



City of Rochester Hills
AGENDA SUMMARY
NON-FINANCIAL ITEMS

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Legislative File No: 2024-0272 V2

TO: Mayor and City Council Members

FROM: Chris McLeod, Planning Manager, ext. 2572

DATE: May 31, 2024

SUBJECT: Request for conditional use approval for The Barns Senior Living (Lijo Antony) to allow for a 7-12 resident State Licensed Residential Facility at 1841 Crooks Road, located on the east side of Crooks Road and north of Hamlin Road.

REQUEST:

Approval of a conditional use to allow for a 7-12 resident State Licensed Residential Facility at The Barns Senior Living (Lijo Antony), located at 1841 Crooks Road, zoned R-1 One Family Residential District.

BACKGROUND:

The applicant has filed for a Conditional Use Permit for a 7-12 resident State Licensed Residential Facility to be operated in the same building (the Barns) that an existing 1-6 resident State Licensed Residential Facility is already operated. The additional residents would be accommodated within the existing building and no expansion or other exterior alterations are proposed. Residents would be situated in either private (1 resident per room) or semi-private (2 residents per room) rooms.

As background, the applicant previously applied for conditional use approval for the same use in 2021 for this property. The Planning Commission postponed the request (see attached April 20, 2021 meeting minutes) and the applicant proceeded to construct a residential home and operate as a State Licensed Residential Facility for 1-6 residents, which is a permitted use and required to be permitted by State Statute within single family residential zoning districts.

State Licensed Residential Facilities of 7-12 residents require a conditional use permit in the R-1 One Family Residential District. This is generally consistent with State Statute. The facility is a single story (no basement) structure that has a total of eight (8) bedrooms along with potentially one (1) staff bedroom, based on the building permit file and plans associated with the file. In addition, the facility also has a dining room, living room, kitchen, game room, and study. Ancillary rooms include a mechanical room, laundry room, closet area and a common bathroom. The exterior plans of the building were approved by the Historic District Commission previously as the property is also located within one of the City's noncontiguous historic districts.

The applicant, Lijo Antony, currently operates the two (2) State Licensed Residential Facilities (1-6 residents) within the City at 1823 and 1841 Crooks Road. The specific use, if approved, would necessitate a total of 7-8 employees that would provide caregiver coverage for the facility on a 24-hour basis, 7 days a week. Services are intended to provide general care, medication assistance, salon services, physical therapy and visiting physician services, amongst others. Trash is handled with residential trash carts and medical waste is removed by a professional agency. The applicant has provided a business plan outlining the proposed operational characteristics in his submittal, and has also provided a capital improvements plan for maintenance and upgrades to the historic barn onsite.

At the public hearing conducted by the Planning Commission, there were a number of public comments, both for and against the proposed application. Those speaking against the application raised concerns relative to the amount of traffic that would be generated by the use, the lighting intensity of the current building, the

amount of trash and how it would be handled, the fact that this facility would be located in a single-family residential district, and the applicant’s lack of action regarding the historical barn onsite. Those speaking in favor of the application spoke in regards to how well the current facility, a 1–6 resident State Licensed Facility, is operated; the character of the applicant; and the need for these types of facilities as the population continues to grow older.

Since the Planning Commission meeting, Mr. Antony has indicated that the exterior lighting would be placed on a timer to allow it to be minimized at night; that he is committed to providing a financial surety in a form acceptable to the City for the restoration of the barn and within the timeframe discussed with the Planning Commission; and he has also begun finalizing the outstanding engineering inspections that remained after initial construction.

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 by an 8-0 (1 absent) vote in favor of approval of the conditional use with several findings and conditions as reflected in the attached resolution, at its April 16, 2024 meeting. Please refer to the attached Planning Commission minutes for further details.

RECOMMENDATION:

Finding that the proposed request for a 7-12 resident State Licensed Residential Facility meets the criteria of the Zoning Ordinance, the Planning Commission recommends that City Council approves the conditional use for The Barns, to allow a 7-12 resident State Licensed Residential Facility, located at 1841 Crooks Road, File No. PCU2024-0004, 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