

**MINUTES
CITY OF FARMINGTON HILLS
PLANNING COMMISSION REGULAR MEETING
31555 W ELEVEN MILE ROAD
FARMINGTON HILLS, MICHIGAN
DECEMBER 17, 2020, 7:30 P.M.**

CALL MEETING TO ORDER

The Planning Commission Regular Meeting was held electronically as authorized under the Open Meetings Act, MCL 15.261, *ET SEQ.*, as amended, and called to order by Chair Stimson at 7:31 p.m. Commission members were asked to state their name and location, as to where they were attending the electronic meeting.

ROLL CALL

Commissioners Present: Brickner, City of Farmington Hills, Oakland County, Michigan
 Countegan, City of Farmington Hills, Oakland County, Michigan
 Mantey, City of Farmington Hills, Oakland County, Michigan
 Orr, City of Farmington Hills, Oakland County, Michigan
 Schwartz, City of Farmington Hills, Oakland County, Michigan
 Stimson, City of Farmington Hills, Oakland County, Michigan
 Trafelet, City of Farmington Hills, Oakland County, Michigan
 Turner, City of Farmington Hills, Oakland County, Michigan

Commissioners Absent: None
 One vacancy

Others Present: City Planner Stec, City Attorney Schultz, Planning Consultants Arroyo and Tangari

APPROVAL OF AGENDA

City Planner Stec said that the applicant had requested Item 4.B. be withdrawn.

MOTION by Brickner, support by Countegan, to amend and approve the agenda as follows:

- Remove Item 4.B., as requested by the applicant.

Roll call vote:

Yeas: Brickner, Countegan, Mantey, Orr, Schwartz, Stimson, Trafelet, Turner
Nays: None
Absent: None
Abstentions: None

MOTION carried 8-0.

REGULAR MEETING

A. SITE PLAN 59-10-2020

LOCATION: 31519 Twelve Mile Rd.
PARCEL I.D.: 23-15-201-271

PROPOSAL:	Renovations to existing parking lot for a restaurant in an ES Expressway District
ACTION REQUESTED:	Approval of site plan
APPLICANT:	Xinhua Yu
OWNER:	HHC International Properties, LLC

Referencing his December 9, 2020 memorandum, and utilizing a PowerPoint presentation shown on the Zoom screen, Planning Consultant Tangari gave the review for this request for site plan approval for renovations to an existing parking lot for a restaurant on an approximately .5 acre lot in an ES Expressway District.

The proposed site plan was on the Planning Commission's agenda on November 19, 2020. After review and discussion, the Planning Commission postponed their decision to a later meeting and asked for a revised submittal.

Planning Consultant Tangari highlighted the following points from his review letter:

- The parcel is surrounded by other commercial uses.
- The plan proposes to extend the exterior limits of the parking lot pavement to improve access and circulation. There is no change to the total number of parking spaces available on the site.
- An informal shared parking agreement with the Radisson hotel was not reviewed, because the plan meets the minimum parking requirement on site.
- The parking setback has been revised to meet the dimensional requirements of Section 3.5.2.J, including the 10-foot setback.
- The parking spaces meet the dimensional requirements of Section 34-5.3.
- The auto-turn diagrams have been updated and show the garbage truck making each turn, with no apparent encroachment over the property line.
- The site's existing nonconformities include a lack of dedicated loading areas. The Planning Commission indicated at its November 19, 2020 meeting that the Commission was open to accepting the unscreened side yard location as an existing condition of the site, based on deliveries occurring during non-peak times, and employee parking will be placed next to the loading zone.
- The existing trash enclosure is relocated to the eastern side yard.
- The proposed dumpster detail refers to wooden panels for enclosure. It should be changed to a masonry wall that matches the building to comply with section 34-5.1.3.D.
- Rooftop Appurtenances. No changes are proposed to the building.
- There is not a direct pedestrian connection to the sidewalk on 10 Mile Road. The applicant indicated in the response letter that it is an existing condition that is not intended to be changed. The Planning Commission should consider if a connection should be provided with the current improvements.
- Lighting and tree removal and replacement requirements are met.

In response to a question from Commissioner Brickner, Planning Consultant Tangari acknowledged that the proposed dumpster location on the east side of the building presented a narrow access, but there did appear to be enough width for a dumpster truck to have access there. City Planner Stec suggested moving the dumpster closer to the front of the building.

Yadong Dong, DLZ Engineers, said that this proposal represented a limited expansion of the parking lot to improve accessibility for restaurant customers. They had provided the information requested at the

November meeting, and asked for approval this evening. They would provide a masonry enclosure for the dumpster and move the dumpster location further north, as suggested.

Commissioner Orr suggested providing striping from the front door to the sidewalk, to indicate a pedestrian connection there. Mr. Dong agreed to do that.

MOTION by Schwartz, support by Orr, that Site Plan 59-10-2020, dated November 26, 2020, submitted by Xinhua Yu, be approved because it appears to meet all applicable requirements of the Zoning Chapter,

subject to the following conditions:

- A pedestrian connection from the 12 Mile sidewalk to the front door be provided using either pavement striping or paving material
- The dumpster enclosure be constructed of masonry material to match the main building
- The dumpster enclosure be located further north to improve accessibility by garbage trucks

and with the finding that:

- The existing location of the loading area on the western side of the building is acceptable and that no additional screening is required.

Roll call vote:

Yeas: Brickner, Countegan, Mantey, Orr, Schwartz, Stimson, Trafelet, Turner
Nays: None
Absent: None
Abstentions: None

Motion carried 8-0.

B. PUD Qualification 2, 2020

LOCATION: 31525 Nine Mile Rd.
PARCEL I.D.: 23-15-201-270
PROPOSAL: Convert existing hotel into a senior living complex in the ES, Expressway Service District
ACTION REQUESTED: Preliminary PUD Qualification
APPLICANT: Manor Senior Living, LLC
OWNER: 31525 W 12 Mile Rd. MI, LLC

As noted above, this item was withdrawn at the request of the applicant.

C. CLUSTER SITE PLAN 60-10-2020

LOCATION: 38500 Nine Mile Rd.
PARCEL I.D.: 23-30-300-019
PROPOSAL: 30 unit detached one-family cluster option subdivision in RA-2, One-Family Residential District
ACTION REQUESTED: Set for Planning Commission Public Hearing
APPLICANT: Pulte Homes of Michigan, LLC
OWNER: Piemontese Social Club

Referencing his December 9, 2020 memorandum, and utilizing a PowerPoint presentation shown on the Zoom screen, Planning Consultant Arroyo gave the review for this request to set Cluster Site Plan 60-10-2020 for public hearing.

The Planning Commission granted preliminary qualification to a cluster for this site at its meeting on November 19, 2020 on a vote of 7-1. In its approval of preliminary qualification, the Planning Commission further found that the plan qualifies under Section 34-3.17.3.B, which permits up to 3.1 units per acre. The plan submitted by the applicant places 30 units on 10 acres, for a density of 3 units per acre.

Given the parcel's location between multi-family and single-family uses, a daycare to the west, and the presence of industrial uses to the north, the argument that this is a transitional property appears to have some merit. The property is also affected at its northern end by the presence of a more intense use. However, a subset of Planning Commissioners said during the initial qualification discussion that while they felt approval for the higher density was merited, they would like to see an attempt to reduce the density to the 2.5-2.6 units/acre range.

Planning Consultant Arroyo noted that the criteria for qualification had been discussed at the November meeting, and would be further discussed at the public hearing. He emphasized the following:

- Regarding the cul-de-sac, per Section 27-57 of the Subdivision Ordinance, the *maximum length for residential cul-de-sac streets shall generally be six hundred (600) feet*. The length of the cul-de-sac street is 1,100 feet. However, there is a stub street, and the length of the cul-de-sac from the intersection with the stub street is 600 feet. The applicant is also proposing fire suppression systems in each unit.

One effect of the location of the stub street is that, if it were to be continued to the east, lots on its north side would have only 88 feet of depth given the location of existing property lines. The stub connection could be moved south, flipping unit #5 so that it is on the north side of the stub, in order to create a deeper lot to the east.

- Transition to Single Family Residential. Per Section 34-3.17.4.E., *In order to provide an orderly transition of density, where the parcel proposed for use as a cluster development abuts a one-family residential district, the planning commission shall determine that the abutting one-family district is effectively buffered by means of one of the following within the cluster development:*
 - *Single-family lots subject to the standards of Section 34-3.1 of this chapter;*
 - *Detached buildings with setbacks as required by Section 34-3.1 of this chapter for the applicable residential district;*
 - *Open or recreation space;*
 - *Changes in topography which provide an effective buffer;*
 - *A major or secondary thoroughfare;*
 - *Some other similar means of providing a transition;*
 - *In those instances where the parcel has been qualified for the cluster option under subparagraph 34- 3.17.2.B.i. or where the adjoining land may be used for purposes other than detached one-family dwellings, the planning commission may approve a plan in which the units are attached if the parcel is too small to provide the transition and the greatest setback possible is provided.*

This requirement has been addressed on the east side of the site with landscaping, specifically with a mix of concolor firs and Norway spruces. This screen of evergreens changes to rows of deciduous trees near

the stub street. Following the public hearing, the Planning Commission should make a determination if this constitutes an acceptable transition.

Planning Consultant Arroyo recommended that the entire east side of the property be planted with evergreens. Also, the required open space plan does not include this area along the east boundary; this should be modified so that the entire transition area where the evergreen trees are planted is incorporated into the open space plan, so that it is very clear to new homeowners that the trees are intended to be there permanently, and are part of the requirement for a transition from this parcel to the parcels to the east.

Planning Consultant Arroyo further explained that during a staff meeting with department heads, the Engineering Department indicated that a stormwater forebay is required per ordinance. The applicants had proposed a mechanical system, which is not acceptable. The forebay system typically would be located adjacent to the stormwater retention area; this revision should be made prior to the public hearing as it is likely to result in modified boundaries in the southwest area.

Planning Consultant Arroyo concluded his review.

Chair Stimson asked if there was any concern regarding the forebay/detention area being so close to the day care center to the west. Planning Consultant Arroyo explained that concern would be addressed through engineering review when final details of design and how this property related to adjacent properties were addressed.

In response to a question from Commissioner Orr, City Planner Stec explained that the stub street was necessary because the parcels to the east were on non-platted land, and could potentially be the site of future development. Stub streets were required when a plan needed to provide for future development, in order to provide multiple connections and point of access between subdivisions for emergency vehicle use.

Commissioner Orr asked if the stub street could be temporarily shortened, in order to allow a vegetation/landscape barrier along the east property line until such a time as development occurred. This would not affect the actual easement for the completion of the stub street.

Discussion followed:

- An undeveloped stub street becomes a significant burden to a future developer, who is then required to make off-site improvements in order to connect to the stub street.
- The suggestion was not to leave the entire stub street unconstructed, but to just shorten the stub street in order to allow the green space to continue there. In the present instance, the condominium master deed and bylaws could include language protecting the easement for a stub street.
- Was the stub street actually a road to nowhere?

Commissioner Brickner suggested constructing duplexes in the lots that backed up to the subdivision to the east. From the rear, a duplex has the appearance of a large, single family home, and might better blend with the neighborhood.

Chair Stimson invited the applicant to make his presentation.

Michael Noles, Umlor Group, 49287 West Road, Wixom, was present on behalf of Pulte Homes of Michigan for this request to set Cluster Site Plan 60-10-2020 for a public hearing. Utilizing a PowerPoint presentation entitled *Chasewood Villas*, Mr. Noles made the following points:

- The Planning Department had requested the stub street, for the reasons already stated. Pulte had done several iterations of the plan, with and without the stub street, and had no problem moving the stub street further to the south, as requested. This would increase the cul-de-sac so that it would be longer than 600 feet from the stub street, but this wasn't an issue because of the individual fire suppression systems.
- Mr. Noles had reached out to neighbors who had sent letters to the City and who had spoken at the November Planning Commission meeting; this correspondence was ongoing. Specifically the neighbors were concerned with signage, whether the homes would have basements, long term maintenance, landscape screening, stormwater drainage, how this development would affect property values, if this development met the terms of a transition property, traffic safety, and fencing.
- Regarding neighbor concerns:
 - Setbacks met ordinance requirements
 - Storm drainage was shown on the PowerPoint aerial, and would meet ordinance and engineering requirements.
 - Regarding screening, there were now 249 trees in the revised landscape plan. Open space was approximately 1 acre more than required, and they had no problem counting the landscape buffer as open space.
 - This is a zero lot line product; condo ownership is "inside the walls." The condominium association will take care of all exterior maintenance.
 - The aerial map showed the location of the detention basin and the layout of the entrance. Views had been provided showing types of trees, etc.
 - Based on Engineering Department comments, Pulte was adding a passing lane and changing the configuration of the taper lanes; this would be shown on an amended plan.
 - The homes are age-targeted single story homes, with a 2nd floor loft option available. With the loft, the roof line goes up about 5 feet with dormers.
 - Fire suppression system is included in every home.
 - Interior illustrations showed why the homes were priced as they were. The homes would have an open-concept layout, with flex rooms and age targeted features including wider doorways, accessible showers, limited stairways, etc.
 - The homes will appeal to the empty nester buyer.
- The development complied with cluster option standards as a transition to single family residential. Two schematics showed two different property line buffer options. Pulte believed the second option was the better option at it provided additional screening:
 - Option 1: Changing the side setback between units to match the typical RA-2 standard (20 feet between each unit), or
 - Option 2: Introduce landscaping along the east property line and adjust the location of the rear yard storm drainage.
- The Fire Marshal approved the plan, conditioned on the individual fire suppression systems, no parking in the cul-de-sac, and a 50-foot turning radius.
- Changes to the plan regarding the entrance/passing lane, the forebay system, changing the cul-de-sac so that it was more round instead of the oval shown, and meeting some engineering comments regarding drainage areas would be made before the public hearing.

Mr. Noles emphasized that this housing product will appeal to seniors and empty nesters who want to stay in the community. The benefits of age-targeted neighborhoods include limited infrastructure use, additional taxes for schools but with fewer students, local consumer spending, reduced rush hour traffic, and civic minded residents including volunteerism.

Regarding density, Mr. Noles pointed out that the property is impacted by adjacent uses. This proposed 30-unit infill site is surrounded by thousands of units. Pulte requested approval at the proposed density, based on the development meeting all other requirements, and asked that a public hearing be set as requested.

Mr. Noles concluded his presentation.

In response to questions from Chair Stimson, Mr. Noles said the no-parking requirements on the cul-de-sac would not pose parking issues for residents. Each site had four parking spaces: two in the garage and two in the driveway. Additionally, except for the cul-de-sac, public parking would be allowed on one side of the street. The project had more than the required parking spaces.

Commissioner Orr noted that if the stub street temporarily allowed some vegetation to remain at the east end, the rest of the stub street would provide parking for residents.

Commissioner Orr supported reducing density from 30 units to 27, as discussed by some Commissioners at the November meeting.

Commissioner Turner supported reducing density to 26 units, which still resulted in lot sizes half the size of the 15,000 square feet normally required in the R-2 district. He was also concerned about the extreme difficulty of making a left turn into this site.

Mr. Noles said they needed 30 units to make this an economically viable development. They would already likely lose one unit because of the need for the stormwater system forebay, as discussed. Decreasing the development by 4-5 units would require the remaining units to bear more of the infrastructure cost, effectively raising their price to \$475,000-\$500,000. The market for these homes in that price range did not exist.

Mr. Noles emphasized that they were not asking for any deviations from rear setback requirements. They were providing more than the percentage of open space required under cluster option developments. Regarding traffic, they would be bringing plans for an acceleration/deceleration lane, expanded to blend with the entrance of the Polo Club, and add a passing lane. They were working with Engineering to make a safe ingress and egress for the development.

In response to a further question from Commissioner Turner, Mr. Noles reiterated that they might have to lose one unit due to the requirement for a forebay, but to bring the density down to 2.4 or 2.5 units per acre would not work.

Commissioner Schwartz acknowledged letters received from neighbors, and noted that tonight's discussion was more detailed than usual when setting a public hearing. He requested the following:

- Mr. Noles should continue to meet with the neighbors and the Homeowners Association.
- For the public hearing, the applicant should bring information regarding the Pulte development on the south side of 9 Mile Road. What was the listing price of those homes, and what did they eventually sell for? Did neighboring properties go up or down after the development was complete?
- For the public hearing, the applicant should provide more detailed information regarding the financial feasibility of having fewer homes in the development.

Motion by Schwartz, support by Countegan, that Cluster Site and Open Space Plan 60-10-2020, petitioned by Pulte Homes of Michigan, LLC, be set for Public Hearing on January 21, 2021.

Chair Stimson opened the motion to further discussion.

Commissioner Brickner noted that the rear yard setbacks would be 35 feet, the same setback as required in other residential districts. He asked that for the benefit of the neighbors, a more complete explanation be given regarding drainage. He pointed out that the ordinance does not allow drainage to flow onto neighbors' properties, for instance. Also, the elevations should be corrected so that shrubs were not shown in front of garage doors.

Commissioner Brickner reiterated his earlier suggestion of putting duplexes along the east property line, although he also understood the economics that drove a development like this, and would leave that decision to the developer. The homes should not be priced so high that people could not afford them.

Chair Stimson acknowledged letters from Robert and June Benninger, and Todd Trombly, regarding this proposal. He emphasized that public comment would be heard at the January meeting.

Chair Stimson remained concerned with the density of this project. As he had stated in November, he would like the density to be in the 2.5-2.6 du/acre range.

Commissioner Orr said he would support ~~26-27 du/acre~~ units on the site.

Commissioner Mantey would support ~~28-29 du/acre~~ units on the site. He wondered if there was some way to achieve more space between units on the east side of the development.

City Planner Stec noted that the first schematic shown by the applicant earlier did show, with the reduction of one unit, the normal side yard setbacks between homes. He thought there might be a way, with the reduction of one more unit, for the applicant to provide the 20 feet between every unit on the east side while providing the landscape buffer along the eastern property line as well.

Chair Stimson called the vote.

Roll call vote:

Yeas:	Brickner, Countegan, Mantey, Schwartz, Trafelet,
Nays:	Orr, Stimson, Turner
Absent:	None
Abstentions:	None

Commissioners Orr, Stimson and Turner noted that their primary objection was to the proposed density of this project.

MOTION carried 5-3.

City Planner Stec advised that the tight time table for review and noticing requirements might move this item to February, depending on how quickly the applicants were able to submit new materials.

D. Medical Marihuana Caregiving Zoning Regulations

Consideration of revision(s) to ordinance regulating medical marihuana caregiving

Referring to his December 8, 2020 memorandum *Cannabis: Amendments to Regulations for Primary Caregivers*, Planning Consultant Arroyo gave the background for this discussion item:

City Council has requested that the Planning Commission review the Zoning Ordinance's existing regulations for registered medical marijuana primary caregivers and consider changes to the regulations that could change where and how the use can operate in the city. Council is interested in moving the use from residential districts to non-residential districts. Currently registered primary caregivers can potentially locate in an RA-District, with requirements as listed in the memorandum.

The current regulations, which treat registered primary caregivers as a home occupation and provide for the use in single-family residential districts, were adopted in response to the Michigan Medical Marihuana Act, P.A. 2008, Initiated Law, MCL 333.26421, et seq. ("MMMA") and the Michigan Department of Community Health's ("MDCH") General Rules adopted under the MMMA. The City's ordinance used the terminology and spellings in the state statute.

On April 27, 2020, in *DeRuiter v. Township of Byron*, the Michigan Supreme Court ruled that the MMMA did not nullify a municipality's inherent authority to regulate land use under the Michigan Zoning Enabling Act (MZEA) as long as: (1) the municipality does not prohibit or penalize the cultivation of medical marijuana; and (2) the municipality does not impose regulations that are unreasonable and inconsistent with regulations established by state law.

This allowed communities that have experienced negative impacts with the use in residential districts to look at what other districts might be appropriate.

As outlined in the memorandum, the draft language:

- Changes the term "marihuana" to the term "cannabis." The draft language links the new terminology to that found in the MMMA via revised definitions.
- In the text provided, primary caregivers are not permitted in any particular district. Rather, the amendment creates an overlay to the zoning map that would permit the use in targeted locations.
- City Council wants the Planning Commission to make recommendations regarding suggested locations. Where is it appropriate for primary caregivers to operate? Should the overlay's availability be restricted to a single district, more than one district or portions of one or more districts based on application of certain criteria?
- The proposed amendment could potentially require that future primary caregiver operations locate outside of residential areas, depending on where the overlay is ultimately located. This would make all legally established existing primary caregiver operations non-conforming.

Planning Consultant Arroyo reviewed the 12/8/2020 draft AMENDMENT TO THE ZONING ORDINANCE, An Ordinance to amend Chapter 34, Zoning, of City of Farmington Hills Code of Ordinances by adding and amending certain definitions, repealing section 34.4.27 Marihuana Uses, and creating a new Section 34-3.27 Primary Caregiver Overlay District to create an overlay zoning district and establish location requirements for the cultivation of medical marihuana by primary caregivers, under the Michigan Medical Marihuana Act (MMMA), Initiated Law 1 of 2008, MCL 333.26421 et seq., as amended, to protect the health, safety and welfare of the public.

Section 1 defines *cannabis*, *primary caregiver*, and *medical use*.

Section 2 repeals and deletes Section 34-4.57 Marihuana Uses.

Section 3 establishes new Section 34-3.27 *Primary Caregiver Overlay District*, including paragraphs:

1. Findings, Purpose and Intent.
2. Ordinance has no effect on patient use.
3. No defenses against criminal prosecution.
4. District Regulations. District regulations would require site plan approval, and could regulate the use in terms of location including prohibitions close to certain other uses (schools, day care centers, churches, etc.), conformity with state law, possible location regulations requiring distance from residential areas, and ability to share a building and services with appropriate regulations such as requiring separate locked facilities, odor control, and so on.

Section 4 establishes a new Primary Caregiver Overlay District, with boundaries indicated on the Zoning Map.

Discussion followed:

- In response to Commission questions, Planning Consultant Arroyo clarified specific language in the draft ordinance.
- Commissioner Brickner reviewed the history of allowing primary caregivers to grow the plants in residential districts, as long as the operation conformed to state law.
- It is estimated that there are 30-40 caregiver operations in residential districts in the City. Often the City did not know the locations, unless neighbor complaints regarding odor or other nuisance factors were brought to the City's attention. Sometimes the City knew of a location when multiple commercial grade HVACs were installed.
- Caregiver operations in residential neighborhoods are required to meet the requirements of home occupations, which limit the use to 15% of the home space, and require the home to be occupied as a residence. However, enforcement is difficult, simply because these are home occupations.
- Current registered residential operations would be grandfathered under the new ordinance as non-conforming legal uses.
- The Commission generally supported primary caregivers sharing a building, similar to the sharing of data centers.
- Location was key. Were industrial districts the best locations? What about vacant office buildings or strip malls?
- City Planner Stec would research commercial and industrial vacancy rates in the City.
- General discussion occurred regarding the size of an operation that could grow 72 plants, as allowed for caregivers, and what could legally be done with excess product.
- The current ordinance was 6 years old, and had been created before recreational marijuana and large scale medical marijuana operations were legalized. Experience with the current ordinance showed that primary caregiver operations (72 plants for servicing oneself and 5 others) in residential neighborhoods can negatively impact neighbors. Tonight's discussion was focused on these small caregiver operations that continue to exist, and not on the impacts and possible regulations of larger grow operations as now allowed by the State.
- Were there personal property tax implications of caregivers locating in non-residential districts?

Planning Consultant Arroyo suggested that the Commission think about the questions involved, and schedule a study session on January 14 in order to finalize recommendations to City Council. Items for further discussion were summarized as follows:

- Distance requirements from other use types?

- Which zoning district(s) are the most appropriate?
- What is the vacancy rate in industrial and office buildings?
- Will multiple caregivers be permitted to locate in a single building?
- What are the possible personal property tax implications of caregivers locating in industrial, commercial, and/or office districts?
- How does the City regulate the use in terms of what product is actually being offered to clients?

MOTION by Orr, support by Trafelet, to schedule further discussion regarding Medical Marihuana Caregiving Zoning Regulations to a study session on January 14, 2021.

Roll call vote:

Yeas: Brickner, Countegan, Mantey, Orr, Schwartz, Stimson, Trafelet, Turner
Nays: None
Absent: None
Abstentions: None

MOTION carried 8-0.

APPROVAL OF MINUTES November 19, 2020

MOTION by Schwartz, support by Mantey, to approve the November 19, 2020 meeting minutes as published.

Roll call vote:

Yeas: Brickner, Countegan, Mantey, Orr, Schwartz, Stimson, Trafelet, Turner
Nays: None
Absent: None
Abstentions: None

MOTION carried 8-0.

PUBLIC COMMENT

Kristi Kelly, West Stonewood Court, Farmington Hills, thanked the Commission for their discussion regarding Medical Marihuana Caregiving Zoning Regulations. The Michigan Medical Marihuana Act was a compassionate use law. Current state laws regulated other types of commercial marihuana grow operations, but those do not apply to caregivers, who cannot be taxed or licensed. 30-40 caregivers in the City did not seem like a huge number, and perhaps the conversation should focus on the problems and concerns people are expressing. Putting caregivers into commercial districts creates industrial opportunities for commercial grow operations, perhaps creating interest where there might not historically be any.

Todd Trombley, 38240 Lana Drive, President, Heritage Village Home Owner's Association, thanked the Commission for their discussion this evening of the Pulte Cluster Option proposal. The Association still wanted a lower density. These homes would be the most expensive per square foot in Farmington Hills, and the HOA felt that at that price point the density could be reduced. If the price point of \$400,000 - \$450,000 could be shown to be achievable, perhaps some neighborhood concern could be alleviated. He and the neighbors would be at the public hearing in January.

COMMISSIONERS' COMMENTS

Commissioner Schwartz suggested the applicant for the PUD qualification request that was withdrawn this evening might consider a re-zoning application.

In response to comments from Commissioner Schwartz, City Attorney Schultz explained that whether or not the Commission liked a proposal, an applicant had a right to a public hearing, and it was rare that a no vote to set a public hearing was appropriate. The vote to set a public hearing simply indicated the Commission had picked a date for that hearing.

Commissioners talked about approved projects that were moving forward with construction; this was good to see.

January 2021 meeting dates were:

- January 14, study session
- January 21, public hearing/regular meeting
- January 28 Capital Improvements Program

ADJOURNMENT:

MOTION by Brickner, support by Trafelet, to adjourn the meeting at 9:56 pm.

Roll call vote:

Yeas:	Brickner, Countegan, Mantey, Orr, Schwartz, Stimson, Trafelet, Turner
Nays:	None
Absent:	None
Abstentions:	None

MOTION carried 8-0.

Respectfully Submitted,
John Trafelet
Planning Commission Secretary

/cem