



cityofnovi.org

CITY of NOVI CITY COUNCIL

Agenda Item 1
August 26, 2013

SUBJECT: Consideration of requests from JJY Cigar, LLC d/b/a Socialight Bistro Bar and Cigar Lounge:

- 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 Class C liquor license with Sunday Sales AM Permit, New Outdoor Service Area Permit and new SDM from S7, LLC to be located at 44375 Twelve Mile, Suite G157, Novi, MI 48377.

SUBMITTING DEPARTMENT: City Clerk *o.m.c.*

CITY MANAGER APPROVAL: *[Signature]*

BACKGROUND INFORMATION:

Socialight Bistro Bar and Cigar Lounge is proposed to be a new upscale restaurant, cigar bar and martini lounge. The applicants, Steven Romaya and Jeffrey Yatooma, have obtained an exemption from the State of Michigan which allows customers to smoke cigars on the premises. There will be equipment installed to ensure the smoke does not affect neighboring establishments. Mr. Romaya has been in the restaurant business since 1997. He owns and operates four Subway restaurants and he is also part owner of Scores Bar & Grill, a MLCC licensed business. Mr. Yatooma has owned and operated A Plus Painting, LLC in Walled Lake since 1998.

The Police Department has no objection to the request. The Fire Department has approved the application, pending a site fire inspection and compliance with the adopted IFC 2006 fire code. Final occupancy will be determined by the Fire Marshal's office.

A public hearing was held August 19, 2013 in the Novi Civic Center for consideration of the Special Land Use (SLU) request for approval for service of alcoholic beverages for the proposed Socialight Bistro Bar and Cigar Lounge 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. Rob Hayes, Director of Public Services, Glenn Lemmon, City Assessor and Charles Boulard, Community Development Director, 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 JJY Cigar, LLC d/b/a Sociallight Bistro Bar and Cigar Lounge:

- A) Approval of request for a Special Land Use for approval for service of alcoholic beverages.
- B) Approval of request to transfer ownership of an escrowed Class C liquor license with Sunday Sales AM Permit, New Outdoor Service Area Permit and new SDM from S7, LLC to be located at 44375 Twelve Mile, Suite G157, Novi, MI 48377.

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

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