



## Department of Planning and Economic Development

Staff Report to the Planning Commission

April 13, 2022

### 112 Pizzeria Bistro

<b>REQUEST</b>	Conditional Use Recommendation
<b>APPLICANT</b>	Achille DiNello 112 Pizzeria Bistro Inc. 2528 S. Adams Rd. Rochester Hills, MI 48309
<b>LOCATION</b>	2528 S. Adams Rd., Marketplace shopping center,
<b>FILE NO.</b>	JNRA2022-0002
<b>PARCEL NO.</b>	15-30-326-015
<b>ZONING</b>	I Industrial District
<b>STAFF</b>	Kristen Kapelanski, AICP, Manager of Planning

### Summary

The applicant has filed for a Conditional Use Permit to allow for alcoholic beverage sales for onsite consumption at 112 Pizzeria Bistro, an existing tenant within the Marketplace shopping center located on the north side of Adams Rd., south of M-59. Alcoholic beverage sales for on premises consumption, accessory to a permitted use, require a Conditional Use permit in the Industrial (I) district, after the Planning Commission makes a recommendation and City Council approval.



According to the applicant there are no renovations planned for the restaurant at this time. The hours of operation for the restaurant are currently 11:00 a.m. - 9:00 p.m. Monday - Saturday and 12:00 p.m. - 8:00 p.m. Sunday. The existing multi-tenant building is surrounded by other commercial businesses to the west, north and south and Regional Employment Center (REC) zoning to the south, across Adams.

	Zoning	Existing Land Use	Future Land Use
<b>Site</b>	<b>I Industrial District (with a consent judgment)</b>	<b>Shopping center</b>	<b>Regional Commercial</b>
<b>North</b>	ORT Office, Research & Technology District	Walmart	Workplace
<b>South</b>	REC-W Regional Employment Center - Workplace	Pangea manufacturing	Park/Public Open Space/Commercial Residential Flex 3, with Technology and Office Image Corridor beyond
<b>East</b>	I Industrial District and ORT Office, Research & Technology District	Panera Bread (same shopping center), with Walmart property beyond	Regional Commercial
<b>West</b>	I Industrial District	Five Guys, Asian Express, a salon, Michigan Combat, etc. in the same shopping center	Regional Commercial

## General Requirements for Conditional Uses

Per Section 138-2.302 of the Zoning Ordinance, there are five 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.

- Will promote the intent and purpose of (the Ordinance).* The I Industrial district does support and promote this type of use. The consent judgment contemplates a variety of commercial uses which support the proposed conditional use.
- 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.* The restaurant is already occupying the tenant space and no exterior alterations are planned.
- 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.* The space has been served adequately by all City services as it is not a new facility. Any demands placed on the public infrastructure are already accounted for by previous use of this facility.
- Will not be detrimental, hazardous, or disturbing to existing or future neighboring land uses, persons, property, or the public welfare.* There will be no detrimental, hazardous or disturbing activity to the existing or future neighboring uses, persons, property or to the public welfare.
- Will not create additional requirements at public cost for public facilities and services that will be detrimental to the economic welfare of the community.* 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.

The conditional use was noticed for a public hearing, and staff has not received any comments or concerns.

## **Summary**

As part of the review for this project, the plans and supplemental documentation have been reviewed by staff. 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**

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**MOTION** by \_\_\_\_\_, seconded by \_\_\_\_\_, in the matter of City File No. JNRA2022-0002 (112 Pizzeria Bistro), the Planning Commission **recommends** to City Council **Approval** of the **Conditional Use** to allow sales for on premises alcoholic beverage consumption, based on documents received by the Planning Department on February 15, 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.

### Conditions

1. City Council approval of the Conditional Use.
2. Public hours of operation for the restaurant will be between 11:00 a.m. - 9:00 p.m. Monday - Saturday and 12:00 p.m. - 8:00 p.m. Sunday

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Reference: Floor Plan dated February 4, 2022 and received by the Planning department on February 15, 2022

Attachments: Conditional use request documentation, EIS, and Notice of Public Hearing

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