

NEW BUSINESS

2024-0490 Public Hearing and Request for Conditional Use Recommendation for Mitten Muay Thai, a health, recreation and physical education facility to occupy space in the EC Employment Center zoning district at 1928 Star Batt Dr., Suite D, located on the north side of Star Batt and east of Crooks, Parcel No. 15-28-102-018; Nick Bismack, Mitten Muay Thai Gym, LLC, Applicant

(Staff Report dated 11-19-24, Letter and Plans, Development Application, Environmental Impact Statement and Public Hearing Notice had been placed on file and by reference became a part of the record hereof.

Present as the applicant was Nick Bismack, representing Mitten Muay Thai Gym LLC.

Chairperson Brnabic introduced this item noting it was a request for a recommendation for a Conditional Use Approval for Mitten Muay Thai, a health, recreation and physical education facility, to occupy space in the EC Employment Center zoning district at 1928 Star Batt Drive, Suite D, located on the north side of Star Batt east of Crooks. She requested the applicant come up to the presenter's table and asked for the Staff Report.

Mr. McLeod stated that the Commission has seen a number of these applications come forward for conditional use recommendation to Council for recreational type uses within this series of buildings, and explained that it is seeking approval for occupying a 6,300 square foot tenant space within 1928 Star Batt, an irregular-shaped building near the northeast corner of Star Batt and Crooks. He added that City Council will ultimately make the final determination for this request.

He showed the site, noting that it is within a myriad of different industrial and quasi-industrial buildings, with a medical facility directly to the south. He added that the area is industrial and recreational space, with commercial use at the frontage along Crooks Road itself. He noted the area zoning districts, showing the EC district and the Highway Business district, and pointed out that everything to the north and east of the subject site is all zoned Employment Center.

He stated that the hours noted within the letter supplied by the applicant differ slightly than what is stated in the Environmental Impact Statement, and noted that this should be clarified tonight. He explained that the letter that came with the application materials stated the hours would be Sunday through Friday, 8:00 a.m. to 10:00 p.m., with their peak hours being 5:00 p.m. to 8:00 p.m. He stated that the overall site has 76 parking spots, and he displayed the aerial that showed those parking spaces traverse the entire front of the site, with a bank of parking on the east side of the building. He pointed out that several parking spots have developed over time to the north side of the building, in between the two buildings going farther east, and he stated that the parking on the east side of the site toward the eastern driveway would be the most accessible in terms of the tenant space.

He noted that Mitten Muay Thai is a Thai martial art and combat sport. He mentioned that based on a web search there is a location in Clinton Township, providing specialized training service in the creation of promotional content; and he suggested that the applicant explain a bit more of what that exactly means. He stated that class size is noted within the application of four to 10 persons, and the applicant did note that their maximum occupancy at any one point would be 20 persons. He explained that they also noted that there would be up to five employees at that time as well, no outdoor use is proposed at this time and all activity would be contained within the tenant space. He showed the floor plan, noting that the back of house has the training areas, with office and administration toward the front of the building. He noted that it appears to be close to a 50-50 split in terms of training facility versus administration-type use. He reviewed the five standards the Commission would consider in recommending approval.

Mr. Bismack stated that he had nothing to add and that Mr. McLeod covered things pretty well.

Chairperson Brnabic noted that it was submitted that maximum occupancy would be 20 people, and asked if there would ever be a special event or competition that would bring people in addition to regular clientele.

Mr. Bismack responded no, and commented that their events bring closer to 2,000 to 3,000 people and would not fit in a facility such as this.

Chairperson Brnabic stated that this item requires a public hearing which she opened, noted that she does not see any speakers cards or anyone wishing to speak, and closed the public hearing. She asked for Commissioners comments or questions.

Ms. Denstaedt asked Mr. Bismack to elaborate on the content that would be created, and noted that she saw something about a podcast studio.

Mr. Bismack responded that they are promotion first and foremost and the gym is almost an afterthought. He explained that they have a competitive Muay Thai league, which just was sanctioned in the State of Michigan last summer. He stated that they have the first promotion in the Michigan that runs Muay Thai competitions. He explained that it is not a very profitable sport and most of the money in the sport comes from promoting yourself, trying to get a big enough social media following and sponsorships. He mentioned that a lot of the athletes that compete in these organizations are trying to get on Team USA to go to the Olympics. He commented that this is a world where attention is a commodity; and as he would hate to admit, content creation is probably the most important part of these athletes' careers, trying to get on podcasts and build up a social media following to the point where they can actually make a living wage out of it.

Ms. Denstaedt questioned the hours, and asked if they are doing any training at 8:00 a.m. or before they get busy at 5:00 p.m.

Mr. Bismack responded that the facility is going to be mostly used by people

who fight for their organization, who come from all around the country. He noted that a lot do come from Michigan, and they mostly offer training services to people who are actually competing for their organization. He stated that there would be morning sessions, with the proposed schedule of 8:00 a.m. to 10:00 a.m. in the mornings. Off time from training, they will have two content editing stations, and they will have a podcast studio similar to what they have now. He mentioned that right now if they want to do a podcast they have to travel across the state to find fighters in order to film podcasts, and commented that it will be nice if they can consolidate everything in one gym.

Ms. Denstaedt asked if there might be an opportunity to bring people here, and asked what the chances would be for people to buy homes or rent apartments here.

Mr. Bismack responded that for the event this weekend, there are 18 fights so far, and he believes that 12 are all local Michiganders with the rest coming from out of the state.

Ms. Denstaedt congratulated Mr. Bismack for being the first sanctioned in Michigan.

Mr. Struzik stated that assuming what he is being told about 20 people is accurate, he is not really worried about parking, which is one of the concerns the Commission sees in some of these industrial parks when non-industrial uses come in. He mentioned that often with a use such as a dance studio, industrial parks have traffic jams at times. He noted that his wife has been going to a rehab center there so he has been visiting that area a couple of times a week. He added that he has done a couple of evening visits to scope out the busier times, and it looks like there are no parking issues, especially if looking at 20 people for this business. He questioned the promotional content creation, and asked if it included photographic or videoing athletes.

Mr. Bismack responded that the podcasts are specifically just interviews that are short form content that gets published on Instagram and YouTube as a way to generate interest in the fighters' competitions. He added that apart from the podcast, much of the content creation is just about building up hype around upcoming events and upcoming fights. He mentioned that this weekend a local fighter from Rochester will be fighting one from Kentucky. He stated that they will be doing a number of videos leading up to the fight to try and generate interest in the competition.

Mr. Struzik asked if there will be a boxing ring or a ring of some sort where people can compete or train. He asked for confirmation that events there will not really be public where they will sell tickets.

Mr. Bismack confirmed that was correct, stating that their events would not actually be able to fit there. He explained that their last event was at Masonic Temple in Detroit, which was sold out with just under 2,000 people there.

Mr. Struzik asked if the activities at the facility would potentially see any injuries arise that could generate ambulance calls. He commented that while the City

has a very good fire department that responds to medical calls, hopefully this would not happen.

Mr. Bismack responded that there was always a possibility with martial arts training and he could not rule it out entirely. He commented that he has been in gyms his whole adult life; and the current gym he is in, Proving Grounds Jujitsu in Shelby Township, has not had an ambulance call in three years.

Mr. Weaver asked if the classes were geared more toward the current fighters and if they were anticipating offering classes to the general public.

Mr. Bismack responded that they will offer classes to the general public, as they will have the facility with the mats and the gear. He commented that it seems silly not to offer classes like that.

Mr. Weaver commented that he would imagine that it would be very beneficial, especially as Mr. Bismack is stating that this is an industry where people are struggling to make enough money and want to promote events.

Mr. Bismack responded that because they are a promotion that is affiliated with a bunch of gyms, they do not want to have a home team bias. He noted that the whole intention of getting a new facility is that right now they are operating out of one home gym.

Mr. Hooper asked for clarification on the hours and asked if they would be Sunday through Friday from 8:00 a.m. to 10:00 p.m..

Mr. Bismack responded that if it was listed differently, those were generally the hours. He commented that there would never be anything after 10:00 p.m.

Mr. Hooper suggested that this be made a part of the condition for approval, along with the agreement that no outdoor uses are proposed. He commented that the way he is viewing this is like a competition to a UFC type of thing.

Mr. Bismack responded that UFC has a striking element and a grappling element, and Muay Thai is strictly striking.

Mr. Hooper moved the motion in the packet to recommend Conditional Use approval to Council, and asked that Condition Number Two be slightly changed in the first sentence to include the wording "no outdoor use areas are proposed/allowed, and if the intensity of use increases", and then carry on with the rest of the three of sentences in that condition remain as proposed. And then in condition number three, "the hours of operation are limited and are Sunday to Friday, 8:00 a.m. to 10:00 p.m." The motion was seconded by Ms. Neubauer.

After calling for a roll call vote, Chairperson Brnabic stated that the motion passed unanimously.

Mr. McLeod noted that they will try to have this item submitted for the December 2 Council meeting, although that may be tight. If not that meeting, it

would be December 16.

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

Aye 8 - Brnabic, Denstaedt, Dettloff, Gallina, Hooper, Neubauer, Struzik and Weaver

Excused 1 - Hetrick

Resolved, in the matter of File No. PCU2024-0011 (Mitten MuayThai Gym, LLC), the Planning Commission recommends to City Council Approval of the Conditional Use to allow for a health, recreation and physical education facility, based on documents received by the Planning Department on September 23, 2024 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. The limited maximum occupancy of 20 people for this business will be no greater than or even less than the occupancy for a light industrial type user that would be permitted by right.
3. The proposed addition of a health, recreation, and physical education facility should provide additional services being sought within the greater Rochester Hills community. There do not appear to be any similar type facilities that offer Muay Thai training along with ancillary promotional content creation within the City.
4. The existing development and proposed use are 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 as the existing building and the surrounding complex of buildings already includes several other health, recreation and physical education type uses. Those other uses are of such a nature that they shouldn't necessarily be impacted by the introduction of the proposed use, as there is no proposed outdoor activity area, and the proposed limited number of persons to be serviced within the building do not directly conflict with normal business hours for the existing industrial type tenants.
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. No outdoor use areas are proposed/allowed, and if the intensity of the use increases to include operations such as competitions or occupancy greater than 20 people for other events or uses inconsistent as those presented as part of this application (etc.), City staff

may require and order the conditional use approval to be remanded to the Planning Commission and City Council as necessary for re-examination of the conditional use approval.

3. The hours of operation are limited and are Sunday to Friday, 8:00 a.m. to 10:00 p.m.