

2022-0199 Public Hearing and Request for Conditional Use Recommendation - File No. JNRA2022-0002 - to allow alcoholic beverage sales for on-premises consumption at 112 Pizzeria Bistro, 2528 S. Adams Rd., located west of Marketplace Cir., zoned I Industrial District, Parcel No. 15-30-326-015, Achille

DiNello, 112 Pizzeria Bistro Inc., Applicant
(Staff report dated April 13, 2022, floor plan, environmental impact statement, and public hearing notice had been placed on file and by reference became a part of the record thereof).

In attendance for the Applicant was Achille DiNello, 112 Pizzeria Bistro Inc., 2528 S. Adams Rd., Rochester Hills, MI 48309.

Chairperson Brnabic introduced this item and stated the request for a conditional use to allow alcoholic beverage sales for on-premises consumption at 112 Pizzeria Bistro, 2528 S. Adams Rd., located west of Marketplace Circle, zoned I Industrial District.

Ms. Kapelanski stated that this is a conditional use request for just the on-premises alcohol sales, and no changes to the site are planned. She commented that the applicant is asking for a positive recommendation on the conditional use this evening. She noted that the requirements and findings of the conditional use from Section 138-2.0302 of the Zoning Ordinance are outlined in the Staff report, and the Commission's recommendation will be forwarded onto City Council for consideration along with the liquor license request.

*Chairperson Brnabic noted that this item requires a **Public Hearing**, and stated that she does not have any speakers cards. Seeing no one in attendance wishing to speak, she **Closed the Public Hearing at 7:50 p.m.***

Mr. Hooper questioned whether the applicant currently has a liquor license or would be bringing one in.

Mr. DiNello responded that they do not have one currently, and explained that they are take-out fast casual along with dine-in. He stated that they have been there since 2012 and he is a small business owner. He mentioned that they do a New York-Style pizza, and feel that beer and pizza are a perfect marriage.

Ms. Kapelanski stated that with the most recent census counts, the City was allocated four additional liquor licenses.

Mr. Hooper stated that they are not promised or given to anyone yet.

Ms. Kapelanski confirmed that was correct, and explained that the first step in the process is for a potential applicant to come before the Planning Commission, and then go to the Liquor License Technical Review Committee, and then after that consideration by Council.

Chairperson Brnabic stated that she noticed several typographical errors in the Environmental Impact Statement summary. She suggested the applicant move to correct a few of them.

Mr. DiNello stated that he would have no problem correcting them.

Mr. Weaver questioned what kind of beverages would be served.

Mr. DiNello responded that they would do specialty beer, wine and seltzers, and would be using the tavern part of the license. He stated that they have no plans to do full liquor or spirits, and explained it would more than likely be four taps of one Italian and three Michigan craft beers, a wine selection of reds and whites, and some seltzers that are gluten free and lighter on calories.

Mr. Weaver questioned whether there would be a bar area or would just be beer served with pizza..

Mr. DiNello stated that they did submit plans that are generally what they already have now with four taps added, and do not have plans to create a bar area.

Mr. Dettloff questioned whether the applicant has had any dialogue with the State Liquor Control Commission.

Mr. DiNello responded that the process is a little bit newer because the last time there were quota licenses was in 2010, and most since then have been transfer licenses. As this is a quota license the process was a little cumbersome to figure out whether they would go to the State first or the City first. It appears that they will start here, obtain the City approval assuming they could get it, and then it would go to the Liquor Commission in Lansing. Currently there are four new licenses so if it is approved by the City Council, they have submitted the rest of the application and the only one missing is the local Rochester Hills approval, which is very important.

Mr. Dettloff questioned whether they would go for a Class C.

Mr. DiNello stated that right now they would be doing the Tavern license; he explained that they technically are upgradable to Class C licenses. He stated that unless they were doing high-end cocktails, then there would be a bar requirement that they would have to create. He commented that they would probably have to come to the Planning Commission to approve the new plans.

Mr. Dettloff questioned whether the applicant has explored all the liability.

Mr. DiNello responded that the insurance would have to be increased for liability; and they think that the benefits far outweigh with increasing business, adding more labor into the market and putting more foot traffic into an area that has recently lost some tenants during Covid. He stated that they are really excited to get a lot of that dining business back.

Mr. Dettloff stated that he has never been there, and questioned whether they had outdoor seating.

Mr. DiNello stated that they do put out a couple of benches. He commented that they have spoken to the landlord and could put a few tables outside, but would also have to check with the City to make sure that those are in part of the planning.

Mr. Dettloff questioned who the landlord is.

Mr. DiNello responded that the group is called Continuum, and he believed that Grand Sakwa sold it. He explained that this other group out of California took it over in 2018 or 2019 and they own a few things. Farbman is the property manager in Southfield.

Dr. Bowyer stated that she would agree that beer and pizza go well together, and she thinks they are in a great location and it looks like they have been established for a while. She recommended that the Board approve the conditional use to go to City Council.

Mr. Dettloff supported the motion.

Mr. Hooper questioned whether since there is no liquor license yet, it should be conditioned upon City Council's awarding of a license. If he doesn't have one, and City Council chooses not to award a license, he would have to bring one in.

Ms. Roediger stated that the question before the Planning Commission is whether the Commission thinks the use is appropriate at this location. How he gets his liquor license is for the Liquor Committee to decide.

After a voice vote, Chairperson Brnabic noted that the motion passed unanimously.

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 8 - Bowyer, Brnabic, Denstaedt, Dettloff, Gallina, Hooper, Struzik and Weaver

Excused 1 - Neubauer

Resolved, 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.