

NEW BUSINESS

2024-0327 Public Hearing and Request for Conditional Use Recommendation - File No. PCU2024-0005 - for alcoholic beverage sales for onsite consumption at Churchills Cigar Lounge, located at 2596 S. Rochester Rd., on the west side of Rochester Rd. and south of Wabash Rd. in the Hawthorne Plaza, zoned NB Neighborhood Business with the FB Flex Business Overlay, Parcel No. 15-27-477-060, Churchills of Rochester Hills, LLC, Applicant

(Staff Report dated 7/10/24, Application, EIS, Lease, Plans, Revised Site Plan, and Public Hearing Notice had been placed on file and by reference became a part of the record thereof.)

Present for the applicant were Kevin Barbieri, representing the applicant, and John Gumma, Gumma Group Architects.

Chairperson Brnabic introduced this item and requested the staff report.

Mr. McLeod explained that it is a conditional use request for on-premise alcohol sales and consumption ancillary to the retail operation for Churchill's Cigar Lounge, as well as a smoking lounge, for the location in the northernmost tenant space of Hawthorne Plaza at South Rochester Road and Wabash. He stated that there are a number of other uses within the plaza that are similar in nature and provide alcohol, along with a number of retail operations. He pointed out that the biggest factor to consider is the residential properties farther to the west. He displayed a graphic representing the screening between the shopping center and the adjacent single family residence, noting that the screening wall was taller than the average six-foot wall. He mentioned the zoning patterns surrounding the site, noting that it is zoned NB-Neighborhood Business with a Flex Business overlay, and the homes to the west are zoned single family, but also include the Flex Business; and he pointed out that if they were ever potentially redeveloped they could go non-residential.

He stated that the primary use of the site being considered is for a retail sales and cigar lounge. He noted that based on information submitted regarding alcohol sales at the West Bloomfield location, around 20 to 21 percent of overall revenues were being generated from the sale of alcoholic beverages.

He mentioned that he would ask the applicant to clarify the food services being provided, as the main conversations staff has had with the applicants indicated that they would be prepackaged goods and there would be no defined menu or cooking area. He added that as of right now, there is no proposed outdoor activity. He reviewed the internal tenant space layout proposed and he reviewed the standards that the Planning Commission would consider in making their recommendation.

Mr. Barbieri stated that they plan on having pre-packaged food from their Birmingham location brought up to the Rochester Hills location. He noted that they have three other locations in Birmingham, Grosse Pointe, and West Bloomfield. He stated that they choose their locations very carefully and are

excited to open here.

Chairperson Brnabic asked if they envisioned adding any outdoor use in the future that could affect parking in the front.

Mr. Gumma responded that no outdoor use was proposed, and stated that it would be similar to West Bloomfield in that it does not have an exterior patio.

Chairperson Brnabic noted that if some reason their vision changes that they would have to go back through the Planning Department and would more likely have to return to Planning Commission and City Council.

Mr. Dettloff asked if the liquor license is an existing one that is being acquired.

Mr. Gumma responded that it is from another business in Rochester Hills that has been in escrow for about four years.

Mr. Dettloff commented that he has been to a few cigar lounges and some have partnered with a neighboring restaurant to bring in food.

Mr. Gumma responded that they will partner with Nino's, as they sell them cigars.

Mr. Dettloff asked which location was their oldest.

Mr. Gumma responded that Birmingham is the oldest, then West Bloomfield, and then Grosse Pointe. He mentioned that they tried to come to the area five years ago, but could not make a deal with an existing landlord in downtown Rochester.

Mr. Gallina asked if down the road they would consider adding a kitchen.

Mr. Gumma responded that they have a kitchen in Grosse Pointe and in Birmingham, but have not had one in West Bloomfield. He commented that they doubt they would entertain adding a kitchen, stating that they would have appetizers or finger foods instead.

Mr. Gallina stated that he would be in full support and is very familiar with it. He added that he felt it fit in well with having the golf simulator nearby.

Ms. Denstaedt questioned the closing times, noting that it is proposed to close at 11:30 p.m., and Birmingham closes at 11 p.m. and West Bloomfield closes at midnight.

Mr. Gumma responded that some people just want to get away from their house, and stated that it is not just all male clientele. He mentioned that in their Birmingham location, on Thursday, Friday, and Saturday the ratio is about 50-50. He added that if there is a game, or after golf or boxing, customers may want to go have a cigar.

Ms. Denstaedt asked if they had considered some sort of partnership or

cross-promotion with Tee Times.

Mr. Gumma stated that he cannot say if they have as it is a different department that would do that, and mentioned that they typically have been very friendly with their neighbors especially in their Birmingham location.

Mr. Struzik commented that his questions have already been answered, and he stated that this is a very healthy shopping plaza that has received much investment. He stated that it is a great location and would be in support.

Chairperson Brnabic stated that as this requires a Public Hearing, she would open it. Seeing no speaker's cards, she closed the Public Hearing.

Mr. Hooper made the motion in the packet to recommend City Council approval of the Conditional Use. The motion was seconded by Ms. Neubauer.

After calling for a roll call vote, Chairperson Brnabic noted that the motion passed unanimously. She asked when Mr. McLeod expected this to be on Council's agenda.

Mr. McLeod responded that the Liquor Committee would hopefully meet on July 22, and if all goes well this would be on City Council's agenda on July 29.

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 9 - Brnabic, Denstaedt, Dettloff, Gallina, Hooper, Neubauer, Hetrick, Struzik and Weaver

Resolved, in the matter of File No. PCU2024-0005 (Churchills of Rochester Hills, LLC), the Planning Commission recommends to City Council Approval of the Conditional Use to allow sales for on premises alcoholic beverage consumption associated with retail cigar sales and smoking lounge use, based on documents received by the Planning Department on June 20, 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.
3. The proposed addition of alcohol sales to the proposed sales of cigars and smoking lounge should provide additional services being sought.
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 overall plaza already includes a variety of retail, entertainment and fitness uses, has no proposed outdoor use area, only minor physical improvements/modifications are being planned to the exterior of the building and the sales of alcoholic beverages is planned to end at 11:30 p.m. daily.

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. If outdoor use areas are proposed, 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.