



Rochester Hills

Minutes - Draft

Planning Commission

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Chairperson Deborah Brnabic, Vice Chairperson Greg Hooper
Members: Ed Anzek, Gerard Dettloff, Nicholas O. Kaltsounis,
Stephanie Morita, David A. Reece, C. Neall Schroeder, Ryan Schultz

Wednesday, November 7, 2018

7:00 PM

1000 Rochester Hills Drive

CALL TO ORDER

Chairperson Deborah Brnabic called the Special Meeting to order at 7:00 p.m. in the Auditorium.

ROLL CALL

Present 6 - Deborah Brnabic, Gerard Dettloff, Greg Hooper, Stephanie Morita, David Reece and C. Neall Schroeder

Absent 3 - Ed Anzek, Nicholas Kaltsounis and Ryan Schultz

Quorum present.

Also present: Sara Roediger, Director of Planning & Econ. Dev.
Maureen Gentry, Recording Secretary

APPROVAL OF MINUTES

[2018-0450](#) October 16, 2018 Regular Meeting

A motion was made by Schroeder, seconded by Hooper, that this matter be Approved as Presented. The motion carried by the following vote:

Aye 6 - Brnabic, Dettloff, Hooper, Morita, Reece and Schroeder

Absent 3 - Anzek, Kaltsounis and Schultz

COMMUNICATIONS

A) Planning & News dated November 2018

NEW BUSINESS

[2018-0449](#) Public Hearing and request for Conditional Use Recommendation - City File No. 18-020 - for the sales and service of alcoholic beverages for consumption onsite at X-Golf Rochester Hills, 1134 S. Rochester Rd., located near the southwest corner of Rochester and Avon Roads in the Winchester shopping

plaza, zoned B-3 Shopping Center Business with an FB-3 Flexible Business Overlay, Parcel No. 15-22-226-019, Jared Vinson, Applicant

(Reference: Staff Report prepared by Kristen Kapelanski, dated November 2, 2018 and floor plan and location map had been placed on file and by reference became part of the record thereof.)

Present for the applicant were Jason Vinson and Brad Townsend, 73550 McKay Rd., Bruce Township, MI 48065.

Ms. Roediger advised that the X-Golf facility, an indoor golf simulation operation, was occupying the former Old Navy space at the Winchester Mall. As part of their operation, the applicants were asking for the sale of alcoholic beverages. They had gone before the Building Department and received permits. The Ordinance required that the sale and service of alcoholic beverages for onsite consumption required a Conditional Use. She noted that the application had been reviewed by Planning, Fire and Building, all of which recommended approval. As part of a Conditional Use recommendation to City Council, a Public Hearing was required, and the Commission would consider the operation's use and impacts to the surrounding properties and the impact to the infrastructure of the community. Staff felt that it was in keeping with mixed entertainment within a shopping center. If it went well with the Planning Commission, the applicants would appear before the Liquor License Technical Review Committee the next day and on the City Council agenda of November 12, 2018, as the applicants wished to open soon. She said that she would be happy to answer any questions.

Chairperson Brnabic asked the applicants if they had anything to add. Mr. Vinson said that they were very appreciative of the opportunity to do business in Rochester Hills. They were excited about the business; they opened one in Shelby Township a year ago, and it did so well, that they had more people who wanted to use the facility than they had capacity, especially during the winter months. He commented that he was glad there were long winters in Michigan. They were excited to, hopefully, expand into Rochester Hills.

Chairperson Brnabic opened the Public Hearing at 7:06 p.m.

Paul Clark, 250 Meadow Bridge Dr., Rochester Hills, MI 48307 *Mr. Clark stated that he lived in Meadowfield Condominiums, which were immediately south of the shopping center where the facility was proposed. He said that he had no objection to it, however, his concern was with the amount of young mothers and small children that went to the mall's stores. There was a lot of foot traffic to and from cars near the proposed*

facility. Every week in either the Rochester Post or the Gazette, under Crime Watch, there was always articles about the police arresting people who drove drunk. It occurred to him that the golf scores at the facility might be a bit better if there were no alcoholic drinks in the first place. He stated that he was not a tee totaler, but he was concerned. Living within walking distance, and with the fact that people could be in there for some length of time, he was concerned about what responsibility the owners accepted in terms of the ability of the customers to be able to walk out the door and safely drive away a vehicle. That was his concern for his fellow citizens, in whom he was disappointed there were not more in attendance. They either did not see it or did not care or were indifferent. He wanted it on record that there was at least one citizen nearby that was concerned about yet another source of alcohol consumption within a short distance from where he lived. Half a mile the other way, and he was not sure how Rochester Hills approved it, someone could go into a place and buy gasoline and liquor at the same time and open the liquor and drive away drinking it in the car. He indicated that he missed protesting that one. He reiterated that he had a concern for the women and children coming and going and the ability of the patrons to successfully drive away.

Chairperson Brnabic closed the Public Hearing at 7:09 p.m.

Mr. Townsend responded that all of their employees were TIPS Certified, which was a requirement to work at the facility. They were required to go through legislative training with TIPS certification to be able to identify when someone had been over-served. They also had two managers onsite at all times to oversee the staff that served. He had one year of operation experience in Shelby, and they had not had any kind of issues with over-serving people. They worked very closely with the Shelby Township police force to enforce any types of activities that could happen. The police would patrol their parking lot, especially on the weekends when it was a little busier. He maintained that the environment of their store was very family-friendly. They had birthday parties and things of that nature. To that end, they did the best that they could to make sure they covered the bases and made sure people were not being over-served.

Mr. Dettloff asked if the license would be a transfer in. Mr. Vinson agreed, and said that they purchased the license off the market, and they were transferring it to their facility.

Ms. Morita said that she appreciated Mr. Park's concern for women and children in the community, but she felt that mothers could defend themselves and make good decisions. She did not see a problem with

the facility going in. There were a lot of establishments in their shopping centers that had mixed uses with liquor licenses, and they did not pose a problem. She did not see this any differently. She thanked the applicants for doing business in the City, and she moved the following:

MOTION by Morita, seconded by Dettloff, in the matter of City File No. 18-020 (X-Golf Rochester Hills) the Planning Commission **recommends** to City Council **Approval** of the **Conditional Use** to allow alcoholic beverage consumption on site at 1134 S. Rochester Rd., based on documents dated received by the Planning Department on October 15, 2018, 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 will have a positive impact on the community as a whole and the surrounding area by further offering jobs and another entertainment 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.*

Mr. Hooper said that he did not believe there was another establishment in the shopping center that had a liquor license. Potentially, when the portion of the mall to the north was redeveloped, there could be a restaurant building pad in front of the Art Van. Beyond that, however, X-Golf would be the only one with a license. He felt that what they wanted

to do was fine.

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

Aye 6 - Brnabic, Dettloff, Hooper, Morita, Reece and Schroeder

Absent 3 - Anzek, Kaltsounis and Schultz

Chairperson Brnabic stated for the record that the motion had passed unanimously, and she congratulated the applicants. Mr. Hooper thanked the applicants for their investment in Rochester Hills.

DISCUSSION

2001-0160 Rochester College Townhomes, a proposed PUD development with 72 for-sale units on 7.9 acres located on the Rochester College campus on Avon, east of Livernois, Rochester College and Pulte Homes of Michigan, Applicants

Discussed

ANY OTHER BUSINESS

NEXT MEETING DATE

Chairperson Brnabic notified the Commissioners that there would not be a November 20, 2018 meeting, and that the next Regular Meeting would be on December 18, 2018.

ADJOURNMENT

Hearing no further business to come before the Planning Commission and upon motion by Ms. Morita, seconded by Mr. Hooper, Chairperson Brnabic adjourned the Special Meeting at 7:46 p.m.

Deborah Brnabic, Chairperson
Rochester Hills Planning Commission

Nicholas O. Kaltsounis, Secretary