



CITY of NOVI CITY COUNCIL

Agenda Item T
March 13, 2017

SUBJECT: Approval of the ownership transfer of an escrowed Class C and SDM liquor license from Sun Valley, MI Limited Partnership to Taipei 101 located at 44125 W. Twelve Mile Road, Suite E 136, Novi, MI 48377 with Sunday Sales (AM and PM) Permit, Dance/Entertainment Permit, Additional Bar Permit, and an Outdoor Service Area Permit.

SUBMITTING DEPARTMENT: City Clerk 

CITY MANAGER APPROVAL: 

BACKGROUND INFORMATION:

The Police and Fire Departments have no objections to the request. The Building Division has no objections to the request; however, final approval is pending due to interior renovations that are still scheduled to be performed at the property. This request did not require a Special Land Use application because the previous use(s) of the space included the service of alcohol.

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: Approval of the transfer of an escrowed Resort Class C & SDM Licensed Business with Sunday Sales Permit (AM and PM), Dance/Entertainment Permit, with Outdoor Service issued under MCL 436.1531 (2) (from Sun Valley, MI Limited Partnership for a business to be located at 44125 W. Twelve Mile Road, Novi, MI 48377 because the added investment in an existing facility in an area of the community that needs investment is a benefit to the City, and because both the current licensed facility at the same location and the applicant's existing use has not adversely affected the surrounding uses.

MEMORANDUM



TO: CORTNEY HANSON, CITY CLERK
FROM: DAVID E. MOLLOY
DIRECTOR OF PUBLIC SAFETY / CHIEF OF POLICE
INITIATED BY: MICHAEL BENDER, DETECTIVE
SUBJECT: TRANSFER OF CLASS C AND SDM LIQUOR LICENSE
TAIPEI 101 LLC
DATE: FEBRUARY 24TH, 2017

Liquor License Transfer Request:

Taipei 101 requests to transfer ownership of a Class C and SDM liquor license from Sun Valley, MI Limited Partnership for operation at 44125 W. Twelve Mile Rd, Suite E 136, Novi. In addition to the Class C and SDM license, Taipei 101 is requesting the following permits: Sunday Sales (AM and PM) Permit, Dance/Entertainment Permit, Additional Bar Permit, and an Outdoor Service Area Permit. The Liquor License is being assigned to Taipei 101 from the Landlord, Sun Valley – MI Limited Partnership, which has owned the Liquor License in escrow at this location.

Theme of Proposed Business

Taipei 101 will be an Asian fusion restaurant and sushi bar. Taipei 101 will renovate the space located in the Fountain Walk Mall which was formerly operated as Mynt Martni Lounge. Taipei 101 will obtain the liquor license from the landlord, Sun Valley-MI Limited Partnership. The renovations and costs will be financed by personal finances of member Jing Chen. Taipei 101 has a lease with the landlord for 5 years with 2 five year options to renew.

Applicant/Background Information:

The sole member of Taipei 101 is Jing Chen. Chen owns and operates two restaurants without alcohol, China Town Restaurant in West Bloomfield for the past 11 years, and China Town Restaurant in Commerce Township for the past 3 years.

Criminal History/Police Contacts:

I-Chat indicated Jing Chen was clear with no criminal record. A CLEMIS record check was also conducted with numerous contacts on record including (3) traffic accidents, (3) traffic citations.

Civil History:

The applicant does not have a civil history or any bankruptcies on record.

Oakland County Treasurer's Office

Contact was made with the Oakland County Treasurer's Office and there are no prior delinquent taxes at this location.

Better Business Bureau

No complaints were found.

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



CITY COUNCIL

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City Clerk
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March 7, 2017

TO: Cortney Hanson, City Clerk

FROM: Fire Marshal – Kevin Pierce

SUBJECT: Transfer of Liquor License –Taipei
44125 Twelve Mile #E-136, 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. Transfer of the Liquor License is recommended.

City of Novi
45175 Ten Mile Road
Novi, Michigan 48375
248.347.0460
248.347.0577 fax

cityofnovi.org

MEMORANDUM



TO: DAWN SPAULDING, DEPUTY CITY CLERK
FROM: MONICA DRESLINSKI, ACCOUNT CLERK
SUBJECT: LIQUOR LICENSE- TAIPEI
DATE: MARCH 7, 2017

The property located at **44125 Twelve Mile Road E136** with the business name of **Taipei** was approved on March 2, 2017:

- ☐ Auctions
- ☐ Liquor License
- ☐ Arcade License
- ☐ Massage License
- ☐ Outdoor Gathering
- ☐ Outdoor Seating
- ☒ Other: Liquor License

The Building Division has no objections to the request; however, final approval is pending due to Fire Department and Health Department approval. This request did not require a Special Land Use application because the previous use(s) of the space included the service of alcohol. Should you have any further questions with regards to this matter please feel free to contact the Community Development Department 248.347.0415.