

2022-0479 Public Hearing and Request for Conditional Use Recommendation - File No. PCU2022-0008 - to allow alcoholic beverage sales for on-premises consumption at Nu Asian Cuisine LLC dba Little Tree Sushi Bar Rochester Hills, 1890 S. Rochester Rd., zoned B-3 Shopping Center Business District with an FB Flex Business Overlay, Parcel No. 15-22-451-030, Shepherd Spencer, Nu Asian Cuisine LLC dba Little Tree Sushi Bar Rochester Hills, Applicant
(Staff report dated 11-15-22, Floor Plan, Lease Agreement, EIS, and PHN dated 10-26-22 had been placed on file and by reference became a part of the record thereof).

Chairperson Brnabic introduced the public hearing request for a conditional use request to allow alcoholic beverage sales for on-premises consumption at Nu Asian Cuisine LLC dba Little Tree Sushi Bar Rochester Hills, 1890 S. Rochester Rd., zoned B-3 Shopping Center Business District with an FB Flex Business Overlay, Parcel No. 15-22-451-030, Shepherd Spencer, Nu Asian Cuisine LLC dba Little Tree Sushi Bar Rochester Hills, Applicant. She invited the applicants to the table.

Present for the applicant was Shepherd Spencer, Nu Asian Cuisine dba Little Tree Sushi Bar.

Mr. McLeod explained that this is a request for a conditional use recommendation to City Council for the Little Tree Sushi Bar, formerly of Royal Oak, for alcoholic beverage sales within the B-3 district. He noted the applicant has been working on the interior space which was formerly occupied by Outback Steakhouse. He said the hours of operation are planned to be Sunday - Thursday 11:30 - 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. He showed an aerial photo on the overhead and noted the request should not result in impacts to residential properties. He said the restaurant's seating will accommodate about 110 persons for different areas of the restaurant. He noted the applicant is anticipating that 80 percent of the business will be from food sales and 20 percent from alcohol sales. Mr. McLeod reviewed the conditional land use criteria from the ordinance and said that staff recommends approval of the request.

Chairperson Brnabic asked the applicant to add any comments.

Mr. Spencer said that he has been in Royal Oak for 27 years and it's not what it used to be. He said that he likes Rochester Hills, it is clean, new and inviting. He explained that he was sitting at home during the pandemic and took a ride up to Rochester Hills to see if there were any sites available, and he noticed the old Outback Steakhouse which was vacant for a long time. He said that the tenant space is 3,800 square feet, compared to his space in Royal Oak which was

3,000 square feet, which was always just a little small. He made a phone call and the rest is history. He said that the supply chain for restaurants has been tough, he still does not have electrical panels and he ordered them 30 weeks ago. He said that he likes to take his time to get a space ready, and this is his fifth restaurant. He explained that 24 years ago he moved to Main St. in Royal Oak and then opened up an Asian steakhouse next door. He said that when that went sideways he opened a country music venue called the Dixie Moon Saloon. He said that then the City of Royal Oak came along and decided to do high rise parking. He said he was opposed to it, he knew it would destroy the city. He said that he thinks it will come back eventually but he decided it was time to move. He said that he is looking forward to coming to Rochester Hills and getting permission to serve some sake.

Dr. Bowyer said that the new restaurant will be right down the street from her house. She said that she likes a little warm sake and asked Mr. Spencer if he would be applying for a quota license from the city.

Mr. Spencer said that he has a license from Dixie Moon.

Dr. Bowyer said that she will definitely come in to the new restaurant and moved the motion in the packet, and it was seconded by Mr. Dettloff.

Mr. Weaver said that he used to live in walking distance from the Royal Oak locations, and he is ecstatic that this restaurant is coming to Rochester Hills.

Mr. Dettloff said that he previously worked for the City of Royal Oak but couldn't speak to what they are doing now. He said that parking in Rochester Hills will be a lot more conducive to the restaurant in this location.

Mr. Spencer said that the shopping center has about 250 spaces without a single parking meter. He said that the Little Tree in Royal Oak closed July 9 for the last weekend. He said that he was planning on opening in October; however staffing is difficult right now.

Mr. Dettloff said that this applicant is welcomed with open arms to Rochester Hills.

Mr. Struzik said that he appreciates the kind words about our community and he is happy to attract businesses like this.

Mr. Spencer said that at one time in Royal Oak he employed 55 people in two venues.

Ms. Denstaedt said that she echoes her fellow commissioners and thanked Mr. Spencer for coming to the community.

Mr. Gallina said that he was glad that Mr. Spencer took that drive that day and this is a great community to be in.

Chairperson Brnabic opened the Public Hearing for public comment at 8:19 p.m. Seeing no one wishing to speak, she closed the public hearing.

Chairperson Brnabic called for a voice vote. After the vote, Chairperson Brnabic announced that the motion passed unanimously and congratulated the applicant and noted the request will proceed on to City Council.

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

Aye 7 - Bowyer, Brnabic, Denstaedt, Dettloff, Gallina, Struzik and Weaver

Excused 2 - Hooper and Neubauer

Resolved, in the matter of File No. PCU2022-0008 (Nu Asian Cuisine LLC, dba Little Tree Sushi Bar Rochester Hills), 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 October 17, 2022 with the following findings:

Findings

1. The proposed 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 should have a positive impact on the community as a whole and the surrounding area by further offering jobs.
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.