



City of Rochester Hills
AGENDA SUMMARY
NON-FINANCIAL ITEMS

1000 Rochester Hills Dr.
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Legislative File No: 2022-0479 V2

TO: Mayor and City Council Members

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

DATE: November 16, 2022

SUBJECT: Request for conditional use approval for Nu Asian Cuisine, dba Little Tree Sushi Bar Rochester Hills to allow for on premises alcoholic beverage consumption at 1890 S. Livernois, located on the west side of Rochester Road, north of Hamlin Road.

REQUEST:

Approval of a conditional use to allow for on premises alcoholic beverage consumption at NuAsian Cuisine dba Little Tree Sushi Bar Rochester Hills, located at 1890 S. Rochester Rd, zoned B-3 Shopping Center Business District with an FB Flexible Business Overlay District.

BACKGROUND:

The applicant has filed for a Conditional Use Permit, to serve and consume alcohol, for NuAsian Cuisine dba Little Tree Sushi Bar Rochester Hills. Little Tree Sushi Bar is a dine in restaurant, specializing in sushi and other Japanese, Thai, and Filipino cuisines. Alcoholic beverage sales for on premises consumption, accessory to a permitted use, requires a conditional use permit in the B-3 Shopping Center Business District. The applicant is not seeking a quota license, they are proposing to transfer their own Class C liquor license from their previous location in Royal Oak.

The proposed tenant space is located within the former Outback Steakhouse along the west side of Rochester Road. The tenant space, when operated as Outback Steakhouse, also had a liquor license. The applicant has noted that no additional changes are planned to the exterior of the building; however, renovations have been ongoing within the interior of the tenant space over the course of the last several months. The hours of operation proposed by the applicant are as follows: Sunday – Thursday 11:30 a.m. – 2:30 p.m. and 5:00 p.m. – 9:00 p.m. and Friday – Saturday 11:30 a.m. – 2:30 p.m. and 5:00 p.m. – 10:00 p.m. Based on the site’s location, the hours of operation should not be impactful to any neighboring properties.

As a part of their application materials, the applicant has indicated that they have been in the restaurant business for approximately twenty-seven (27) years within Royal Oak, owning several different restaurants during that time, and would now prefer to operate their business within the City of Rochester Hills due to the City’s physical and demographic makeup and overall business atmosphere.

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 unanimous approval of the conditional use with several findings and conditions as reflected in the attached resolution, at its November 15, 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 Nu Asian Cuisine, dba Little Tree Sushi Rochester Hills to allow on premises alcoholic beverage consumption, located at 1890 S. Rochester Road, File No. PCU2022-0008, 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