CITY of NOVI CITY COUNCIL
Agenda Item X
August 13, 2018

SUBJECT: Approval of a request to transfer ownership of a 2018 Class C and SDM Licensed Business with Sunday Sales Permit (AM and PM), from X-Golf Novi, LLC, located at 44325 W. 12 Mile Road, Suite H179, Novi, MI 48377 to Beyond the Green, LLC.

SUBMITTING DEPARTMENT: City Clerk

CITY MANAGER APPROVAL:

BACKGROUND INFORMATION:

Beyond the Green is a limited liability corporation based out of Waterford, MI. The members are Christopher Barlow, Michael Barlow, and Jennifer Meagher, all out of Waterford. X-Golf is an established business that has been operating for almost two years at this location. This is a change in ownership only.

The general licensing policy as stated in Chapter 3 of the City Code states, at Section 3-13, that an applicant must demonstrate in particular that the proposed facility:

(a) Will provide a service, product, or function that is not presently available within the city or that would be unique to the city or to an identifiable area within the city.
(b) Is of a character that will foster or generate economic development or growth within the city, or an identifiable area of the city, in a manner consistent with the city's policies.
(c) Represents an added financial investment on the part of a long-term business or resident with recognized ties to the city and the local community.

More specific review criteria are set forth at subsection 3-15(g), and in addition to the general information regarding the applicant and the facility or building at issue, they require a review of the benefits to the community of the proposed use:

(3) Benefits to community:

a. The effects that the issuance of a license would have upon the economic development of the city or the surrounding area.
b. The effects that the issuance of a license would have on the health, welfare, and safety of the general public.
c. Whether the applicant has demonstrated a public need or convenience for the issuance of the liquor license for the business facility at the location proposed, taking into consideration the following, together with other factors deemed relevant by the council:

1. The total number of licenses for similar establishments and/or operations in the city, considered both in terms of whether such number of similar establishments is needed and whether there may be a need for other types
of establishments that could go unmet if the requested license were granted.

2. The proximity of the establishment to other licensed liquor establishments, the type of such establishments, whether such other establishments are similar to that proposed, and the anticipated impact of all such determinations.

3. Whether the proposed location is in an area characterized as developed, redeveloping, or undeveloped, and the anticipated impact of approving the newly proposed establishment in light of such character, taking into consideration the need for any type of additional licensed establishment in the area, and the need the particular type of establishment proposed.

4. The uniqueness of the proposed facility when contrasted against other existing or proposed facilities, and the compatibility of the proposed facility to surrounding architecture and land use.

5. The permanence of the establishment in the community, as evidenced by the prior or proposed contributions to the city or community by the applicant or business, and the extent to which the issuance of the license will assist in the further investment of the applicant or business in the city or the community.

6. The character and extent of investment in improvements to the building, premises, and general area.

RECOMMENDED ACTION: Approval of request to transfer ownership of a 2018 Class C and SDM Licensed Business with Sunday Sales Permit (AM and PM), from X-Golf Novi, LLC, located at 44325 W. 12 Mile Road, Suite H179, Novi, MI 48377 to Beyond the Green, LLC, because premises have historically been occupied by a business licensed to sell alcohol and such use is not incompatible with other uses in the area, the existing use will continue and has not adversely affected surrounding uses, and because the applicant appears to qualify for a license under the City’s ordinance.
TO: CORTNEY HANSON, CITY CLERK
FROM: DAVID E. MOLLOY, DIRECTOR OF PUBLIC SAFETY / CHIEF OF POLICE
INITIATED BY: JEFF BROWN, DETECTIVE
SUBJECT: TRANSFER OF CLASS C LIQUOR LICENSE TO BEYOND THE GREEN, LLC DBA X-GOLF
DATE: JULY 31, 2018

Liquor License Request:

Beyond the Green LLC requests to transfer ownership of Class C license from a current established business, X-Golf. Beyond the Green LLC will operate the business under its current name, X-Golf. It will be located at its current location, 44325 W 12 Mile #H-179, Novi, MI 48377 inside of the Fountain Walk Shopping Center.

Applicant/Background Information:

Beyond the Green is a limited liability company based out of Waterford, MI. The CEO is Christopher Barlow. There are two other members of Beyond the Green. They are Michael Barlow and Jennifer Meagher, both of Waterford, MI. Jennifer Meagher has restaurant and bar experience as a manager. Both Michael Barlow and Christopher Barlow work in the automotive and IT industries.

X-Golf is an established business that has been in operation for approximately two years at its current location. Nothing about the venue with change other than ownership.

Criminal History/Police Contacts:

Jennifer Meagher has no negative contacts in CLEMIS other than an OWI in 2007. Michael Barlow had no negative contacts or arrests. Christopher Barlow had no negative contacts in CLEMIS but states that he has two OWI's convictions from 1994 and 1997 while in college.

Civil History:

There is no known civil history or bankruptcies.

Michigan Liquor Control Commission (MLCC):

There are no contacts with the MLCC for all three individuals.
Financial Review by the City of Novi Finance Department:

Based upon the financial data provided by the applicants, no issues were found to prevent the liquor license application process from proceeding.

Summary:

Based on the information provided and the subsequent liquor investigation I find no reason to deny the applicant's request. This request requires the approval of the Novi City Council.

C: Pete Auger, City Manager
JULY 18, 2018

TO: Cortney Hanson, City Clerk

FROM: Fire Marshal – Kevin Pierce

SUBJECT: Renewal of Liquor Business License – Beyond the Green 44325 Twelve Mile Ste. H-179 Novi MI 48377

A fire inspection has been conducted at the above business located at and the business has been found to be in compliance with the adopted fire prevention code. Renewal of the Liquor License for 2018 is recommended for APPROVAL.
TO: DAWN SPAULDING, DEPUTY CITY CLERK
FROM: LARRY BUTLER, DEPUTY BUILDING DIRECTOR
SUBJECT: LIQUOR LICENSE – BEYOND THE GREEN
DATE: 08/08/2018

MEMORANDUM

The property located at 44325 TWELVE MILE RD H179 with the business name of X-GOLF has received Special Inspection permit PSI18-0059 for the purpose of:

- [ ] Auctions
- [ ] Liquor License: Transfer of existing Class C Liquor License from X-Golf Novi to Beyond the Green, LLC
- [ ] Arcade License
- [ ] Massage License
- [ ] Outdoor Gathering
- [ ] Outdoor Seating
- [ ] Other:

From building safety standpoint, the Building Division does not object to the proposed license. Should you have any further questions with regards to this matter please feel free to contact me at (248) 347-0417.

[Signature]
Dawn,
Planning has no concerns with a liquor license being issued for this use at Fountain Walk.
Thanks,
Barb

From: Spaulding, Dawn
Sent: Wednesday, July 11, 2018 11:38 AM
To: Boulard, Charles; Butler, Larry; Oppermann, Katherine; McBeth, Barb; Pierce, Kevin
Cc: Garris, Gerylann
Subject: LL- Beyond the Green Application

Good morning,

Please review the attached application and respond by July 25th.

Thank you,
LEASING PLAN - BLDG. "H"

12 MILE COMMONS AT FOUNTAIN WALK
NWC I-96 & DONELSON DRIVE
NOVI, MICHIGAN

FOR LEASING INFORMATION PLEASE CONTACT:
SCOTT YOUNG OR TERRY KITTELSON
(248) 936-6800 OR (248) 936-6800

A JOINT VENTURE BETWEEN TRANSWESTERN INVESTMENT COMPANY, L.L.C; ARTHUR HILL & CO., L.L.C, AND HOPKINS REAL ESTATE GROUP

TRAMMELL CROW COMPANY
EXCLUSIVE LEASING AGENT
TYPE OF SIGN: Channel letterset
ELEVATION: North
SCALE: NTS
SIZE: 149" x 43.5"  SQ. FT.: 45
NAME: X Golf
STREET: 44325 Fountain Walk  H179
CITY: Novi  STATE: MI

LAYOUT BY: RJO
LAYOUT DATE: 7-8-16
REVISION #3
REVISION DATE: 7-13-16
DATE:
APPROVED BY:
Novi, MI

Sheet Index

T101 TITLE SHEET
D101 DEMOLITION PLAN
A101 ARCHITECTURAL FLOOR PLAN
A201 EQUIPMENT/FIXTURE PLAN AND DETAILS
M101 MECHANICAL PLAN
E101 ELECTRICAL POWER PLAN
E102 ELECTRICAL LIGHTING PLAN
E103 ELECTRICAL SPECS AND PANELS
P101 PLUMBING PLANS & DETAILS

Code Review Summary

Adopted Codes:
- 2012 MICHIGAN BUILDING CODE
- 2012 MICHIGAN MECHANICAL CODE
- 2012 MICHIGAN PLUMBING CODE
- 2012 MICHIGAN FIRE CODE
- 2012 MICHIGAN ENERGY CODE
- 2014 NATIONAL ELECTRICAL CODE AS REFERENCED IN THE ICC ELECTRICAL CODE

Stories: 1 STORY
Type of Construction: TYPE 2B-PROTECTED FULLY SPRINKLERED

Lease Space Area: 4,005 SF
Bar/Entry Area:
- 548 SF • 15 SFPP • 37 People
Simulator Area:
- 6 Simulators (5 Active 1 Future)
- Design load of 4 Active Players and 4 Waiting per Simulator
- Occupants/Simulator • 5 = 48 People
Office Area:
- 78 SF • 100 SFPP • 1 Person
Storage Area:
- 243 SF • 200 SFPP • 2 People
Total Load: 88 People

Project General Notes

Scope of Work

1. Demolition to include:
   - Removal of concrete floor for plumbing connection as necessary for new unisex restroom connection to bar areas
   - Removal of existing wiring for new lighting layout

2. Existing electrical service to remain, replace breaker and connect circuits as shown on E102

3. Buy, ship, install, build, follow all as called out in E102 and tape, mud, sand, and ready for paint (verify with owner)

4. Level & clean slab ready for new floor coverings

5. Level & clean slab ready for new floor coverings

6. Plumbing plan limited to supply and conditioned air to the new vomit room and office. All other ductwork and equipment is existing to remain

7. See E102 for new lighting layout

8. Sprinkling system and fire alarm system to be altered by others. Drawings to be provided by fire protection contractor to city for approval, under separate deferred submission

Project Name: Decathlon
Project Location: Novi, MI
Collaborating with: XGolf
Project Manager: Paul
Contact Information: paul@xgolf.com

43221 US-12, Novi, MI 48377

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EQUIPMENT SCHEDULE

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CUSTOMER SIDE ELEVATION

BAR PLAN

BACK BAR ELEVATION
Use one dedicated circuit for the Simulator.
**X-KITCHEN**

**SMALL PLATES**
- Mac & Cheese Wedges - $7
- Potato Skins - $5.50
- Jumbo Pretzel - $4.50
- Chicken Tenders - $6.50
- Mozzarella Cheese Breadsticks - $5

**PIZZA**
- Deep Dish Pepperoni - $9.50
- Four Cheese - $9.50

**CHIPS**
- Flavors Vary - $2