



City of Rochester Hills
AGENDA SUMMARY
NON-FINANCIAL ITEMS

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Legislative File No: 2023-0081 V2

TO: Mayor and City Council Members

FROM: Sara Roediger, Planning and Economic Development Director, ext. 2573

DATE: April 17, 2023

SUBJECT: Request for conditional use approval for Mercy Services for the Aging NonProfit Housing Corp., dba Bellbrook to allow for on premises alcoholic beverage consumption at 873 Avon Road, located on the south side of Avon Road, east of Livernois Road.

REQUEST:

Approval of a conditional use to allow for on premises alcoholic beverage sale and consumption at Mercy Services for the Aging NonProfit Housing Corp., dba Bellbrook, located at 873 Avon Rd, zoned SP Special Purpose District.

BACKGROUND:

The applicant has filed for a Conditional Use Permit, to serve and consume alcohol, for Mercy Services for the Aging NonProfit Housing Corp., dba "Bellbrook". Bellbrook is a senior community that desires to have a liquor license to serve alcoholic beverage sales for its residents and visitors. Alcoholic beverage sales for on premises consumption, accessory to a permitted use, requires a conditional use permit in the SP Special Purpose District. The applicant has sought a quota license from the City which has been reviewed by the Liquor License Technical Review Committee and will be acted on by Council separately.

The applicant over the course of the last several months has been renovating the existing Bellbrook facility to provide a new eating area for the residents along with their guests. The new eating area is characterized as being a "pub" and they would like to serve appetizers along with beer and wine. Bellbrook has traditionally provided meals for its residents living within the facility in a dining room setting. The eating areas are not generally advertised to the public but rather are open to the building's residents and their friends and family. With the limited number of patrons utilizing these eating areas, significant crowds, increased traffic, noise, etc. would not be anticipated for a use of this nature. Therefore, based on the site's location, the operation of sales and consumption of alcohol should not be impactful to any neighboring properties.

The issuance of the conditional use permit is a discretionary decision by the City Council based on five general criteria contained in Sec. 138-2.302 of the Zoning Ordinance as follows, which are included in the resolution:

- 1) *Will promote the intent and purpose of this chapter.*
- 2) *Will be designed, constructed, operated, maintained, and managed so as to be compatible, harmonious, and appropriate in appearance with the existing or planned character of the general vicinity, adjacent uses of land, the natural environment, the capacity of public services and facilities affected by the land use and the community as a whole.*
- 3) *Will be served adequately by essential public facilities and services, such as highways, streets, police and fire protection, drainage ways, refuse disposal, or that the persons or agencies responsible for the establishment of the land use or activity shall be able to provide adequately any such service.*
- 4) *Will not be detrimental, hazardous, or disturbing to existing or future neighboring land uses, persons, property, or the public welfare.*

5) *Will not create additional requirements at public cost for public facilities and services that will be detrimental to the economic welfare of the community.*

The Planning Commission recommended unanimous approval of the conditional use with several findings and conditions as reflected in the attached resolution, at its February 21, 2023 meeting. Please refer to the attached Planning Commission minutes for further details.

RECOMMENDATION:

Finding that the proposed request to allow sales for on premises alcoholic beverage consumption meets the criteria of the Zoning Ordinance, the Planning Commission recommends that City Council approves the conditional use for Mercy Services for the Aging NonProfit Housing Corp., dba Bellbrook to allow on premises alcoholic beverage consumption, located at 873 Avon Road, File No. PCU2023-0002, subject to the findings and conditions noted in the attached resolution.

APPROVALS:	SIGNATURE	DATE
Department Review		
Department Director		
Mayor		
Deputy City Clerk		

Contract Reviewed by City Attorney Yes N/A