



**CITY of NOVI CITY COUNCIL**  
**Agenda Item N**  
**February 11, 2019**

**SUBJECT:** Approval of request to transfer ownership of an escrowed 2018 Resort Class C and SDM licensed business with Sunday Sales Permit (PM), and Specific Purpose Permit (Food) with new Sunday Sales Permit (AM), Outdoor Service Permit (2 Areas), Dance-Entertainment Permit, issued under MCL 436.1531(4), non-transferable, from D & A Cuisine, Inc. to Abraham & Sons LLC (d/b/a Beerhead Bar & Eatery) located at 44375 W Twelve Mile Road Suite #G157, Novi, MI 48377.

**SUBMITTING DEPARTMENT:** City Clerk 

**CITY MANAGER APPROVAL:** 

**BACKGROUND INFORMATION:**

Abraham & Sons LLC members are brothers Yousef Abu Ayyash and Abdel Abu Ayyash, are Novi residents who were born in Jordan. Yousef became a United States citizen in 2015, and has previously worked for Ikea as the food and beverage manager, and has owned other restaurants and retail businesses. Abdel is currently a civil engineer for Acemware out of Jordan.

Beerhead Bar & Eatery is a franchise business with seven other locations in the United States, the Novi location will be their eighth, with an additional location planned for Columbus, OH. The company's focus is on creating a local environment that is closely tied to the surrounding communities' breweries, distilleries, and markets.

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 an escrowed 2018 Resort Class C and SDM licensed business with Sunday Sales Permit (PM), and Specific Purpose Permit (Food) with new Sunday Sales Permit (AM), Outdoor Service Permit (2 Areas), Dance-Entertainment Permit, issued under MCL 436.1531(4), non-transferable, from D & A Cuisine, Inc. to Abraham & Sons LLC (d/b/a Beerhead Bar & Eatery) located at 44375 W Twelve Mile Road Suite #G157, Novi, MI 48377 because the use proposed by licensee of providing American beer, dining, sports bar, and occasional live acoustic entertainment, as well as expanding the menu to provide for brunch options is in fact unique as compared to other venues in the area. The proposed use is in an area that is focused on entertainment and the proposed licensee will foster or generate economic development or growth within the area surrounding the restaurant. The premises have historically been occupied by a 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.