



Department of Planning and Economic Development

Staff Report to the Planning Commission

November 2, 2018

X-Golf Rochester Hills

REQUEST	Conditional Use Recommendation
APPLICANT	Jared Vinson 73550 McKay Rd. Bruce Twp., MI 48065
LOCATION	Near Southwest corner of Avon and Rochester Roads (Winchester Mall)
FILE NO.	18-020
PARCEL NO.	15-22-226-019
ZONING	B-3 Shopping Center Business with an FB-3 Flexible Business Overlay
STAFF	Kristen Kapelanski, AICP, Manager of Planning

Summary

The applicant is planning a grand opening of a new X-Golf franchise located in the Winchester Mall at Avon and Rochester Roads, the second location for the owners. X-Golf focuses on indoor golf simulation with programs and golf lessons, leagues, private/corporate events and club sales. Their business model offers food and drinks, and the owners are requesting approval for the sales of alcoholic beverages for consumption on site prior to the grand opening. A liquor license requires a Conditional Use from the City, per the adopted Ordinance amendment from June 2015. The business will be entirely contained within the leased space, so no food or beverages will be taken out of the facility. Hours of operation will be 9:00 a.m. to 10:00 p.m. Monday through Friday and until midnight on weekends (except Sunday, closing at 8:00 p.m.). The business, according to the applicant, is seasonal with peak season from November to March which slows in the summer. The applicant received Building Dept. permit approval when it was realized that a Conditional Use would be required to serve alcoholic beverages.

Per *Section 138-2.302* of the Zoning Ordinance, there are five areas of consideration for the Planning Commission to regard in 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).* Ordinance 175 was adopted by Council on June 1, 2015 which specifically allows for conditional use requests for new alcoholic beverage sales and on-site consumption.
- 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 physical exterior appearance of the space will not be substantially changed, and no structural changes will be made to outside of the building. The use of a restaurant and the indoor recreation is permitted and will bring a new entertainment/dining establishment and jobs to the community.

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 space will be served adequately by all City services, and the use has been planned for commercial activity and traffic and will not create additional level of services.
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.
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.

Please refer to the applicant's letter dated October 15, 2018 regarding the request. The conditional use was noticed for a public hearing, and staff has not received any comments or concerns.

Staff Recommendations

Department	Comments & Waivers/Modifications	Recommendation
Planning	No outstanding items	Approval
Fire	No outstanding items	Approval
Building	No outstanding items	Approval

Motion to Recommend Conditional Use Approval

MOTION by _____, seconded by _____, in the matter of City File No. 18-020 (X-Golf Rochester Hills) the Planning Commission **recommends** to City Council **Approval** of the **Conditional Use** to allow alcoholic beverage consumption on site at 1134 S. Rochester Rd., based on documents dated received by the Planning Department on October 15, 2018, with the following findings.

Findings

1. The use will promote the intent and purpose of the Zoning Ordinance.
2. The building has 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 will have a positive impact on the community as a whole and the surrounding area by further offering jobs and another entertainment option.
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.

Reference: Plans dated received by the Planning Department October 15, 2018

Attachments: Building Department memo dated 10/24/18

i:\pla\development reviews\2018\18-020 x-golf rochester hills\staff report 11-7-18.docx