CITY OF NOVI CITY COUNCIL SEPTEMBER 13, 2021



SUBJECT: Approval of request to transfer ownership of 2020 Resort Class C license issued under MCL 436.1531(2), original 550 Resort License, not at its original location, must meet seating and food requirements, & SDM license with (3) bars, Sunday Sales Permit (AM), Sunday Sales Permit (PM), Dance-Entertainment Permit and Outdoor Service (2 areas) from ANBE Investments, Inc.; new direct connection permit; add space to the licensed premises; redefine licensed premises at 42705 Grand River Ave Bldg 100, Novi, MI 48375 Novi City in Oakland County.

SUBMITTING DEPARTMENT: City Clerk

BACKGROUND INFORMATION:

White Wolf Japanese Patisserie, LLC is part of a multi-company structure owned by UCI, a nonprofit organization. White Wolf Japanese Patisserie has operated a restaurant with a Class C liquor license in Clawson since January 2020. One World Market Inc., also owned by UCI, has operated in Novi and Clawson since 1990.

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 2020 Resort Class C license issued under MCL 436.1531(2), original 550 Resort License, not at its original location, must meet seating and food requirements, & SDM license with (3) bars, Sunday Sales Permit (AM), Sunday Sales Permit (PM), Dance-Entertainment Permit and Outdoor Service (2 areas) from ANBE Investments, Inc.; new direct connection permit; add space to the licensed premises; redefine licensed premises at 42705 Grand River Ave Bldg 100, Novi, MI 48375 Novi City in Oakland County because the proposed use is in an area that is focused on entertainment and the proposed licensee will foster or generate economic

development or growth with respect to this and other destination indoor entertainment venues in the City by offering unique menu options as well as banquet and meeting facilities. The premises were previously occupied by a similar indoor entertainment 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.

MEMORANDUM

| CITY OF | | |
|---------------------|---------------|--|
| DI | TO: | DAWN SPAULDING, DEPUTY CITY CLERK |
| | FROM: | DAVID E. MOLLOY DIRECTOR OF PUBLIC SAFETY / CHIEF OF POLICE |
| $\langle M \rangle$ | INITIATED BY: | ERIC LINDBLADE, DETECTIVE |
| NOVI | SUBJECT: | TRANSFER OWNERSHIP / CLASS C LIQUOR LICENSE APPLICATION, WHITE WOLF JAPANESE PATISSERIE |
| cityofnovi.org | DATE: | AUGUST 20, 2021 |

Liquor License Request:

White Wolf Japanese Patisserie LLC, requests to transfer ownership of a 2021 Class C licensed business from Library Pub, 42705 Grand River, Suite 100, Novi, Michigan 48375.

Applicant/Background Information:

White Wolf Japanese Patisserie, LLC is a multi-company structure which is owned ultimately by UCI, which is a non-profit corporation. White Wolf Japanese Patisserie has operated a restaurant in Clawson with a Class C liquor license since January 2020. One World Market Inc, a related company, which is also owned by UCI has operated in Novi and Clawson since 1990. The President / Executive Chef of the White Wolf Japanese Patisserie restaurant is Doran Brooks.

Criminal History/Police Contacts:

Brooks has no criminal history. There were several CLEMIS contacts observed with nothing to hinder this application request. ICHAT was run on which returned with no 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.

Michigan Liquor Control Commission (MLCC):

There are no active violations.

Financial Review by the City of Novi Finance Department:

Based upon the financial data provided by the corporation, 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: Peter Auger, City Manager



August 17, 2021

CITY COUNCIL

| Mayor Bob Gatt | TO: | Cortney Hanson, City Clerk | | | | | |
|---------------------------------------|--|---|--|--|--|--|--|
| Mayor Pro Tem Dave Staudt | FROM: | Fire Marshal – Kevin Pierce | | | | | |
| Andrew Mutch | | | | | | | |
| Laura Marie Casey | SUBJECT: | Transfer of Liquor Business License – White Wolf Japanese Patisserie | | | | | |
| Hugh Crawford | | 42705 Grand River Ave. Suite 100 | | | | | |
| Justin Fischer | | Novi, Michigan 48375 | | | | | |
| Julie Maday | The above | Liquor License transfer is recommended for a "CONDITIONAL | | | | | |
| City Manager Peter E. Auger | APPROVAL" that when the construction for the remodel has been completed, it MUST be inspected and approved by the Fire Marshal and | | | | | | |
| City Clerk Cortney Hanson | or his designee for a certificate of completion. The fire department does not have any objections to this Liquor License transfer. | | | | | | |

Novi Public Safety Administration 45125 Ten Mile Road Novi, Michigan 48375 248.348.7100 248.347.0590 fax

cityofnovi.org

MEMORANDUM



TO: CORTNEY HANSON, CITY CLERK un FROM: CHARLES BOULARD, BUILDING DIRECTOR SUBJECT: WHITE WOLF JAPANESE PATISSERIE LIQUOR LICENESE DATE: 08/27/2021

The property located at 42705 GRAND RIVER AVE 100 with the business name of WHITE WOLF JAPANESE PATISSERIE has received Special Inspection permit PSI21-0067 for the purpose of:

| | A |
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Auctions iquor License: Class C Transfer Arcade License Massage License Outdoor Gathering Outdoor Seating Other:

From building safety standpoint, the Building Division does not object to the proposed license. Full Department approval is pending the approval of the forthcoming interior renovations to be performed at the property. Should you have any further questions with regards to this matter please feel free to contact me at (248) 347-0423.



CITY OF NOVI, MICHIGAN

Liquor License Application

Questionnaires A and B

Questionnaires A and B are to be completed and returned to the Novi City Clerk's Office

Questionnaires A and B

Requirements and Procedures

- 1. Complete the Michigan Liquor Control Commission Application. Contact M.L.C.C. in Lansing at 517-322-1400 or toll free 1-866-813-0011.
- Fully complete the Novi Liquor License Application Questionnaires A and B and return them to the City of Novi Clerk's Office within 30 days. Complete Questionnaire C and return it to the Novi Police Department within 30 days.
- 3. Please review and include with the applicant's initial cover letter, a response to the Novi Alcoholic Liquor Ordinance, Article II, Section 3.14 (a) *Facilities for which new licenses may be granted.*
- 4. Attach a <u>non-refundable</u> application fee of \$1,000.00, plus \$210.00 for each person with a financial or management interest in the application including, but not limited to, partnership partners, corporate officers and directors. Please make the check payable to the City of Novi.
- 5. *Site Plan (15 copies, signed and sealed by a registered architect/engineer). If the facility is to be located in a proposed building for which site plan approval has not yet been obtained, or in an existing building that is to be remodeled, you must submit a conceptual site plan showing the proposed building and the relationship of the building to the surrounding properties and their uses.
- 6. *Building Façade Plan (15 copies, signed and sealed by a registered architect/engineer) all sides, including signage. If the proposed building final site plan has been previously approved by the Novi Planning and Community Development Department and there are <u>NO</u> changes, then please submit a letter of verification stating there will be no such changes along with this application.
- 7. *Interior Plan with seating arrangement (15 copies, signed and sealed by a registered architect/engineer). If the proposed interior has been previously approved by the City of Novi Building Department and there are <u>NO</u> changes, then please submit a letter of verification stating there will be no such changes along with this application.
- 8. Fifteen copies of the menu.
- 9. Provide any other information pertinent to the applicant and operation of the proposed facility that may be required by the Novi Alcoholic Liquor Ordinance, Article II.

*No site plan, building façade plan, interior plan or any part thereof, may be changed by the applicant once they have received approval in conjunction with the liquor licensing process. Applicant must submit separate plans and fees as required by other City of Novi departments and consultants in accordance with standard review procedures, if applicable.

Questionnaire A – Applicant Cover Information and Procedures for Liquor License

The Novi City Council will consider whether an applicant's proposal for a liquor license is reasonable when measured against the information contained within this completed application. Please answer each question thoroughly. All answers should be typed or printed legibly and neatly in black ink. If the space provided is insufficient for a complete answer, use additional sheets of paper, following the same format used in the questionnaire and attach to that part of the application. Failure to provide all required information or attachments could result in delay or denial of liquor license. All liquor license applications are subject to final approval by the Novi City Council. Please refer to Novi Alcoholic Liquor Ordinance, Articles I-II.

| 1(a). Name, address and phone number of applicant: | 1(b). Name, address and phone number of business: | | |
|--|---|--|--|
| White Wolf Japanese Patisserie LLC | White Wolf Japanese Patisserie LLC | | |
| 42705 Grand River, Suite 100, Novi | 42705 Grand River, Suite 100, Novi | | |
| Doran Brooks | | | |
| PRESIDENT & EXECUTIVE CHEF | PRESIDENT & EXECUTIVE CHEF | | |
| (224) 277-8078 | (224) 277-8078 | | |
| | | | |

NOTE: If the applicant is a partnership, you must include the name and address of each partner and attach a copy of the partnership agreement. If the applicant is a privately held corporation, you must include the name and address of each corporate officer, member of the board of directors and/or stockholders. Attach a copy of the articles of incorporation.

| 2. Type of liquor license applying for (check all those that apply): | | | | | | | | | |
|--|---------|--------|--------|------|-----------|-------------|-------|----------|----------------------|
| X | Class C | Resort | Tavern | Club | Hotel A B | 111 % AUTON | Quota | Transfer | Microbrewery/Brewpub |

Theme of Proposed Business:

White Wolf Japanese Patisserie LLC is purchasing the existing Class C and SDM license from ANBE Investments, LLC, which formally did business as Library Pub located at 42705 Grand River, Suite 100, Novi. White Wolf Japanese Patisseriewill operate on the first floor as a lood court, offering a variety of foods and alcoholic beverages to consume on the premises with a meal. White Wolf Japanese Patisserie will operate the second floor as a meeting and banquet area.

3. Street address and legal description of the property where liquor license is to be located:

White Wolf Japanese Patisserie LLC , 42705 Grand River, Suite 100, Novi. A legal description is attached to the application.

Questionnaire B – Administrative Background Information for Liquor License

The Novi City Council will consider whether an applicant's proposal for a liquor license is reasonable when measured against the information contained within this completed application. Please answer each question thoroughly. All answers should be typed or printed legibly and neatly in black ink. If the space provided is insufficient for a complete answer, use additional sheets of paper, following the same format used in the questionnaire and attach to that part of the application. Failure to provide all required information or attachments could result in delay or denial of liquor license. All liquor license applications are subject to final approval by the Novi City Council.

1. What is the applicant's management experience in the alcohol/liquor business?

White Wolf Japanese Patisserie, LLC is a multi-company structure which is owned ultimately by UCI. UCI is a non-profit corporation. White Wolf Japanese Patisserie has operated a restaurant in Clawson with a Class C liquor license since January 2020. One World Market Inc, a related company, which is ultimately owned by the same non profit corporation as White Wolf Japanese Patisserie, has operated at their Novi location since 1998 and has operated at a Clawson location since 1990.

2. What is the applicant's general business management experience?

White Wolf Japanese Patisserie has operated at in Clawson since January 2020. One World Market, has operated their Novi location since 1998 and at a Clawson location since 1990, and the company and its employees have vast management experience operating a business with a liguor license.

3. What is the applicant's general business reputation?

White Wolf Japanese Patisserie has an excellent reputation in the communities in which they operate their businesses

4. What is the applicant's financial status and ability to build and/or operate the proposed facility on which the proposed liquor license is to be located?

White Wolf Japanese Patisserie has operated in Clawson with a Class C license since January 2020. The cost for the license and purchase of the business will be paid from business sales generated from this business located in Michigan.

5. What are the applicant's past criminal convictions involving moral turpitude, violence or alcoholic liquors?

Not applicable; there are not individual owners of White Wolf Japanese Patisserie, LLC.

6. Does the applicant use alcoholic beverages to excess?

Not applicable; there are not individual owners of White Wolf Japanese Patisserie, LLC

7. What is the effect that the issuance of a license would have upon the economic development of the surrounding area?

| White Wolf Japanese Patisserie is located near the corner of Novi and Grand River Roads. This is a transfer of an existing Class C license, |
|---|
| Library Pub, which is currently in escrow at this site. The transfer of the license to White Woll Japanese Patisserie business will further |
| diversify and enhance the economic development of the area. |

8. What effect would the issuance of a license have on the health, welfare and safety of the general public?

White Wolf Japanese Patisserie will continue to have a positive effect on the surrounding business and the general public.

9. Has the applicant received responses from the Police Department, Building Department and/or Fire Department with regard to the proposed facility?

White Wolf Japanese Patisserie will renovated the existing space and upon completeion of the renovations will comply with any outstanding issues with the police department, building department and/or fire department.

10. What is the public need or convenience for issuance of a liquor license for this facility at the proposed location?

White Wolf Japanese Patisserie will offer an additional unique dining option in the area and will continue to enhance the area in which it will be located with its friendly service and will be convenient for the public as a full service restaurant.

11. What is 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?

White Wolf Japanese Patisserie's concept will be unique to the area servicing a unique concept and the facility is completely compatible with the surrounding area.

12. Does the facility to which the proposed liquor license is to be issued comply with the applicable building, plumbing, electrical and fire prevention codes and zoning statutes and ordinances applicable to the City of Novi? Has applicant received information from the appropriate departments?

The establishment is located in a portion of the downtown Novi area at Grand River and Novi roads and will comply with building, plumbing, electrical and fire prevention codes and zoning statues and ordinances upon completion of their renovations.

13. What effect will the facility to which to which the proposed liquor license is to be issued have upon vehicular and pedestrian traffic in the area?

White Wolf Japanese Patisserie has sufficient parking for the establishment and has easy access and egress from the business. Therefore, the continuation of the Class C license at this location will not adversely effect vehicular traffic and will continue to have a positive impact on the area.

14. What is the proximity of the proposed business facility to other similarly situated licensed liquor facilities?

There are several licensed businesses located close to White Wolf Japanese Patisserie Rojo. Famous Dave's BBQ, Michigan Beer Company, Oishi Restaurant, and BD's Mongolian Bar-B-Que are other Class C licensed businesses in the area.

15. What is the proximity of the proposed facility to complimentary uses such as office and commercial development?

There are multiple office buildings in the surrounding area and the business will be located on the southeast area of Novi Road and Grand River Avenue.

16. What effect would the proposed facility have upon the surrounding neighborhood and/or business establishments, including impacts upon residential areas, church and school districts?

The establishment is located in a commercial area. There are no residential homes, churches, or schools in the area.

17. What proposed or actual commitments are being made by the applicant to establish permanency in the community?

The applicant will have a 10 year lease that has 3 five year options.

18. What utilities are available to serve the facility?

All utilities are available to the facility.

19. What other factors should the Novi City Council consider?

White Wolf Japanese Patisserie will be an excellent addition to the area to allow the citizens of Novi and the surrounding area an additional dining destination at the daily food court and also a banquet facility area for meeting, wedding etc. Novi has a diverse population and this should be welcomed addition to the city and its residents.

| Cityofnovi.org WHITE WOLF JAPANESE PATISSERIE | | | Receipt: 10239 Page | 08/ The sum of | 05/21 £: \$1 | ,210.00 |
|---|--|-----------|------------------------|-------------------|-----------------|----------|
| | 27774 FRANKLIN ROAD SOUTHFIELD MI 48034 | | | | | |
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| | | | | | | |
| LIQUOR | | | | | | 1,210.00 |
| | | | | | Total | 1,210.00 |
| | 1 | TENDERED: | CHECKS | 50211 | | 1,210.00 |



GRETCHEN WHITMER GOVERNOR STATE OF MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS LANSING

ORLENE HAWKS DIRECTOR

Tuesday, April 20, 2021

Kelly Allen – attorney c/o WHITE WOLF JAPANESE PATISSERIE, LLC kallen@anafirm.com ; lpeters@anafirm.com

RID # RQ-2104-02846 **Reference/Transaction:** TRANSFER OWNERSHIP 2020 RESORT CLASS C LICENSE ISSUED UNDER MCL 436.1531(2), ORIGINAL 550 RESORT LICENSE, NOT AT ITS ORIGINAL LOCATION, MUST MEET SEATING AND FOOD REQUIREMENTS, & SDM LICENSE WITH (3) BARS, SUNDAY SALES PERMIT (AM), SUNDAY SALES PERMIT (PM), DANCE-ENTERTAINMENT PERMIT AND OUTDOOR SERVICE (2 AREAS) FROM ANBE INVESTMENTS, INC.; NEW DIRECT CONNECTION PERMIT; ADD SPACE TO THE LICENSED PREMISES; REDEFINE LICENSED PREMISES AT 42705 GRAND RIVER AVE BLDG 100, NOVI, MI 48375 NOVI CITY IN OAKLAND COUNTY.

Please let this letter serve as notice the Michigan Liquor Control Commission has referred your application to our Enforcement Division for investigation of your request.

Applicant/Licensee: WHITE WOLF JAPANESE PATISSERIE, LLC

Business address and phone number: 42705 GRAND RIVER AVE BLDG 100, NOVI, MI 48375 NOVI CITY IN OAKLAND COUNTY.

Home address and phone number of partner(s)/subordinates:

True World Market, Inc Address: 225 N Arlington Hills STE 102, Elk Grove Village IL, 60007. Business Phone: (253) 667-9156.

As part of the licensing process, an investigation is required by the Michigan Liquor Control Commission Enforcement Division. The Enforcement investigation will be conducted from the following designated District Office:

Southfield District Office (313) 456-1170

You may contact your designated District Office regarding any appointments or questions on documentation requested by the Investigator. Failure to provide requested information or to keep scheduled appointments will cause the application to be returned to the Lansing office for cancellation.

Since this request is a transfer under MCL 436.1529(1), approval of the local unit of government is <u>not</u> required. However, a copy of this notice is also being provided to **Local Governmental Unit** should they wish to submit an opinion on the application or advise of any local non-compliance issues.

Under administrative rule R 436.1105, the Commission shall consider the opinions of the local residents, local legislative body, or local law enforcement agency with regard to the proposed business when determining whether an applicant may be issued a license or permit.

Under administrative rule R 436.1003, the licensee shall comply with all state and local building, plumbing, zoning, sanitation, and health laws, rules, and ordinances as determined by the state and local law enforcements officials who have jurisdiction over the licensee. The licensee must obtain <u>all</u> other required state and local licenses, permits, and approvals before using this license for the sale of alcoholic liquor. Approval of this license by the Michigan Liquor Control Commission does <u>not</u> waive any of these requirements.

MICHIGAN LIQUOR CONTROL COMMISSION Retail Licensing Division (866) 813-0011

cc: WHITE WOLF JAPANESE PATISSERIE, LLC <u>robert.blue@trueworldgroup.com</u> ANBE INVESTMENTS, INC. <u>bob@4brarypub.com</u>

MICHIGAN LIQUOR CONTROL COMMISSION PAT GAGLIARDI, CHAIR 525 W. Allegan St. • P.O. BOX 30005 • LANSING, MICHIGAN 48909 www.michigan.gov/lcc • 866-813-0011



GRETCHEN WHITMER GOVERNOR STATE OF MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS LANSING

ORLENE HAWKS DIRECTOR

NOVI CITY chanson@cityofnovi.org