



City of Rochester Hills
AGENDA SUMMARY
NON-FINANCIAL ITEMS

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Legislative File No: 2023-0280 V2

TO: Mayor and City Council Members

FROM: Chris McLeod, Planning Manager, ext. 2572

DATE: July 10, 2023

SUBJECT: Request for conditional use approval for Juan Blanco's Taco's and Tequila to allow for on premises alcoholic beverage consumption at 1655 E. Auburn Road, located on the north side of E. Auburn Road, west of Dequindre Road.

REQUEST:

Approval of a conditional use to allow for on premises alcoholic beverage sales and consumption for Juan Blanco's Tacos and Tequila, located at 1655 E. Auburn Road, zoned BD Brooklands District.

BACKGROUND:

The applicant has filed for a Conditional Use Permit, to serve and consume alcohol, at the future site of Juan Blanco's Tacos and Tequila. Alcoholic beverage sales for on premises consumption, accessory to a permitted use, requires a conditional use permit in the BD Brooklands District. The applicant has sought a quota license from the City which has been reviewed by the Liquor License Technical Review Committee and will be acted on by Council separately.

Over the course of the last year, the applicant has been working with the Planning and Economic Development Department to obtain site plan approval for renovations to the existing vacant building and site located at 1655 E. Auburn Road. The hours of operation for the proposed use are generally 11:00 a.m. to 2:00 a.m. daily. The restaurant will provide a wide variety of tacos, burritos, fajitas, quesadillas, etc., in addition to the serving and consumption of alcohol. The proposed restaurant will provide an additional 30-40 food service jobs when fully staffed based on information provided by the applicant.

The majority of the use will be located within the existing (including proposed additions) building. However two (2) outdoor areas are also proposed. An outdoor seating area is proposed along the front of the building, abutting Auburn Road. In addition, an outdoor area for gathering and games is proposed at the rear of the building, adjacent to the alley.

The site is currently separated from the abutting residences to the north by an alley and an existing six (6) foot tall privacy fence. During their review of the site plan and conditional use, the Planning Commission placed additional conditions specifically on the outdoor area to the rear of the site as part of the Conditional Use recommendation and Site Plan approval. The conditions included an additional fence around the outdoor patio, limiting hours of usage of the patio to no later than 10:00 p.m., no allowance for amplified music, etc. In addition, the Commission required that parking signage be provided directing traffic to additional nearby public parking spaces to limit potential parking impacts to the residential area to the north. With the proposed operational characteristics along with the additional conditions imposed by the Planning Commission, the operation of sales and consumption of alcohol should not be impactful to any neighboring properties.

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 approved the site plan and recommended unanimous approval of the conditional use with several findings and conditions as reflected in the attached resolution, at its June 20, 2023 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 Juan Blanco’s Tacos and Tequila to allow on premises alcoholic beverage consumption, located at 1655 E. Auburn Road, File No. PCU2023-0004, 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