



City of Rochester Hills
AGENDA SUMMARY
NON-FINANCIAL ITEMS

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Legislative File No: 2024-0102 V2

TO: Mayor and City Council Members

FROM: Chris McLeod, Planning Manager, ext. 2572

DATE: February 23, 2024

SUBJECT: Request for conditional use approval for The Jackson (Justin Vaiciunas) to allow for on premises alcoholic beverage consumption at 184 N. Adams Road, located on the east side of N. Adams Road and north of Walton Blvd.

REQUEST:

Approval of a conditional use to allow for on premises alcoholic beverage consumption at The Jackson (Justin Vaiciunas), located at 184 N. Adams Road, within the Village of Rochester Hills (an approved Consent Judgement), zoned CB Community Business District.

BACKGROUND:

The applicant has filed for a Conditional Use Permit to serve and consume alcohol for a new restaurant establishment, The Jackson. The Jackson is proposed to be a full-service restaurant using locally sourced, high quality ingredients to make chef-driven dishes from scratch and offering seasonal menus.

Alcoholic beverage sales for on premises consumption, accessory to a permitted use, requires a conditional use permit in the CB Community Business District. The applicant is not seeking a quota license, they are proposing to transfer a liquor license that was previously assigned to the "B" Spot which was located in the Village of Rochester Hills as well. The City's Liquor License Committee met on the license transfer on Thursday, February 22, 2024.

The proposed restaurant is located within the former Noodles and Company tenant space (western side of development), within the Village of Rochester Hills Development, on the east side of N. Adams, north of Walton Blvd. The tenant space was previously operated as a restaurant type use, however Noodles and Company did not have a liquor license. The applicant has not indicated that any significant changes are planned to the exterior of the building, although a complete makeover of the inside of the tenant space is planned. The materials provided by the applicant show indoor seating of approximately 90 persons and the applicant at the Planning Commission meeting indicated a desire to also have outdoor seating dependent on available sidewalk space. The applicant also noted that the restaurant is intended to have several different seating/dining options, including an area dedicated for lighter eating, more social occasions, an area for full dinner experiences and even a seating area in the kitchen for chef viewing. The proposed hours of operation will be Tuesday - Thursday 11:00 a.m. - 9:00 p.m., Friday - Saturday 11:00 a.m. - 10:00 p.m. and Sunday 11:00 a.m. - 4:00 p.m. Based on the site's location and overall intensity of the surrounding development, the proposed hours of operation should not be impactful to any neighboring properties.

The applicant, Justin Vaiciunas, and his business partner, Michael Mauro, have extensive experience (30+ years) in high end dining establishments as outlined in their submittal letter which outlines their vision for The Jackson. The Jackson restaurant is anticipated to employ approximately 24 employees when fully staffed. The applicants provided a business plan outlining the proposed operational characteristics in their submittal.

The issuance of the conditional use permit is a discretionary decision by the City Council based on five general criteria contained in Sec. 138-2.302 of the Zoning Ordinance as follows, which are included in the resolution:

- 1) *Will promote the intent and purpose of this chapter.*
- 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.*
- 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.*
- 4) *Will not be detrimental, hazardous, or disturbing to existing or future neighboring land uses, persons, property, or 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.*

The Planning Commission recommended by an 8-0 (1 absent) vote in favor of approval of the conditional use with several findings and conditions as reflected in the attached resolution, at its February 20, 2024 meeting. Please refer to the attached Planning Commission minutes for further details.

RECOMMENDATION:

Finding that the proposed request to allow sales for on premises alcoholic beverage consumption meets the criteria of the Zoning Ordinance, the Planning Commission recommends that City Council approves the conditional use for The Jackson, to allow on premises alcoholic beverage consumption, located at 184 N. Adams Road, File No. PCU2024-0001, subject to the findings and conditions noted in the attached resolution.

APPROVALS:	SIGNATURE	DATE
Department Review		
Department Director		
Mayor		
Deputy City Clerk		

Contract Reviewed by City Attorney Yes N/A