



City of Rochester Hills
AGENDA SUMMARY
NON-FINANCIAL ITEMS

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Legislative File No: 2024-0327 V2

TO: Mayor and City Council Members

FROM: Chris McLeod, Planning Manager, ext. 2572

DATE: July 17, 2024

SUBJECT: Request for conditional use approval for Churchills of Rochester Hills, LLC (Mazin Samona) to allow for on premises alcoholic beverage consumption at 2596 S. Rochester Road, located on the west side of S. Rochester Road, and south of Wabash Road.

REQUEST:

Approval of a conditional use to allow for on premises alcoholic beverage consumption at Churchills of Rochester Hills (Mazin Samona), located at 2596 S. Rochester Road, within the Hawthorne Plaza, zoned NB Neighborhood Business District.

BACKGROUND:

The applicant has filed for a Conditional Use Permit to serve and consume alcohol as a part of a new cigar lounge and retail store, Churchills of Rochester Hills (Churchills). Alcoholic beverage sales for on premises consumption, accessory to a permitted use, requires a conditional use permit in the NB Neighborhood Business District. The applicant is not seeking a quota license, they are proposing to transfer a liquor license that was previously assigned to another Rochester Hills establishment that has been held in escrow for the last several years. The City's Liquor License Committee met on the license transfer on Monday, July 22, 2024.

The proposed restaurant is located within a vacant tenant space at the north end of the Hawthorne Plaza, at the southwest corner of S. Rochester Rd. and Wabash Rd. The applicant has indicated that there are no significant changes planned to the exterior of the building, although a complete makeover of the inside of the tenant space is planned. The tenant space is approximately 4,500 square feet based on the lease information provided. The proposed floor plan shows seating areas located throughout the front 2/3 of the tenant space. and will also include a bar, a humidor, retail display area, and ancillary utility, storage and restrooms. Limited food service will be provided; at the Planning Commission meeting the applicant explained that appetizer-type food offerings (prepared at another Churchills location and brought onsite) will be served at this location. In addition, the applicant clarified that there is no intention of having outdoor seating at this location and all business operations will be conducted solely within the building. The proposed hours of operation are proposed to be seven (7) days a week, 9:00 a.m. – 11:30 p.m. Based on the site's location and the similar types of businesses within the same plaza, the proposed hours of operation should not be impactful to any neighboring properties.

The applicant, Mazin Samona, is proposed to have ½ ownership of the proposed business, along with Nashwan Zaitouna who will own the other half. Mr. Samona is also co-owners of the Churchills Cigar Lounge establishments in Birmingham and West Bloomfield. Additionally, Mr. Samona has been CEO, co-owner and co-founder of Wild Bill's Tobacco, since 1994. The Wild Bill's Tobacco franchise has over 200 locations. Churchills is anticipated to employ approximately 10-12 employees when fully staffed. The applicants provided additional business details 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 9-0 vote in favor of approval of the conditional use with several findings and conditions as reflected in the attached resolution, at its July 16, 2024 meeting. There were no public comments on the proposed application, either prior to the meeting or at the actual public hearing. 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 Churchills of Rochester Hills, to allow on premises alcoholic beverage consumption, located at 2596 S. Rochester Road, File No. PCU2024-0005, 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