



Department of Planning and Economic Development

Staff Report to the Planning Commission February 21, 2023

Mercy Services for the Aging NonProfit Housing Corp. , dba Bellbrook Conditional Use

REQUEST	Conditional Use Recommendation
APPLICANT	Mrs. Leeann Pennington, Executive Director Mercy Services for the Aging NonProfit Housing Corp., dba Bellbrook 873 W. Avon Rochester Hills, MI 48307
LOCATION	873 Avon Road, south side of Avon Road, east of Livernois Road
FILE NO.	PCU2023-0002
PARCEL NO.	15-22-151-018
ZONING	SP Special Purpose
STAFF	Sara Roediger, Planning and Economic Development Director Chris McLeod, AICP, Planning Manager

Summary

The applicant has filed for a Conditional Use Permit to allow for alcoholic beverage sales for onsite liquor consumption at the current Bellbrook senior community, located on the south side of Avon Road, east of Livernois Road. The applicant is requesting approval of a conditional use to allow for a new dining option to be offered at the existing Bellbrook senior community. The alcohol sales as proposed would include bottled beer, beer on tap and wine offerings.

Alcoholic beverage sales for on premises consumption, accessory to a permitted use, requires a Conditional Use permit in the SP Special Purposes District, after the Planning Commission makes a recommendation and City Council approval.

The applicant has a variety of building and trade permits for interior alterations and exterior improvements to the existing building. The Planning staff has recently approved an administrative site plan for a minor building addition for a new elevator for the building. In addition the applicant is currently renovating a number of the interior spaces, including some of the living units. Bellbrook has traditionally provided meals for its residents living within the facility in a dining room setting. Part of the modifications to the eating area(s) of the building include expanding the offerings to its residents which includes serving alcoholic beverages as a part of its meal offerings. The eating areas are not open to the general public but rather are open to its own residents and friends and family. With the limited number of people or 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.

	Zoning	Existing Land Use	Future Land Use
Site	SP Special Purpose District	Bellbrook – Rochester Hills	Multiple Family
North	O-1 Office and SP Special Purpose District (PUD Overlay)	Rochester University, Clinton River Trail, Rivercrest Professional Office	Special Purpose, Park/Public Open Space, and Residential 3
South	SP Special Purpose District and RM-1 Multiple Family Residential District	Bellbrook Condo of Rochester Hills and Rochester Glens Subdivision	Multiple Family and Residential 4
East	RM-1 Multiple Family Residential District	Northridge (multiple family)	Multiple Family
West	SP Special Purpose District	Clinton River Trail, Veterans Memorial Pointe	Park/Public Open Space

General Requirements for Conditional Uses

Per *Section 138-2.302* of the Zoning Ordinance, there are five (5) areas of consideration for the Planning Commission for the discretionary decision of a conditional use. Each of the criterion are listed below in italics, followed by staff comments on the proposed conditional use’s compliance with each.

1. *Will promote the intent and purpose of (the Ordinance).* The SP Special Purpose District does support and promote this type of use when ancillary to a permissible use such as a senior living facility.
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.* The senior living facility has been at this location for a significant time and no exterior modifications are being proposed specifically relating to the conditional use request. In addition, the abutting land uses, while not specifically senior housing are multiple family in nature and finally, the type of use being proposed will not generate additional traffic or patrons from outside of the existing senior living facility like a traditional restaurant.
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.* The residential community and ancillary eating areas have been served adequately by all City services as it is not a new facility. Any demands placed on the public infrastructure are already accounted for by the current use of the site.
4. *Will not be detrimental, hazardous, or disturbing to existing or future neighboring land uses, persons, property, or the public welfare.* There will be no detrimental, hazardous or disturbing activity to the existing or future neighboring uses, persons, property or to the public welfare given the similar density and development nature of the immediate surrounding land uses and the limited intensity and hours of operation of the proposed operations within the Bellbrook building.

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.* There will be no additional requirements at a public cost for public facilities and services that would be detrimental to the economic welfare of the community.

The conditional use was noticed for a public hearing, and staff has not received any comments or concerns.

Summary

As part of the review for this project, the plans and supplemental documentation have been reviewed by staff. If the Planning Commission agrees that allowing alcoholic beverage sales for on premises consumption will be harmonious and compatible with the surroundings, below is a motion for consideration:

Motion to Recommend Approval of a Conditional Use

MOTION by _____, seconded by _____, 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.