



Department of Planning and Economic Development

Staff Report to the Planning Commission September 14, 2022

Oceania Inn Conditional Use

REQUEST	Conditional Use Recommendation
APPLICANT	Mr. Wai Po Leung Oceania Inn Inc. 2700 W. Tienken Rd. Rochester Hills, MI 48306
LOCATION	37 S. Livernois Rd., southeast of Walton and Livernois in the Campus Corners shopping center
FILE NO.	PCU2022-0006
PARCEL NO.	15-15-101-026
ZONING	B-3 Shopping Center Business District with an FB-3 Flexible Business Overlay
STAFF	Sara Roediger, Planning and Economic Development Director Chris McLeod, AICP, Planning Manager

Summary

The applicant has filed for a Conditional Use Permit to allow for alcoholic beverage sales for onsite liqueur consumption at the new location for Oceania Inn, in the northernmost end of at the Campus Corners shopping center located south and east of Walton Blvd. and Livernois Rd. The restaurant will be relocating from its former tenant space at the University Square shopping center located northwest of Walton and Adams Rd.

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, after the Planning Commission makes a recommendation and City Council approval.



The applicant has a building permit for interior alterations to the space formerly occupied by Panera Bread, in the smaller multi-tenant building on the north side of the Campus Corners shopping center parcel. The hours of operation proposed by the applicant are 11:00 a.m. – 10:00 p.m. daily, however, based on the sites location, hours of operation should not be impactful to any neighboring properties. The remainder of the shopping center includes Kroger, restaurants, and other retail occupants, and is surrounded by other commercial businesses to the north and west, with Providence Rochester Hospital to the east, the remainder of the Campus Corners shopping center to the south, and Rochester High School further west across Livernois.

	Zoning	Existing Land Use	Future Land Use
Site	B-3 Shopping Center Business District with an FB-3 Flexible Business Overlay	Campus Corners shopping center	Commercial Residential Flex 3
North	O-1 Office Business District with FB-3 Flexible Business Overlay and B-2 General Business District with FB-3 Flexible Business Overlay north of Walton	An office building, Mobile gas station, with Chase Bank and retail businesses north of Walton	Commercial Residential Flex 3
South	B-3 Shopping Center Business District with an FB-3 Flexible Business Overlay	Campus Corners shopping center	Commercial Residential Flex 3
East	SP Special Purpose	Providence Rochester Hospital	Special Purpose
West	B-3 Shopping Center Business District with an FB-3 Flexible Business Overlay, with R-1 One Family Residential west of Livernois	A bank, with Rochester High School west of Livernois	Commercial Residential Flex 3 with Residential 2.5 west of Livernois

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.

- Will promote the intent and purpose of (the Ordinance).* The B-3 Shopping Center Business district does support and promote this type of 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 tenant space was previously occupied by Panera Bread, and there are no structural changes planned for the building.
- 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 the previous use.
- 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 given the nonresidential nature of the surrounding land uses and their intensity of operation.
- 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

MOTION by _____, seconded by _____, in the matter of File No. PCU2022-0006 (Oceania Inn), 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 August 25, 2022 and September 2, 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.