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## CITY of NOVI CITY COUNCIL

**Agenda Item H**  
**September 10, 2012**

**SUBJECT:** Approval to transfer ownership of Class C liquor license issued for property located at 47900 Grand River Avenue, Novi, MI 48375, from Applebee's Restaurants Mid-Atlantic, LLC to TSFR Apple Ventures, LLC, a Michigan limited Liability Company, conditioned on completion of final inspections and approvals as required by Chapter 3 of the City of Novi Code of Ordinances.

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

**CITY MANAGER APPROVAL:** *Clay/mp*

### **BACKGROUND INFORMATION:**

This proposed transfer of a Class C liquor license is part of a larger acquisition of 65 Applebee's stores, including all liquor licenses, in Michigan by a single purchaser, TSFR Apple Ventures, LLC, from Applebee's Restaurants, Inc. and Applebee's Restaurants Mid-Atlantic, LLC.

Under the City's liquor license ordinance, Section 3-16, the City is required to approve all transfers of liquor licenses. Normally, the Council reviews the transfer request after the City staff has completed a full review of the application (building, police, fire, etc.). Council will note that in this case the review is not complete, and therefore the approval of transfer is conditional. The Community Development Department has inspected the premises and its report is attached. The police and fire departments have begun their review, but have not yet completed them.

The City has been informed that the acquisition of the stores is scheduled to occur on or about September 19, 2012. The applicant has been working with the Michigan Liquor Control Commission (LCC), part of the State's Department of Licensing and Regulatory Affairs (LARA), which recently issued a bulletin indicating that it will no longer require local government approval before issuing transfer licenses (as opposed to quota licenses). The applicant was therefore under the impression that it would not need to secure the City's review and approval. The City staff informed the applicant that the City's approval is still required for the transfer under its local ordinance. The applicant has acknowledged that obligation by submitting the appropriate application materials (on September 6, 2012), but has requested at least a conditional approval, subject to the City completing its full building, police, and fire reviews between now and the date of the closing on the larger acquisition.

Given the circumstances -- particularly the new procedures announced by the LCC -- and further in light of the fact that initial inquiry into the applicant and the location do not appear to raise concerns that the City's transfer requirements will not be met, the proposed motion in this case conditionally approves the transfer, subject to final inspections and reviews by appropriate City departments.

**RECOMMENDED ACTION:** Approval to transfer ownership of Class C liquor license issued for property located at 47900 Grand River Avenue, Novi, MI 48375, from Applebee's Restaurants Mid-Atlantic, LLC to TSFR Apple Ventures, LLC, a Michigan limited Liability Company, conditioned on completion of final inspections and approvals as required by Chapter 3 of the City of Novi Code of Ordinances by September 14, 2012.

	1	2	Y	N
Mayor Gatt				
Council Member Casey				
Council Member Fischer				
Council Member Margolis				

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