



## Department of Planning and Economic Development

Staff Report to the Planning Commission

October 14, 2026

PCU2026-0007

Don Armando's Mexican Cuisine Conditional Use

1431 N. Rochester Rd.

|            |                                                                                                                   |
|------------|-------------------------------------------------------------------------------------------------------------------|
| REQUEST    | Conditional Use Recommendation                                                                                    |
| APPLICANT  | The Two Amigos Group LLC<br>1431 N. Rochester Rd.<br>Rochester Hills, MI 48307-1121                               |
| LOCATION   | Located on the west side of Rochester Rd, and south of Tienken in an outlot within the North Hill Shopping Center |
| FILE NO.   | PCU2026-0007                                                                                                      |
| PARCEL NO. | 15-10-226-041                                                                                                     |
| ZONING     | NB Neighborhood Business with the FB Flex Business Overlay                                                        |
| STAFF      | Chris McLeod, AICP, Planning Manager                                                                              |

### Summary

The applicant has filed for a Conditional Use Permit to allow for alcoholic beverage sales for onsite alcoholic beverage consumption as a part of an existing restaurant located within the North Hills Shopping Center, located on the west side of Rochester Road, south of Tienken Road.

The existing tenant space has an occupant load of 45 persons based on the Certificate of Occupancy that was granted in 2025. The applicant has indicated in their submittal materials that if the license is secured, the restaurant space will be expanded into the adjacent tenant space. The proposed tenant space is the third tenant space (existing restaurant) and the second (proposed expansion if the conditional use and liquor license is granted) from the western side of the building and is approximately 2,225 square feet in size. The floor plan provided includes seating for approximately 100 persons as a mix of tables, casual seating areas and bar seating. The remainder of the space will be a bar area, kitchen area, prep area, warewashing (i.e. dishwashing), utility, storage and restroom facilities. The information provided as a part of the application indicates there is no outdoor seating proposed.

The menu for Don Armando's includes a variety of street tacos and taco dinners, burritos, gorditas, quesadillas, enchiladas, fajitas, and bowls/soups. The requested liquor license is intended to complement the existing menu and enhance the overall dining experience. Don Armando's provides dine in, carryout as well as catering services.

The site is currently zoned NB Neighborhood Business District. The site also includes the FB Flex Business Overlay District; however, the Overlay District is not applicable since the site was not developed pursuant to that Ordinance. Restaurants in the Neighborhood Business District that include alcoholic beverage sales for on premises consumption require a Conditional Use permit,

after the Planning Commission makes a recommendation and City Council approval. The applicant will be seeking a quota license, rather than purchasing a license with the intent of transferring it into the City. The City Council will take up the issue of the liquor license and the conditional use recommendation once the Liquor License Committee convenes on the liquor license itself. It is important to note that the conditional use decision is not dependent on whether a quota license is granted or not, it is based on the overall land use and its compatibility with the surrounding uses and potential impacts.

The applicant has noted that the subject location is intended to be open from 11:00 a.m. to 9:00 p.m., Sunday through Thursday and 11:00 a.m. to 10:00 p.m. on Friday and Saturday. As a part of the applicant's EIS, the applicant has noted that the anticipated trade areas are Rochester Hills, Oakland Township and the larger Oakland County area due to its existing operation and the nature of the food. In the applicant's EIS, the applicant specifically notes other similar Mexican restaurants proximate to the subject site, including The Taco Cartel on N. Rochester Road, Los Gato's Tacos on Walton and Miguel's Cantina on S. Rochester.

## Aerial Photograph

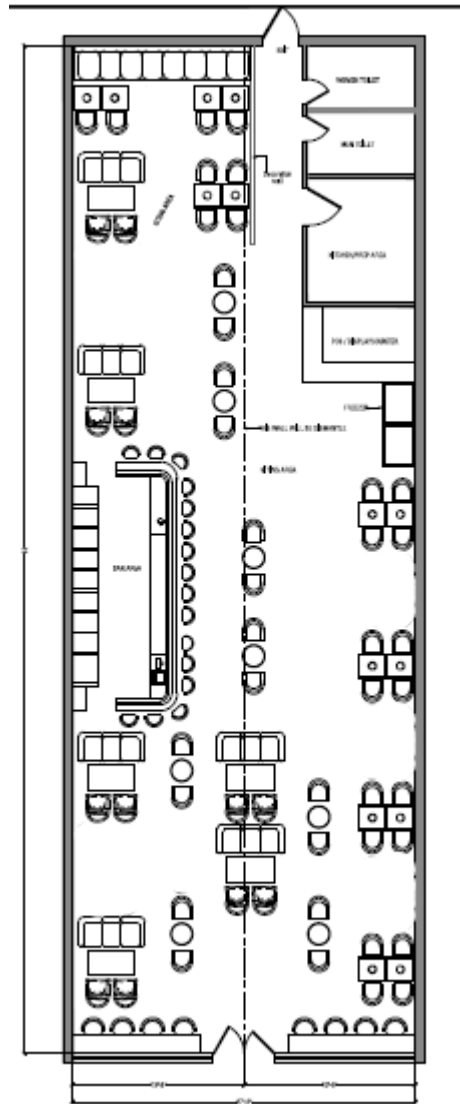
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## Site Plan



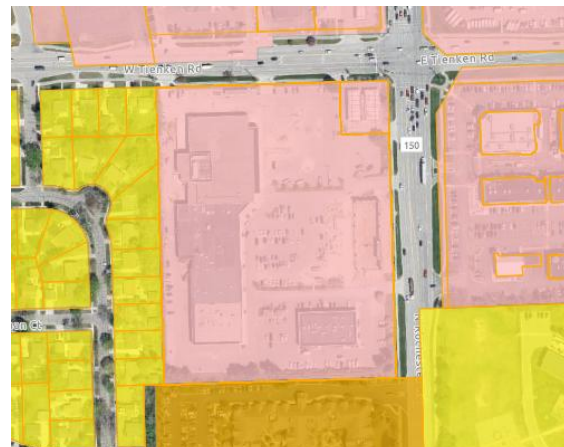
## Floor Plan



|                   |                             |
|-------------------|-----------------------------|
| <b>Zoning Map</b> | <b>Master Land Use Plan</b> |
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| <ul style="list-style-type: none"> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #fff9c4; border: 1px solid black; margin-right: 5px;"></span> RE One-Family Residential District</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #fff176; border: 1px solid black; margin-right: 5px;"></span> R-1 One-Family Residential District</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #fff9c4; border: 1px solid black; margin-right: 5px;"></span> R-2 One-Family Residential District</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #fff176; border: 1px solid black; margin-right: 5px;"></span> R-3 One-Family Residential District</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #fff9c4; border: 1px solid black; margin-right: 5px;"></span> R-4 One-Family Residential District</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #fff176; border: 1px solid black; margin-right: 5px;"></span> RCD One-Family Residential Cluster District</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #fff9c4; border: 1px solid black; margin-right: 5px;"></span> RM-1 Multiple-Family Residential District</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #fff176; border: 1px solid black; margin-right: 5px;"></span> RMH Manufactured Housing Park District</li> </ul> | <ul style="list-style-type: none"> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #f8bbd0; border: 1px solid black; margin-right: 5px;"></span> NB Neighborhood Business District</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #f8bbd0; border: 1px solid black; margin-right: 5px;"></span> CB Community Business District</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #f8bbd0; border: 1px solid black; margin-right: 5px;"></span> HB Highway Business District</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #f8bbd0; border: 1px solid black; margin-right: 5px;"></span> BD Brooklands District</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #f8bbd0; border: 1px solid black; margin-right: 5px;"></span> O Office District</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #f8bbd0; border: 1px solid black; margin-right: 5px;"></span> I Industrial District</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #f8bbd0; border: 1px solid black; margin-right: 5px;"></span> SP Special Purpose District</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #f8bbd0; border: 1px solid black; margin-right: 5px;"></span> EC Employment Center District</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #f8bbd0; border: 1px solid black; margin-right: 5px;"></span> FB Flex Business Overlay District</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #f8bbd0; border: 1px solid black; margin-right: 5px;"></span> MR Mixed Residential Overlay District</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #f8bbd0; border: 1px solid black; margin-right: 5px;"></span> PUD Overlay</li> </ul> |
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|                            | Zoning                                                                                                                                                | Existing Land Use                                              | Future Land Use                        |
|----------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------|----------------------------------------|
| Site                       | NB Neighborhood Business District with FB Flex Business Overlay District                                                                              | North Hill shopping center including Meijer, gas station, etc. | Mixed Use                              |
| North (across Tienken Rd.) | NB Neighborhood Business District with FB Flex Business Overlay District                                                                              | Papa Joe's shopping center                                     | Mixed Use                              |
| South                      | SP Special Purpose with the MR Mixed Residential Overlay                                                                                              | Waltonwood Assisted Living                                     | Multiple Family Residential            |
| East                       | NB Neighborhood Business District with FB Flex Business Overlay District and a Planned Unit Development (PUD) Overlay, and R-4 One Family Residential | City Walk shopping center and apartments                       | Mixed Use and Neighborhood Residential |
| West                       | R-4 One Family Residential                                                                                                                            | Single family homes                                            | Neighborhood Residential               |

## General Requirements for Conditional Uses

Per Section 138-2.302 of the Zoning Ordinance, there are five (5) areas of consideration for the Planning Commission for the discretionary decision of a conditional use. Each of the criterion are listed below in italics, followed by staff comments on the proposed conditional use's compliance with each.

| Criterion: | Staff Comment:                                                                                                                                                                                                                                                                                                                                                  |
|------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1          | <i>Will promote the intent and purpose of (the Ordinance).</i>                                                                                                                                                                                                                                                                                                  |
| 2          | <i>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.</i> |
| 3          | <i>Will be served adequately by essential public facilities and services, such as highways, streets, police and fire protection, drainage</i>                                                                                                                                                                                                                   |

The NB Neighborhood Business District does support and promote this type of use when ancillary to a permissible use such as a restaurant.

The proposed tenant space is towards the western end of the existing shopping center. The overall site is comprised of three (3) different commercial buildings. Between the three (3) different buildings, there are more than five (5) other food and drink establishments. If granted, this would be the second use in the overall center that serves alcohol.

The applicant has noted that no outdoor service is anticipated at this time. The fact that the entire use will be conducted within the building should limit potential impacts to the surrounding land uses, particularly the Waltonwood senior housing complex to the south. Between the shopping center and the senior building is significant landscape and a modified landscape berm that provides significant physical separation between the two (2) uses.

Given the proposed hours of operation (generally opening at 11:00 a.m. and closing between 9:00 p.m. and 10:00 p.m.), the conditional use for alcohol consumption onsite should not have a significant impact on adjoining properties since there will be no significant outdoor usage, the hours are relatively limited and due to the physical separation between the uses.

The University Square Shopping Center has been developed for approximately four (4) decades. The specific building in which Don Armando's is located appears to have been built in the early 1990's. Since

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|   | <p><i>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.</i></p> | <p>that time, the building has been reviewed and approved by all City Departments to ensure compliance with City standards, therefore the Building should be served adequately by all City services. In addition, the use is existing in its current tenant space, albeit not with alcohol sales. Any demands placed on the public infrastructure should already be accounted for by the current use of the site. Further, any specific modifications necessary for the new space would also be handled as a part of the certificate of occupancy process.</p> <p>Parking for Don Armando's (and the remainder of the uses in this specific building) is provided on all sides of the building. In addition, parking is also provided to the west, across the drive lane, for the remainder of the center which could also provide additional parking areas for the use.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 4 | <p><i>Will not be detrimental, hazardous, or disturbing to existing or future neighboring land uses, persons, property, or the public welfare.</i></p>                                   | <p>In regard to the proposed use, there should be no detrimental, hazardous or disturbing activity to the existing or future neighboring uses, persons, surrounding properties, or to the public welfare given the limited size of the tenant space, the fact that there is no outdoor seating, and the limited hours of the use as described in the application. In addition, there are no single-family residential homes proximate to the site and the senior housing complex to the south is separated from the shopping center by a significant landscape berm/elevation change and extensive landscaping.</p> <p>Staff did receive one public comment prior to the release of the staff report and that comment was relative to a concern for having ancillary alcohol sales in proximity to the school located on the east side of Rochester Road. As noted within the application, the intent of the use is to maintain the atmosphere of the restaurant and not evolve the use into a more "bar" like use. Further, at the intersection of Tienken and Rochester Road, there are multiple existing restaurants that serve alcoholic beverages including the Golden Eagle Bar and Grille which is located within the same center, the Hamlin Pub and the Brunch House directly north of the school at the southeast corner of the intersection. There are also Avon North Hills Lanes, Old Detroit Bar and Grille, La</p> |

|   |                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                  |
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|   |                                                                                                                                                                     | Collina Ristorante Italiano, and the future Coco's (former Bigalora) on the northwest corner of the intersection. Given the number of similar type restaurant uses in close proximity to what is being proposed by Don Armando's, it would not be anticipated that the proposed use would create any additional hazard to the surrounding area and would generally be harmonious with other similar restaurants. |
| 5 | <i>Will not create additional requirements at public cost for public facilities and services that will be detrimental to the economic welfare of the community.</i> | There will be no additional requirements at a public cost for public facilities and services that would be detrimental to the economic welfare of the community.                                                                                                                                                                                                                                                 |

## Staff Recommendations

The conditional use was noticed for a public hearing. Staff did receive one public comment prior to the release of the staff report. The public comment was relative to a concern of having ancillary alcohol sales in proximity to the school that is located to the east, across Rochester Road. Based on the application provided, staff recommends approval of the proposed conditional use request. If the Planning Commission agrees that allowing alcoholic beverage sales for on premises consumption will be harmonious and compatible with the surroundings, below is a motion for consideration:

## Motion to Recommend Approval of a Conditional Use

**MOTION** by \_\_\_\_\_, seconded by \_\_\_\_\_, in the matter of File No. PCU2026-0007 (Don Armando's Mexican Cuisine), located at 1431 N. Rochester Rd., the Planning Commission **recommends** to City Council **Approval** of the **Conditional Use** to allow sales for on premises alcoholic beverage consumption associated with a restaurant use, based on documents received by the Planning Department on September 13, 2026 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 existing restaurant use with the proposed conditional use should continue to have a positive impact on the community as a whole and the surrounding area by providing additional /modified eating and gathering opportunities within this area of the City and the proposed operators of the business have extensive experience operating restaurant businesses within the City.
4. The existing restaurant use and the proposed conditional 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. In addition, a use of this nature falls in line with the Neighborhood Business District.
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, in the determination of City staff, the intensity of the use changes or increases, in terms of traffic, noise, hours, lighting, odor, or other aspects that may cause adverse off-site impact, 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 and conditions for possible revocation, modification or supplementation.