



City of Rochester Hills  
AGENDA SUMMARY  
NON-FINANCIAL ITEMS

1000 Rochester Hills Dr.  
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Legislative File No: 2022-0270 V2

**TO:** Mayor and City Council Members

**FROM:** Sara Roediger, Director of Planning and Economic Development, ext. 2573

**DATE:** July 15, 2022

**SUBJECT:** Request for conditional use approval for Baldwin's Brasserie to allow for on premises alcoholic beverage consumption at 3784 S. Rochester Rd., located between South Blvd. and M-59

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**REQUEST:**

Approval of a conditional use to allow for on premises alcoholic beverage consumption at Baldwin's Brasserie, located 3784 S. Rochester Rd., zoned B-3 Shopping Center Business District with an FB-3 Flexible Business Overlay.

**BACKGROUND:**

The applicant has filed for a Conditional Use Permit to serve alcohol for Baldwin's Brasserie restaurant. Alcoholic beverage sales for on premises consumption, accessory to a permitted use, requires a Conditional Use permit in the B-3 Shopping Center Business zoning district. Baldwin's Brasserie will be one of the tenants to occupy the newly constructed Gateway development. A conditional use was also approved by Council in November 2021 for a drive through. There are no changes planned for the exterior of the building.

There was one public comment email received for the Planning Commission meeting which was not supportive of the request (see attached public comment).

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 approval of the conditional use with several findings and conditions as reflected in the attached resolution, at its June 14, 2022 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 Baldwin’s Brasserie to allow on premises alcoholic beverage consumption, located at 3784 S. Rochester Rd., File No. PCU2022-0004, 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