

**2022-0269** Public Hearing and Conditional Use Recommendation - File No. PCU2022-0003 - to allow alcoholic beverage sales for on-premises consumption at Tee Times, 2612 S. Rochester Rd., located south of Wabash Rd. in the Hawthorne Plaza., zoned B-2 General Business District with an FB-3 Flexible Business Overlay, Parcel No. 15-27-477-060, Brendon Shaya, Applicant

*(Staff Report dated 6/8/22, Floor Plan dated 4/17/22, EIS and PHN had been placed on file and by reference became a part of the record thereof.)*

*Present were Brandon Shaya, 1130 Prescott Dr., Rochester Hills, co-owner of Tee Times, applicant, and also the owner of CJ Mahoney's Sports Bar and Grill; along with Alex Raphael, co-owner of Tee Times, resident of Rochester Hills.*

*Chairperson Brnabic introduced this item and stated that it was for a public hearing and conditional use recommendation to allow alcoholic beverage sales for on-premise consumption at Tee Times, 2612 S. Rochester Road, located south of Wabash in the Hawthorne Plaza, zoned B-2 General Business District with an FB-3 Flexible Business Overlay.*

*Ms. Kapelanski stated that this is a conditional use request for alcohol sales, and there are no exterior changes proposed to the site. It is only here for the conditional use. She explained that it will be for a golf simulator use and they would move on to City Council after recommendation from the Planning Commission.*

*Mr. Shaya noted that these drawings were done by a family friend of theirs, John Miller, who was supposed to be in attendance, however, he passed away yesterday. He stated that this was a dream of his and he and Mr. Miller actually started this five years ago, and it is bittersweet that he is not here. He stated that he thinks that Tee Times is a great thing. He explained that he does business in the city and lives in the city, marrying and moving into the city with his wife 12 years ago. He stated that he has owned CJ Mahoney's in Rochester Hills for about ten years and he thinks that Rochester Hills is the greatest golf community and has some of the best golf courses in the state. He mentioned that he is a member at Great Oaks and at Oakland University and plays a lot of golf. He stated that he started to research this and go down this path, and Tee Times is a place that they definitely think will fit in the city of Rochester Hills. He showed an illustration for the golf simulator facility with 12 bays, each bay using state of the art equipment from a company named Golf Zone. Each simulator will cost them approximately \$100,000 for installation. These simulators are state of the art in that the floor actually undulates to mimic your lie on the golf course, there are different hitting surfaces, it has its own caddy. He stated that while someone can go play a round of golf, they see this for corporate events, or camps for kids. He noted that there will be two PGA professionals on site.*

*He commented that indoor golf is expanding at massive rates, there are four million indoor golf users, half of which do not play golf on an individual course. He explained that the machines can provide much information, including swing speed, club face, and more. Because it is such a large community, the most you will get in here at capacity is 48 golfers, with four golfers in each bay. He stated that there is a need for this and with their background in the restaurant*

*business, they believe that they will not only be able to provide that opportunity but put out a really good product for people to play, eat and enjoy themselves.*

*He noted that this is primarily a business for winter and fall, and they will not be as busy during the summer months; however, a lot of people still want to play golf all year long and this is the opportunity to do it. This will be done first class, and he noted that they will be the first installation of the Vision simulator in the United States.*

*Dr. Bowyer stated that she loves to play golf and lives right around the corner. She asked which unit they will be going into in this plaza.*

*Mr. Shaya explained that it is not the end cap unit but everything to the left of the boxing place. He noted that Tony's Shoe Repair is gone and the Fantastic Sams has been moved to where Liberty Tax is. He added that it is 9,000 square feet, approximately 120 by 75.*

*Mr. Raphael stated that it is 75 foot frontage by 120 feet.*

*Dr. Bowyer questioned how long someone will be renting a simulator.*

*Mr. Shaya responded that it could be rented in increments of a half hour or an hour. Players can go in on the website or call in to book a time. Players can show up with their clubs or they will have clubs people can use.*

*Dr. Bowyer questioned whether players will be able to play famous courses such as St. Andrews Course.*

*Mr. Shaya responded that there are over 150 courses to use, with 50 of them specific to the United States, and they are all state-of-the-art.*

*Dr. Bowyer stated that it seems really awesome and the location should be perfect in that plaza.*

*Ms. Neubauer expressed sympathy for the loss of Mr. Shaya's friend. She stated that she loves the project and commented that she failed miserably by buying a Top Golf gift card for her husband that he can never use because it is always booked. She commented that this is great to come into Rochester Hills, and commented that her husband takes the baseball teams to Top Golf and it is hard to get a reservation because it is so high in demand. She stated that she wanted to be the one to make the motion for this as she wants to be able to tell her husband that she did it.*

*Mr. Raphael stated that the core of the business is the golf simulation, and the company they partner with is the number one golf simulator in the world, they have over 6,000 outlets worldwide and they approximately 66,000 rounds per day in golf simulation. He commented that this is definitely something that has been tested and was voted number one in Golf Digest for five years in a row. He stated that it is much more realistic than hitting in a golf simulator.*

*Ms. Neubauer stated that this is a great idea and she doesn't believe they will*

*have any issue getting this approved.*

*Mr. Dettloff commented that it is a great idea and asked if it is franchised.*

*Mr. Shaya responded that it will be the very first one.*

*Mr. Dettloff asked if they are looking for a Class C license and asked if they had one in mind.*

*Mr. Shaya responded that they will be applying for a quota license as well and their application is expected to go in tomorrow. He stated that hopefully they will get it, and if not they will be looking for a Class C license.*

*Mr. Dettloff asked if they have had a conversation with the Liquor Licensing Commission, and what the liability would do to this kind of business.*

*Mr. Shaya responded that they have had conversations, and he commented that there is a premium for insurance for any establishment that sells alcohol. He explained that he owns two restaurants with liquor licenses, and confirmed that they will have liquor liability insurance as it will be required.*

*Mr. Dettloff suggested they carve out a little spot in the building to bring back Tony from the shoe repair to do golf shoe repairs. He asked who owns the plaza.*

*Mr. Shaya responded that Ralph Forenzo owns the plaza and commented that he is also the landlord for CJ Mahoney's.*

*Mr. Struzik commented that it is walking distance from his neighborhood, and noted that this parking lot is underutilized and has a lot of empty spaces. He stated that getting more people in there will benefit the other businesses. He pointed out that the shopping center lost a major tenant and still expanded on either side of it, and it is exciting to see tenants flocking to it as it is a great location and is well-maintained. He commented that he shares the excitement of his fellow commissioners.*

*Mr. Shaya pointed out that none of those tenants are really night time tenants, and they will be open until probably 11 p.m. He commented that they do not anticipate there being an issue and mentioned that there is a lot of parking behind the center for staff.*

*Ms. Neubauer moved the motion in the packet, which was supported by Mr. Struzik.*

*Chairperson Brnabic noted that this item requires a public hearing. Seeing no one in attendance wishing to speak and no communications, she closed the Public Hearing at 8:26 p.m.*

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

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

**Aye** 7 - Bowyer, Brnabic, Denstaedt, Dettloff, Hooper, Neubauer and Struzik

**Excused** 2 - Gallina and Weaver

**Resolved**, in the matter of City File No. PCU2022-0003 (Tee Times), the Planning Commission recommends to City Council Approval of the Conditional Use to allow sales for on premises alcoholic beverage consumption, based on documents received by the Planning Department on May 3, 2022 with the following findings:

**Findings**

1. The proposed 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 should have a positive impact on the community as a whole and the surrounding area by further offering jobs.
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. City Council approval of the Conditional Use.
2. Public hours of operation for the restaurant will be between 9:00 a.m. - 11:00 p.m. daily.