

**2016-0515** Public Hearing and request for Conditional Use Recommendation - City File No. 16-031 - Lifetime Fitness, for the sale and service of alcoholic beverages for on site consumption, located at 200 W. Avon, west of Rochester Rd., zoned I Industrial with an FB-2 Flex Business Overlay, Parcel No. 15-15-476-039, LTF (Lifetime Fitness) Club Operations Company, Inc., Applicant

**Attachments:** [Map aerial.pdf](#)  
[Staff Report 122016.pdf](#)  
[Letter Luebke.pdf](#)  
[Site Plans.pdf](#)  
[Public Hearing Notice - Plg Comm.pdf](#)  
[Resolution \(Draft\).pdf](#)

*(Reference: Staff Report prepared by Sara Roediger, dated December 16, 2016, Conditional Use Recommendation)*

*Present for the applicant were Mr. Joe Miller, General Manager, and Mr. Vince Orsini, Area Director, for the Lifetime Fitness Clubs in MI, 200 W. Avon Road, Rochester Hills, MI 48309.*

*Mr. Orsini introduced himself as the Area Director for the Lifetime Clubs in Michigan and introduced Joe Miller as the Senior General Manager of the Rochester Hills location. He stated that they were applicants for the conditional use approval to allow alcoholic beverage consumption of site at Lifetime Fitness in Rochester Hills.*

*Ms. Roediger stated that this is an existing business that is seeking to add the sale and service of alcoholic beverages and there are no exterior physical changes to the site. She stated that the staff has reviewed the plan and recommends approval as it meets all of the review criteria.*

*Chairperson Brnabic expressed her concern with alcohol consumption at Lifetime Fitness because people are using treadmills, weights and other exercise equipment. She stated that there is a day care facility on the premises and questioned the safety of the addition of alcohol to a facility such as Lifetime Fitness ('LT').*

*Mr. Orsini responded that as a company 'Lifetime Fitness' - the centers are more destination locations with the services that are offered. The goal is to have more of a social, country club type resort atmosphere. LT currently hosts several social and gathering events at its club, and this is the primary reason for the request. Alcohol consumption would be monitored through its Club Staff at*

*Club Events and other Club activities.*

*Chairperson Brnabic reiterated her concerns, noting that the Planning Commission is being asked to approve a conditional use. She stated that the safety and appropriateness of alcohol consumption at a health club should be reviewed.*

*Mr. Orsini explained that LT, as a company, has over 120 clubs across the country; and have secured 30 alcohol consumption licenses across the United States and in Canada. He stated that LT does have operational procedures including a LT Safe Serve Certification that every employee is required to go through, in addition to the various state recommendations for any of its employees in the service of alcohol.*

*Mr. Yukon expressed his concerns about the service of alcohol at LT. He referenced Mr. Adam Luebke's (Corporate Counsel for LT) letter (attached). He inquired as to the following:*

- What type of social events are held at the facility?*
- How would the consumption be monitored at the facility where there are children?*
- How would employees monitor those drinking?*

*Mr. Orsini responded that some of events would include an outdoor boot camp followed by a social event. The tennis house has tennis mixers/tournaments that primarily occur on Friday evenings and Saturdays.*

*Mr. Miller responded that the plan is to have three (3) designated, separate locations for alcohol beverage consumption. These designated areas are not open to the general traffic of Members. People that are not taking part in that social event would have difficulty accessing those areas. He continued that the child care center has a separate entrance and is actually on a separate side of the building from where the majority of the events take place.*

*Mr. Yukon asked if there were several designated locations in the facility.*

*Mr. Miller responded that there are multiple barriers between each*

section of the club. He noted that there is a process to enter the child care facility.

Mr. Yukon referenced Mr. Luebke's letter wherein Mr. Luebke stated that it is LT's desire to allow the consumption of alcohol on the entire premises, child care area notwithstanding, and asked for clarification of that statement.

Mr. Miller responded that the plans indicate the three (3) specific locations for the consumption of alcoholic beverages: the Cafe, the Bistro (which is enclosed like an outdoor restaurant), and the tennis house and lobby.

Mr. Yukon inquired as to the hours of service for the facility.

Mr. Orsini responded that there are no specific hours because LT is not currently serving alcoholic beverages.

Mr. Yukon questioned the hours of operation at LT's other locations currently serving alcoholic beverages, and questioned whether there have been any issues with the service of alcohol in those facilities.

Mr. Orsini stated that hours do vary dependent upon what areas of the country the clubs are located. He gave the example of LT's clubs in Las Vegas, NV, which would be open until midnight or in compliance with the local laws. He continued that typically the club areas of the service of alcoholic consumption shut down hours before the club closes. He stated that there have been no issues that he knows of.

Chairperson Brnabic stated that Mr. Orsini had mentioned three (3) specific areas within the facility for the service of alcoholic beverages and questioned whether alcoholic beverages could be carried throughout the entire facility.

Mr. Miller responded that they would not.

Mr. Dettloff commented that he had never heard of a health club that serves alcohol, and asked if this would be LT's first location in Michigan. He questioned whether the liquor license allows the service of alcohol for only special club events or if club members

would be permitted to work out and then consume beer or wine afterward.

Mr. Orsini responded that this would be LT's first location in Michigan to serve alcohol. He responded that service would be at the Bistro, which is an outdoor restaurant and has certain hours of operation, at the tennis house available for mixer events and at the indoor cafe. There would be certain times of the day that the hours of operation and monitoring would be through the cafe staff and the manager on duty. The intent would be mainly for events; however alcoholic beverage service would be included as part of the Bistro (club's outdoor pool area) business.

Mr. Dettloff asked Mr. Anzek if the liquor license requirements that address outside service be applicable to this matter.

Mr. Anzek responded that they would unless the Bistro were to be enclosed by buildings or in some other way be impenetrable.

Mr. Hooper asked with regard to the outside seating, if LT would envision anybody going outside with alcoholic beverages.

Mr. Orsini responded that the sale and consumption areas would be contained.

Mr. Miller explained that during the hours of operation of LT's Bistro season, the dining area is fenced in.

Mr. Hooper questioned whether the fencing requirement was a condition of the local building ordinance or the liquor license.

Mr. Anzek responded that it would be a liquor license condition.

Mr. Hooper inquired whether the alcohol beverage consumption would be primarily for visitors or for patrons.

Mr. Miller and Mr. Orsini both responded that it would be for club members.

Mr. Hooper questioned how likely that members might not be working out at the club first but would be there for a social aspect.

*Mr. Orsini responded that while that could happen, it is not LT's intent.*

*Mr. Hooper then inquired about the child care facility. He stated that "No Alcohol" signage could be placed in and around the child care facility.*

*Mr. Miller responded that in the designated areas, the cafe is concealed from the child care center, and there is a threshold that would have to be crossed to enter the club. He noted that it could be incorporated into a part of the guidelines and restrictions at the club. He stated that each service area that would serve alcoholic beverages is enclosed.*

*Mr. Hooper asked whether signage would be in place.*

*Mr. Orsini and Mr. Miller both confirmed that it would.*

*Mr. Miller stated that there is current signage in place to prevent outside food and beverages (other than water) from entering the club.*

*Mr. Hooper commented that LT most likely would have three (3) separate serving locations within the club; and for special outside events, there would be a portable station that would move outside.*

*Mr. Miller and Mr. Orsini concurred.*

*Mr. Orsini stated that LT would try to keep alcohol contained to those designated areas.*

*Mr. Miller added that LT's intent is to designate the Bistro, the Cafe and the Tennis House/Lobby as the three (3) designated areas.*

*Mr. Kaltsounis commented that his concern had more to do with the site plan and parking issues. He commented that LT had come to the Planning Commission with a parking study which was approved. He expressed his concern that the conditional land use may be outside the realm of the original plan. He asked Mr. Anzek as to the requirement needed for an outdoor restaurant and/or seating.*

*Mr. Anzek responded that the requirement for a conditional use permit for outdoor dining was eliminated in 2009, and that it is permitted by right with the restaurant.*

*Mr. Kaltsounis expressed his concern that with the history of parking issues at LT, that the parking situation might worsen by the passage of this request.*

*Mr. Anzek recalled that during the approval process for LT, LT had provided evidence of adequate parking. After parking issues began, the City Administration permitted LT to alter lot spacing to allow more cars. He stated parking has become a self-policing matter; if people cannot find parking, it would negatively impact the club's membership. He cited the example of the parking issues during special events at the Village of Rochester Hills.*

*Mr. Kaltsounis stated that the approval of the addition of a liquor license in a facility that was originally not intended to have one would affect the facility site plan.*

*Mr. Orsini responded that LT is a member-based business and that he did not expect to see an increase in club attendance. He stated the request is to serve the current, existing members and not to attract additional membership*

*Mr. Kaltsounis expressed that club members can attend other LT facility locations. He suggested that this LT location is trying to find a way to keep members at its facility longer.*

*Mr. Miller responded that LT has strategically changed its membership and cost at its Rochester Hills location which seems to have alleviated the parking issues. He stated that during the facility's busy hours, parking is still available.*

*Mr. Kaltsounis commented that he has had an issue with parking whenever he visits the club, and he noted that he would like to see a new parking plan.*

*Mr. Schroeder questioned whether non-members could patronize the restaurants at LT.*

*Mr. Miller responded that diners would have to be members.*

*Mr. Dettloff questioned whether LT is a twenty-four (24) hour and seven (7) days a week facility.*

*Mr. Miller responded that it is.*

*Mr. Dettloff questioned whether Members would have access to alcohol 24/7 as well. He asked if there are other health clubs in Michigan that have alcohol.*

*Mr. Orsini stated that while LT is open 24/7 for workouts, there are set hours of operation for the cafe, the bistro and the tennis house/lobby and alcohol would be restricted to those hours. He pointed out that Franklin Fitness and Racquet Club in Southfield as well as Deer Lake in Clarkston also have liquor licenses.*

*Mr. Schultz stated that he had no objection to the request.*

*Chairperson Brnabic opened the Public Hearing regarding the Approval of the Conditional Use at 7:40 p.m. Seeing no one come forward, she closed the Public Hearing.*

**MOTION** *by Schroeder, seconded by Dettloff, in the matter of City File No. 16-031 (Lifetime Fitness, for the sale and service of alcoholic beverages for on site consumption), the Planning Commission recommends to City Council Approval of the Conditional Use to allow alcoholic beverage consumption on site, based on documents dated received by the Planning Department on November 28, 2016, with the following six (6) findings.*

**Findings**

- 1. The expanded use will promote the intent and purpose of the Zoning Ordinance.*
  
- 2. The building has been designed and is operated, maintained and managed so as to be compatible, harmonious and appropriate in appearance with the existing and planned character of the general vicinity, adjacent uses of land and the capacity of public services and facilities affected by the use.*

3. *The proposal is having a positive impact on the community as a whole and the surrounding area by further offering jobs and health and social activities.*
4. *The proposed development is served adequately by essential public facilities and services, such as highways, streets, police and fire protection, water and sewer, drainage ways and refuse disposal.*
5. *The proposed development should not be detrimental, hazardous or disturbing to existing or future neighboring land uses, persons, property or the public welfare.*
6. *The proposal will not create additional requirements at public cost for public facilities and services that will be detrimental to the economic welfare of the community.*

*A motion was made by Schroeder, seconded by Dettloff, that this matter be recommended for Approval to the City Council Meeting. The motion failed by the following vote:*

*Aye 4 - Dettloff, Hooper, Schroeder, and Schultz*

*Nay 4 - Brnabic, Kaltsounis, Reece and Yukon*

*Mr. Anzek asked if there were any conditions that the Commissioners would recommend that might be acceptable.*

*After additional discussion by the Commissioners, it was determined that the addition of four (4) conditions could be considered for Approval.*

**MOTION** *by Hooper, seconded by Yukon, in the matter of City File No. 16-031 (Lifetime Fitness, for the sale and service of alcoholic beverages for on site consumption), the Planning Commission recommends to City Council Approval of the Conditional Use to allow alcoholic beverage consumption on site, based on documents dated received by the Planning Department on November 28, 2016, with the following six (6) findings and four (4) conditions.*

**Findings**



1. *The expanded use will promote the intent and purpose of the Zoning Ordinance.*
2. *The building has been designed and is operated, maintained and managed so as to be compatible, harmonious and appropriate in appearance with the existing and planned character of the general vicinity, adjacent uses of land and the capacity of public services and facilities affected by the use.*
3. *The proposal is having a positive impact on the community as a whole and the surrounding area by further offering jobs and health and social activities.*
4. *The proposed development is served adequately by essential public facilities and services, such as highways, streets, police and fire protection, water and sewer, drainage ways and refuse disposal.*
5. *The proposed development should not be detrimental, hazardous or disturbing to existing or future neighboring land uses, persons, property or the public welfare.*
6. *The proposal will not create additional requirements at public cost for public facilities and services that will be detrimental to the economic welfare of the community.*

Conditions

1. *Alcohol will not be served after 10:00 p.m.*
2. *Alcohol services will be restricted to three (3) enclosed areas: the tennis viewing area, the outdoor bistro and indoor cafe.*
3. *Prohibition of alcoholic beverages and appropriate placement of signage at the child care facility.*
4. *Review by City code enforcement officers and/or Oakland County Sheriffs Office of offsite parking used by Lifetime Fitness patrons during scheduled events.*

**A motion was made by Hooper, seconded by Yukon, that this matter be Approved. The motion carried by the following vote:**

**Aye** 6 - Brnabic, Dettloff, Hooper, Schroeder, Schultz and Yukon

**Nay** 2 - Kaltsounis and Reece

**Excused** 1 - Morita