

NEW BUSINESS

2023-0081 Public Hearing and Request for Conditional Use Recommendation - File No. PCU2023-0002 to allow alcoholic beverage sales for on-premises consumption at a proposed pub/restaurant inside the Bellbrook Senior Community, 873 W. Avon Rd., zoned SP Special Purpose, Parcel No., 15-22-151-018, LeeAnn Pennington, Mercy Center for the Aging Nonprofit Housing Corp. DBA Bellbrook, Applicant

(Staff Report dated February 21, 2023, Application, Floor Plans, Pub Menu, EIS and Public Hearing Notice dated January 31, 2023 had been place on file and by reference became a part of the record thereof.)

Chairperson Brnabic introduced the public hearing request for a conditional use recommendation to allow alcoholic beverage sales for on-premise consumption at a proposed pub/restaurant inside the Bellbrook Senior Community, 873 W. Avon Rd., zoned SP Special Purpose, and invited the applicant up to the presenter's table.

LeeAnn Pennington, Executive Director at Bellbrook and Becky Lund, Vice President of Operations for Trinity Health Senior Communities, owner and operator of Bellbrook Senior Community, were in attendance to represent the Applicant.

Ms. Roediger presented the staff report, noting that Bellbrook is looking add alcoholic beverages for consumption at their existing facility. She explained that there are no external changes proposed to the site. As serving alcohol is a conditional use, the Planning Commission must take into consideration factors such as the surrounding properties and any impacts to any other areas in the community and is requested to make a recommendation to City Council. She noted that the site is surrounded with multiple family to the east, single family, Rochester University and some office to the north.

Chairperson Brnabic opened the public hearing.

Carolyn Claerhout, 54 Stonetree, suggested that this item could open a Pandora's box, wondering if one senior community was allowed to have alcohol, others will want it. She noted that her dad is in a facility and there are dents all over the cars in his parking lot. She expressed concern for the safety of everyone.

Having no additional cards and seeing no one else wishing to speak, Chairperson Brnabic closed the public hearing at 7:08 p.m.

Ms. Lund indicated that they had assembled some information about the community and the population they serve. She explained that they are a faith-based not-for-profit senior living provider. On their campus they have approximately 108 independent living apartments, 48 deed-restricted condominiums sitting on Wexford Way, and 48 assisted-living apartments. They provide 36 skilled nursing and rehabilitation beds as well as 30 memory

support beds. She stated that the overall idea behind the request is to add a pub in the main independent living area to be used for their independent living residents that live on campus. She noted that they have a full-service restaurant, a café, and this would be an addition of a pub that would be open pretty limited hours three days a week, 3 p.m. - 7 p.m., to allow their independent living residents to be able to purchase alcoholic beverages outside of their apartment. She noted that if they don't drive they would still have the option to take advantage of those services right on the campus. She mentioned that they have been reinvesting in the campus, and in the last 12 months have updated the full-service restaurant and café, added the addition of the pub, are expanding their independent living apartments and are renovating units to have spacious two bed, two bath options. She noted that they also have health and wellness programs, mass and Protestant religious services, a mobile library, and transportation. She added that they did include snapshots of what the pub will look like along with an example of the menu, noting that it is primarily beer and wine sales. She stated that the overall objective is for the significant population of the residents that they serve on the camps will have alternative dining options and have full-service light fare with beer and wine.

Chairperson Brnabic noted that she received one more speaker's card, and invited Mr. Williams to speak.

Gary Williams, 984 Wexford Way, stated that while he is not a resident of Bellbrook, his 93-year-old mother is. He commented that she is distraught that the library is being converted to a bar and she finds it disconcerting in terms of atmosphere. He stated that alcohol being dispensed in his house is not something that he would desire.

Chairperson Brnabic questioned the hours of operation.

Ms. Lund replied primarily 3 p.m. to 7 p.m. three days a week.

Chairperson Brnabic questioned whether alcohol has been served as a meal option prior to this request.

Ms. Lund responded that residents can consume their own alcohol, but they cannot do any beer or wine sales. She explained that they can host their own happy hours. She noted that in the pub they would be able to purchase beer and wine and light fare. She noted that as they do not currently have a liquor license, the restaurant cannot sell. She explained that for large events or a themed dinner, there is complimentary beer and wine available, but not for sale.

Chairperson Brnabic mentioned that when her mother was in assisted living in Lake Orion, they had the option as a part of a meal.

Ms. Lund commented that it is very common in a continuing care retirement community to have this available.

Chairperson Brnabic stated that they had a pub too, with a happy hour. She commented that she never ran into a problem observing this at that community when she visited a couple of days a week.

Ms. Neubauer expressed her thanks to Bellbrook for the things they do for the community and the seniors. She explained that her colleagues have placed several of their seniors there who have become wards of the State and do not have anyone to take them in. She stated that Bellbrook has always been very accommodating to take these seniors and make it their forever home. She commented that many times residents are placed in a senior facility not of their own will or by choice, and just because they are forced to leave their home, she does not believe that they should be more restricted in a secondary home than they would be in their own home. She stated that a lot of those seniors are not able to leave or drive and this would be their only resources. She commented that she would hope that Bellbrook would make it financially sustainable for them to be able to enjoy the same kind of life they would have if they were still living on their own. She noted that they have her support, and thanked Bellbrook for taking care of their seniors.

Mr. Dettloff questioned whether a resident could bring a bottle of wine to dinner from their own residence.

Ms. Lund responded that she does not know that they have had that situation come up often. She stated that she does know that they will host happy hour functions usually the hour before dinner.

Mr. Dettloff noted that obviously the Liquor Control Commission has to get involved and asked where they were in the process.

Ms. Lund responded that there are three different steps within the City to work through, and commented that Clerk Scott has been working with the team.

Ms. Pennington stated that she has all of the information that she has turned in to the City Clerk's Office and now they are working through those next steps with the Liquor Committee and on to City Council for the final approval.

Ms. Lund stated that those three things have to be done before this application could even be submitted to the State.

Mr. Dettloff stated that he would echo Ms. Neubauer's comments as to what services Bellbrook provides to the community. He stated that he personally does not have a problem with it, and commented that other senior campus have this.

Ms. Lund responded that it is very common. She stated that Trinity Health has over 35 senior facilities across the country and the majority of their lifetime communities do have a liquor license. She stated that it is very common practice for a lifetime community that has independent living that this is an amenity for those seniors.

Mr. Dettloff stated that he supports that and it is a cool factor that this is being added.

Mr. Struzik stated that while he can see concerns with drinking and driving, he

can see that this would more likely resolve those and could potentially eliminate trips where a resident could drive to another place to consume beer or wine and would instead do it on site and walk to a common area or back to their room. He commented that this could eliminate the car trip where alcohol is involved. He stated that he sees the largest potential impact within the site and if there is a negative impact the people running it would feel it. He commented that he does not have too many concerns about the adjacent uses. He stated that he sees this as another way to allow residents to be independent and responsible. He mentioned that his grandfather worked 40 years for Michigan Bell and retired and eventually could not live in his home anymore, and he ended up in an independent living facility. He stated that he got three meals a day in the cafeteria and while he did not know if they sold alcohol, the fridge in his room was exclusively for Miller High Life. He commented that people are already consuming alcohol there and in senior living facilities. He stated that he sees this as a good thing and a good way to serve those who worked all their lives and are now in a facility.

Ms. Neubauer moved the motion in the packet to recommend approval, and the motion was seconded by Mr. Dettloff.

After the voice vote, Chairperson Brnabic announced that the motion passed unanimously.

Ms. Roediger noted that this will move on to City Council once the applicants go through the required process with the Liquor License Technical Review Committee. She explained that both items would be taken together at the City Council meeting.

A motion was made by Neubauer, seconded by Dettloff, that this matter be Recommended for Approval to the City Council Regular Meeting. The motion carried by the following vote:

Aye 7 - Brnabic, Denstaedt, Dettloff, Gallina, Neubauer, Struzik and Weaver

Excused 2 - Bowyer and Hooper

Resolved, in the matter of File No. PCU2023-0002 (Mercy Services for the Aging NonProfit Housing Corp. dba, Bellbrook), the Planning Commission recommends to City Council Approval of the Conditional Use to allow sales for on premises alcoholic beverage consumption associated with a restaurant use within the existing senior living community, based on documents received by the Planning Department on January 27, 2023 with the following findings:

Findings

1. The proposed use will promote the intent and purpose of the Zoning Ordinance.
2. The existing building and proposed conditional use have been designed and is proposed to be 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 should have a positive impact on the community as a whole and the surrounding area by providing additional amenities to the existing and future residents of Bellbrook.
4. The existing development and proposed use 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 existing development and proposed use 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. City Council approval of the Conditional Use.