



## CITY of NOVI CITY COUNCIL

**Agenda Item B  
December 18, 2017**

**SUBJECT:** Approval of a request to transfer ownership of a Class C Business License issued under MCL 436.1531(4), with the addition of an SDM License, Sunday Sales Permit (AM and PM), Dance/Entertainment Permit, Outdoor Service Permit, and two additional Bar Permits from Rojo Six, LLC to Michigan Brewing Company, LLC d/b/a Rojo Mexican Bistro and Michigan Brewing Company located at 42875 Grand River Avenue, Suites 103 and 104, Novi, MI 48375.

**SUBMITTING DEPARTMENT:** City Clerk

*[Handwritten initials]*

**CITY MANAGER APPROVAL:**

*[Handwritten initials]*

### **BACKGROUND INFORMATION:**

Michigan Brewing Company, LLC has purchased the assets of Rojo Six, LLC, including all franchises, remaining leases and business assets, including the existing liquor license, with the intent to continue operating Rojo Mexican Bistro and the Michigan Brewing Company as the same businesses. Both businesses share a liquor license and are on-going businesses previously licensed by the State of Michigan.

The sole member of Michigan Brewing Company, LLC is Raymond Kurmas, Jr., who has been the general manager for Rojo for five years, and Michigan Brewing Company since 2015 when it opened. Mr. Kurmas has owned and operated several restaurants in the Detroit area and has extensive management experience.

The location for Rojo Mexican Bistro and Michigan Brewing Company has been approved by the Zoning Board, Planning Board, Building Department, and Fire Department. The Police Department finds no reason to deny this request.

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 a request to transfer ownership of a Class C Business License issued under MCL 436.1531(4), with the addition of an SDM License, Sunday Sales Permit (AM and PM), Dance/Entertainment Permit, Outdoor Service Permit, and two additional Bar Permits from Rojo Six, LLC to Michigan Brewing Company, LLC d/b/a Rojo Mexican Bistro and Michigan Brewing Company located at 42875 Grand River Avenue, Suites 103 and 104, Novi, MI 48375, because the businesses currently exist as licensed premises and have done so without issue for a substantial period of time and provides a necessary service within the area. Additionally, the Applicant has experience in managing one of the businesses for the past five-years, and the other for two-years and intends to continue substantially the same operations.