



CITY of NOVI CITY COUNCIL

Agenda Item 2
February 3, 2014

SUBJECT: Consideration of requests from Mynt Martini Novi, Inc.:

- A) Consideration of request for a Special Land Use for approval for service of alcoholic beverages.
- B) Consideration of request to transfer ownership of an escrowed 2013 Class C & SDM liquor license with Sunday Sales AM & PM Permit, new Dance-Entertainment Permit and new outdoor service area from Crust Pizza, Rochester Hills, LLC to be located at 44125 Twelve Mile, Suite E-136, Novi, MI 48377.

SUBMITTING DEPARTMENT: City Clerk *as/mc*

CITY MANAGER APPROVAL: *[Signature]*

BACKGROUND INFORMATION:

Mynt Martini Novi, Inc. is comprised of four partners: Nicola Iliev, Pece Ilievski, Chris Garcia and Ian Mynes. Nikola Iliev, Chris Garcia and Pece Ilievski currently own and operate the original Mynt Martini establishment in Cincinnati, Ohio. The four partners also own and operate two other liquor establishments, BBR Columbus and Sway Martinis and Tapa Lounge, both located in Columbus, Ohio. Nikola Iliev and Chris Garcia also own and operate The Garage Bar in Columbus, Ohio. Nikola Iliev, Chris Garcia and Pece Ilievski have been operating liquor establishments in Ohio since 2004.

Mynt Martini will be located in the center court of Twelve Mile Crossing at Fountain Walk across from Lucky Strike. Mynt Martini advises that their service will be 50% food and 50% liquor sales.

Both the Police Department and the Fire Department have no objections to the request.

A public hearing was held December 27, 2013 in the Novi Civic Center for consideration of the Special Land Use (SLU) request for approval for service of alcoholic beverages at the proposed Mynt Martini Novi, Inc. in accordance with Ordinance No. 18-266 which added Section 2525 to the Novi Zoning Ordinance. The Planning staff had previously reviewed the required application and Site Plan and found the documents to be complete. Glenn Lemmon, City Assessor, Charles Boulard, Community Development Director, and Brian Coburn, Engineering Manager, considered the request in accordance with the standards for review specified in Section 2525.d of the Zoning Ordinance and recommended to forward a **recommendation to City Council for approval of the Special Land Use.**

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.
 - d. 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.
 - e. 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.
 - f. The character and extent of investment in improvements to the building, premises, and general area.

RECOMMENDED ACTION: Consideration of requests from Mynt Martini Novi, Inc.:

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	1	2	Y	N
Mayor Gatt				
Mayor Pro Tem Staudt				
Council Member Casey				
Council Member Fischer				

	1	2	Y	N
Council Member Markham				
Council Member Mutch				
Council Member Wrobel				