional Uses.** As noted above, the site will no longer be occupied by the outdoor boat storage use. No additional parking is required.

Based on the provided information, the site should provide enough parking to accommodate a standard level of commercial activity for all on site uses. The proposed number of parking spaces requires the provision of two (2) barrier-free parking spaces, which have been provided and are in compliance with ordinance dimensional standards.

- F. **Loading Zone.** A loading zone is now shown on Sheet C3.0. A note on the site plan states that no semi-trucks will be utilized for deliveries and the typical delivery size vehicles are vans and box trucks. The Planning Commission should indicate if the note and provided 20 ft x 30 ft loading zone is appropriate.
 - G. **Exterior Lighting.** A photometric plan has been provided on Sheet C3.0. It includes the location of fixtures along with detailed cut sheets of the proposed fixtures and the light levels. A note has been added stating that all existing fixtures will be replaced with new fixtures and that they will be mounted on fixed brackets to ensure fixtures are not capable of being angled after installation. The lighting plan is in compliance with ordinance standards.
 - H. **Existing Fence and Gate.** The revised site plan indicates that the existing opaque screen fence will remain while the existing gate will be removed. This will result in the landscaping being located on the interior side of an opaque fence. The Planning Commission should indicate if an opaque fence detracts from the intent of the landscape standards. At a minimum, the opaque screen on the fence must be removed from the clear vision area (see below.)
 - I. **Landscaping.** A separate landscape plan has been provided. It does include the location, species, size and quantity for the proposed landscape materials and appears to be in compliance with ordinance standards. The Planning Commission encourages the use of native species and discourages the use of any species that are currently subject to known diseases or infestations. We defer to the Planning Commission as to whether the landscape materials are appropriate.
1. **Unimproved Southern Portion of the Site.** Sheet C2.1 shows the removal of the concrete surfaces and a concrete block wall storage area on the southern side of the site. The remainder of the site is



labeled as a gravel/dirt surface. The southern half of the site must be graded and planted with hydroseed lawn to provide a finished appearance.

2. **Clear Vision Area.** Section 6.1.11 requires a clear vision area triangle at street intersections. The unobstructed triangular area is formed by the street property line and a line connecting them at points 25 ft from their intersection. However, shrubs not exceeding 30 inches in height and trees with branches not less than eight (8) ft above street level are permitted. While the sugar maple and honeylocust trees can be trimmed to remove branches not less than eight feet above street level, the blue muffin arrowwood viburnum can grow up to seven (7) ft in height. The arrowwood viburnum should be switched for a shrub with a maximum height at maturity of less than 30 inches. The opaque screen mounted on the fence must be removed from within the 25 ft unobstructed triangular area.

- J. **Dumpster Enclosure.** The site plan does show the location of a dumpster enclosure. The enclosure details on Sheet C1.1 are in compliance with ordinance standards.
- K. **Sidewalks.** A sidewalk is shown to be constructed along the Oxford Lake Drive frontage. Per Section 6.1.22, as sidewalk must also be provided along the S. Glaspie St frontage.
- L. **Signage.** The site plan does not show any proposed signage. All signage will require a separate sign application. Any proposed signage will be reviewed for zoning ordinance compliance at the time of application for a sign permit.

RECOMMENDATION

The submitted application is in substantial compliance with ordinance standards. However, some additional details remain. We recommend that the Planning Commission grant site plan approval contingent upon the following:

1. The submittal of revised landscape plan that revises the plantings in the clear vision area, removes the opaque fence material and notes a hydroseed lawn to be installed on the southern half of the site.
2. The submittal of a revised site plan showing the installation of a sidewalk along S. Glaspie Street.
3. Approval of an odor control/mechanical plan by a licensed inspector during the building permit process that is in compliance with Section 4.1.29(D)(2).
4. Approval of the security plan by the Police Chief.
5. Any additional requirements of the Village Engineer.

Please do not hesitate to contact us with any questions.

Respectfully submitted,

McKENNA

Mario A. Ortega, AICP
Principal Planner



February 4, 2022

Mr. Joseph M. Madore, Manager
Village of Oxford
22 West Burdick Street
Oxford, MI 48371

RE: Engineering Site Plan Review for 1000 Industrial Drive, Oxford, MI

Dear Mr. Madore:

At your request, ROWE Professional Services Company has completed a *second* site plan review for the address listed above. The plans were prepared by Avanti Development Group, LLC, and the topographic survey was prepared by D&M Site, Inc. The plan set consists of a cover sheet, topographic survey, seven site plan sheets, and three architectural concept sheets, all dated January 26, 2022.

All of the plan sheets were signed and sealed by a registered professional.

The applicant is proposing to renovate an existing 3,354 square foot commercial building and construct a new parking lot.

Comments that have been addressed from ROWE's previous review (letter dated November 16, 2021) have been removed from this letter. Additional comments related to a previous comment are shown in *italic font* and new comments are shown in standard font.

Based on ROWE's review, we offer the following comments for your consideration:

SHEET C2.0:

The property known as 1000 Industrial Drive consists of two parcels with separate tax I.D. that have historically been used as one site, mostly for outdoor storage. The boundary and topographic survey prepared focuses on the northerly parcel. Improvements are proposed on the northerly half of the northerly parcel.

- a) The submitted plan indicates that the only existing driveway on the two parcels will be improved and will service the new parking lot on the northerly half of the northerly parcel. Since the new parking lot will be constructed with full curb and gutter, and since there are no other existing or proposed driveways on the remainder of the properties, the applicant will need to clarify how the southerly site will be accessed.
- b) Based on the applicant's response to part a) above, the Village should consider if a lot split or lot rearrangement is warranted.

Lapeer, MI: 128 N. Saginaw Street, 48446 | Phone: (810) 664-9411

Civil Engineering | Surveying | Landscape Architecture | Aerial Imagery/Mapping | Planning

Flint, MI (HQ) | Lapeer, MI | Farmington Hills, MI | Kentwood, MI | Mt. Pleasant, MI | Grayling, MI | Myrtle Beach, SC | www.rowepsc.com

The plans were delivered with a clarification letter indicating that the adjacent site to the south will be vacated and no longer used for boat storage, implying that no use of the remaining site is planned at this time. Access and lot split issues on the southerly parcel should also be reviewed with the applicant.

SHEET C3.0

1. It appears that the existing site has been sharing a dumpster location with the two adjoining businesses to the west. While the current dumpster enclosure does not meet the Village's ordinance, the concept of sharing the dumpster with neighbors is strongly encouraged. The applicant should explore the feasibility of improving the existing area accordingly. If it is not going to be used as a dumpster area, the site plan will need to indicate that it will be removed. *The above noted clarification letter indicates that the applicant does not intend to use the shared dumpster area. However, the plan does not indicate a plan to remove it. If the shared dumpster area will remain as is and continue to be used by the adjoining property, that use needs to be labeled on the site plan.*
2. *The site plan has been revised to provide a new public sidewalk on the Oxford Lake Dr. frontage of the property. The concrete sidewalk shall be extended through the drive approach. In addition, the plan will need to clarify the location of existing pine trees in the right-of-way, and how many of them will need to be removed.*

SHEET C4.0:

1. Given the unclear nature of the sanitary sewer, it is recommended that it be internally traced and inspected to ensure that it is able to continue to function properly for the new use well into the future. *The above noted clarification letter suggests that this inspection will be completed during construction. It is recommended that this work occur prior to the issuance of a building permit to ensure that the full extent of needed improvements is documented prior to the issuance of the permit.*
2. *The parking lot storm sewer system has been modified to introduce percolation into the system, which is good. However, as designed, the majority of the storm water during smaller rain events will discharge into CB-2 and then straight into the Village's storm sewer, bypassing the proposed bioswale. To greatly improve the performance of the system, the parking lot should be designed to discharge directly into the bioswale, which would be simple to do. Further, the roof downspouts should also discharge to the bioswale. Finally, some form of orifice will need to be installed to slow the flow of water during rain events, immediately downstream of CB-2.*

Mr. Joseph M. Madore, Manager – Village of Oxford
February 4, 2022
Page 3

ROWE's plan review is for conformance with the Village's submittal requirements and standard engineering practices for the Village's use in its determination of whether to approve the plans. The developer and designer shall be responsible for the accuracy and validity of the information presented on the plan. Regulatory and other governmental agencies with jurisdiction may have additional comments or requirements. Further review of the proposed design will be necessary as the applicant addresses the comments noted.

The developer and designer remain responsible for the design, construction, and any resulting impacts of the project.

If you have any questions regarding this review, please contact me directly at (248) 318-1492.

Sincerely,
ROWE Professional Services Company

Paul T. O'Meara, PE
Project Manager

CC: Mario Ortega – McKenna

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OXFORD FIRE DEPARTMENT

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

September 8, 2021

Re: Plan review
Site Plan
Marijuana Retailer
1000 Industrial Drive
OXFORD, MI 48371

The Oxford Fire Department has received and reviewed the plans that have been submitted for the above address. The following comments are made.

- The Address Shall be legible and placed in a position that is visible from the street.
- A Knox Box will be required to be mounted to right or left side of the main entrance to the building
- Fire Lane: No parking signs shall be posted in the area approaching the dumpster location to maintain access for the fire department
- Please provide more details pertaining to the Gated Entrance. How is this going to be secured, and how will the Fire Dept maintain access.

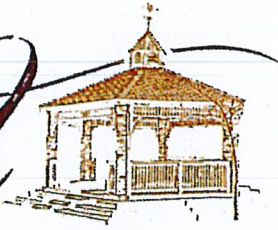
Please forward further questions to Lieutenant Frantz

Lieutenant BJ Frantz
Fire inspector
Office: 248 969-9483
Cell: 248 916-8600



THE VILLAGE OF

Oxford
MICHIGAN



INSPECTORS: POLICE

Attached are a full set of plans that have been checked in and stamped received.
Please review 1000 INDUSTRIAL DR for:

- ☒ Completeness
- ☐ Current code
- ☐ Life and safety issues

(~~MT~~ RETAIL)

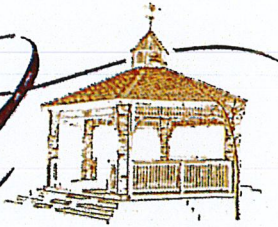
Please make any notes in the space below, sign and date this form below.

PROPER ILLUMINATION ON ALL SIDES OF BUILDING
AUDIBLE ALARM SYSTEM
VIDEO CAMERAS INSIDE/OUT OF BUILDING

Signed: [Signature] - Chief of Police
Date: 10/19/11

THE VILLAGE OF

Oxford
MICHIGAN



INSPECTORS: DPW

Attached are a full set of plans that have been checked in and stamped received.
Please review 1000 INDUSTRIAL DR. for:

(MS RETAIL)

- ☐ Completeness
- ☐ Current code
- ☐ Life and safety issues

Please make any notes in the space below, sign and date this form below.

No Changes to Water / Sewer Services

Signed: _____

Don Butkus

Date: _____

10-25-21