

2017-0144 Public Hearing and request for Conditional Use Recommendation - File No. 17-006 - The Jagged Fork, for onsite consumption of alcoholic beverages at 188 N. Adams Rd., at The Village of Rochester Hills at the northeast corner of Adams and Walton Blvd., zoned B-3 Shopping Center Business with an FB-3 Flex Business Overlay, part of Parcel No. 15-08-351-005, Thomas Teknos, Applicant

(Reference: Staff Report prepared by Sara Roediger, dated April 14, 2017 and associated documents had been placed on file and by reference became part of the record thereof.)

Present for the applicant were Thomas Teknos and Francesco Adamopoulos, Hudson Cafe, 1241 Woodward Ave., Detroit, MI 48226 and David Draper, The Draper Law Firm, 18534 Mack Ave., Grosse Pointe Farms, MI 48236.

Mr. Kaltsounis recused himself from the discussion, noting that although he had no financial ties to the restaurant, he was related by marriage to the applicant.

Mr. Draper stated that the applicants had a wonderful product and also had two other restaurants in the Detroit area. Their restaurant in the Village of Rochester Hills would be an upscale brunch concept, and they felt that offering alcoholic beverages would be a nice addition. He had passed out some awards before the meeting the other restaurants had received. He said that the Jagged Fork would meet all the criteria of the Conditional Use, and they respectfully requested that it be recommended for approval to allow alcohol to be served at 188 N. Adams.

Ms. Roediger summarized the request. She stated that as the Commissioners were aware, the sale and service of alcoholic beverages was changed to be a Conditional Use in every district in the City last year when there were some modifications at the State level. It was a way to inform the local level of changes in liquor licenses, and the restaurant was currently under construction and wanted to bring in a license. She noted that it would be a recommendation to City Council. Staff did a review based on the five criteria for a Conditional Use approval and found that as a full service restaurant as part of a successful shopping area that all should be met. Staff recommended approval as it appeared that all applicable regulations would be met and followed. She said that she would be happy to answer any questions.

Vice Chairperson Hooper opened the Public Hearing at 7:41 p.m. Seeing no one come forward, he closed the Public Hearing.

Vice Chairperson Hooper asked the applicants if the liquor license was being brought in from another community.

Mr. Draper agreed, and said that it was an Oakland County Class C License, which allowed for the service of beer, wine and liquor. The restaurant would like to serve Mimosas or Bloody Marys with breakfast or lunch. It would be a little on the lighter side, and be a different use than other bars and restaurants.

Mr. Dettloff asked if the license was in escrow. Mr. Draper apologized that he had not brought that information, and he offered to email it. Mr. Dettloff asked if there would be outdoor seating at some point. Mr. Teknos agreed that there potentially could be. Next door, they had four or five tables outside, but he had not applied for it yet. Mr. Dettloff reminded that there would be a few different rules with serving alcohol outside. He asked if they had outdoor seating at their other facilities, and Mr. Teknos advised that at The Jagged Fork in Grosse Pointe Farms they did serve outside. In the downtown café, they received a liquor license about three days ago.

Mr. Draper said that Mr. Teknos had recently gotten approval for the transfers, and everything went smoothly. Mr. Draper added that he represented a lot of bars and restaurants, and it had been a pleasure to work with the applicants. He felt that the City would be happy with them as new members of the business community. Mr. Dettloff thanked them for choosing Rochester Hills.

Hearing no further discussion, Mr. Reece moved the following, seconded by Mr. Dettloff:

MOION by Reece, seconded by Dettloff, in the matter of City File No. 17-006 (The Jagged Fork) the Planning Commission **recommends** to City Council **Approval** of the **Conditional Use** to allow alcoholic beverage consumption on site, based on documents dated received by the Planning Department on March 7, 2017, with the following six (6) findings.

Findings

1. The 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 is having a positive impact on the community as a whole and the surrounding area by further offering jobs and another dining option.*
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.*

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

Aye 7 - Anzek, Dettloff, Hooper, Morita, Reece, Schroeder and Schultz

Abstain 1 - Kaltsounis

Excused 1 - Brnabic

Vice Chairperson Hooper stated for the record that the motion had passed unanimously, and he thanked the applicants for their investment in Rochester Hills. Ms. Roediger advised that the matter would hopefully be on the May 1, 2017 City Council agenda.

Mr. Anzek asked the hours of operation. Mr. Teknos said that they would open at 7:00 a.m. and close at 3:00 p.m. They had discussed opening up at night, as they serviced a lot of private parties. Mr. Schroeder asked when they would open, and Mr. Teknos advised that they had a final C of O inspection in two days, and if all went well, they planned to open on April 24th.

UNFINISHED BUSINESS