



**CITY OF NOVI CITY COUNCIL
JULY 8, 2024**

SUBJECT: Consideration of request to transfer ownership of an existing Class C & SDM license from BR Novi, LLC to Black Rock Novi Incorporated, located at 44175 W. 12 Mile Rd., Suite F-145, Novi, MI 48377.

SUBMITTING DEPARTMENT: City Clerk

BACKGROUND INFORMATION:

Black Rock Bar & Grill requests to transfer ownership of its existing Class C & SDM license from BR Novi, LLC to Black Rock Novi Incorporated. The business will continue to operate as Black Rock Bar & Grill.

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 impact of the establishment on city policing and code enforcement activities.
5. The overall benefits of the proposed establishment to the city.
6. The overall detriments of the proposed establishment to the city; and
7. Any other factors that may affect the health, safety, and welfare relative to the need for and/or the convenience of the proposed establishment in the city.

RECOMMENDED ACTION: Approval of request to transfer ownership of an existing Class C & SDM license from BR Novi, LLC to Black Rock Novi Incorporated, located at 44175 W. 12 Mile Rd., Suite F-145, Novi, MI 48377, because the transfer will be to owners who have worked in the particular establishment, or other locations of the same establishment since they were founded in 2012. The transfer will promote continuity of services of a long-term business with recognized ties to the city and the local community, which business has been operated in the City since 2012 in a manner consistent with City ordinances and without violations, and which will remain in a location that continues to demonstrate a need the particular type of establishment



LAW OFFICES

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KATHERINE A. TOMASIK

May 16, 2024

Via UPS 2nd Day Mail

Ms. Cortney Hanson, Clerk
City of Novi
45175 West Ten Mile Road
Novi, Michigan 48375

**Re: Black Rock Novi Incorporated
44175 W 12 Mile Rd, Ste F-145 Novi MI, 48377-1982
Request ID No. 2404-05303**

Dear Ms. Hanson:

We represent Black Rock Novi Incorporated, a Michigan corporation (“Black Rock Novi”) in liquor licensing matters. Enclosed please find Black Rock Novi’s City of Novi Liquor License Application.

Black Rock Novi has entered into an agreement to purchase certain business assets and liquor license from BR Novi, LLC, a Michigan limited liability company located at 44175 W 12 Mile Ste F 145, Novi, Michigan.

This is an application to transfer ownership of the Class C and SDM liquor licenses. In connection with the purchase transaction, Black Rock Novi has filed an application with the Michigan Liquor Control Commission to transfer ownership of the liquor license, and for a Sunday Sales (AM and PM) Permit and an Entertainment Permit.

BR Novi, LLC currently does business as Black Rock Bar & Grill and Black Rock Novi will continue to operate as Black Rock Bar & Grill.

Black Rock Novi’s stockholders are Branden Morganroth and Brock Morganroth (“Owners”). The Owner’s father, Lonny Morganroth, started the Black Rock concept in 2010 in Hartland, Michigan. Both Owners have worked in the development of the concept of Black Rock Bar & Grill, and both have worked directly in the Hartland restaurant. Lonnie Morganroth owned and operated the Black Rock Bar & Grill in Novi from 2012-2016 and Branden Morganroth was

the general manager. The Owners just started operating at their new Black Rock in Toledo in December 2023.

Black Rock Novi will continue to operate the restaurant in the same professional manner as the previous operators with a family friendly atmosphere. The hours of operation will be 7 days a week from 11:30 a.m. to 10:00 p.m. The business may extend its hours based on customer demand. The restaurant's capacities are subject to the approval of the Novi Fire Department.

Enclosed for your review are the following:

- Liquor License Application (Questionnaires A & B);
- Legal description;
- Site plan of Novi Town Center;
- Floor plan of the building; and
- Menu.

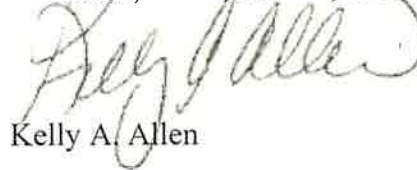
In addition, enclosed is a check payable to the City of Novi for the application fee in the amount of \$1,420.00. Additionally enclosed is the Liquor License Application Questionnaire C and the associated attachments for the Novi Police Department.

Please consider all personal and business documents confidential, and please do not release any of this documentation to the public.

We respectfully request that this matter be placed on an agenda for consideration by the Novi City Council as soon as possible. Please let us know if you have any questions, or there is anything further you need to facilitate your review of this application. Thank you for your assistance in this matter.

Very truly yours,

ADKISON, NEED, ALLEN, & RENTROP, PLLC



Kelly A. Allen

/lbp
Enclosures

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:

Branden Morganroth, President

Brock Morganroth Vice President

1(b). Name, address and phone number of business:

BLACK ROCK NOVI INCORPORATED/Black Rock Bar & Grill

44175 W 12 Mile Rd., Ste F-145, Novi, MI 48377-1982

(248) 465-7777

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):

Class C Resort Tavern Club Hotel A B Quota Transfer Microbrewery/Brewpub

Theme of Proposed Business:

BLACK ROCK NOVI INCORPORATED is applying to transfer the existing Class C and SDM license from BR Novi, LLC in the Fountain Walk Mall and will continue to operate as Black Rock Bar & Grill. Black Rock Bar & Grill is a full service American steakhouse restaurant.

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

BLACK ROCK NOVI INCORPORATED , 44175 W 12 Mile Rd., Ste F-145, Novi, MI 48377-1982. 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?

BLACK ROCK NOVI INCORPORATED stockholders are Branden Morganroth and Brock Morganroth. Branden Morganroth has worked for their father Lonnie Morganroth in the creation of the Black Rock concept since 2010. Brock Morganroth has worked for their father Lonnie Morganroth in the creation of the Black Rock concept since 2018. Branden Morganroth has worked in the Black Rock Restaurant which is owned by their father, located in Hartland, since 2010. Branden Morganroth worked in the Black Rock Restaurant which was owned by their father located in Novi from 2012-2016. Brock Morganroth has worked in the Black Rock Restaurant which is owned by their father, located in Hartland, since 2018.

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

Both Branden and Brock Morganroth have extensive general management experience in restaurant operations, as well as restaurant franchise development. The stockholders of the company, its management staff, and employees have vast management experience operating a business with a liquor license.

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

Branden and Brock Morganroth and its members have 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?

Branden and Brock Morganroth have the financial status and ability to operate this Black Rock location in the same fashion as the current operators. There is no cost to Black Rock Novi Incorporated for this transaction.

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

Branden and Brock Morganroth do not have any past criminal convictions of any type.

6. Does the applicant use alcoholic beverages to excess?

Branden and Brock Morganroth do not use alcoholic beverages to excess.

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

Black Rock is located in the Fountain Walk Mall. This is a transfer of an existing liquor license to continue to operate as a Black Rock Restaurant. Black Rock Novi will continue to 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?

The transfer of of the liquor license to Black Rock Novi Incorporated will continue to have a positive effect on the health, welfare and safety of 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?

Black Rock is a currently operating licensed business and will continue to comply with any requirements of 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?

Black Rock currently holds a liquor license at this location since 2016 licensed to BR Novi, LLC and this is a transfer to Black Rock Novi Incorporation will continue to enhance the area in which it is located with its friendly service and is 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?

Black Rock is a well-known concept as an award-winning steakhouse and a unique dining experience which 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 the Fountain Walk Mall and complies with all building, plumbing, electrical and fire prevention codes and zoning statues and ordinances.

Exhibit "B"

Property Description

**TWELVE MILE CROSSING AT FOUNTAIN WALK
NOVI, OAKLAND COUNTY, MICHIGAN**

Legal Description of Shopping Center

A part of the Northwest ¼ and the Northeast ¼ of Section 15, Town 1 North, Range 8 East, City of Novi, Oakland County, Michigan, more particularly described as: Commencing at the Northeast corner Section 15 and proceeding South 88 degrees 35 minutes 38 seconds West, 1690.26 feet along the North line of said Section 15 to the point of beginning; thence South 01 degrees 53 minutes 38 seconds East, 2563.67 feet along the West line of Donelson Drive (70.00 feet wide); thence North 83 degrees 29 minutes 50 seconds West, 1000.87 feet to a point on the North-South ¼ line of said Section 15; thence North 81 degrees 25 minutes 51 seconds West, 268.45 feet; thence North 01 degrees 52 minutes 22 seconds West, 2374.60 feet to a point on the North line of said Section 15; thence North 87 degrees 32 minutes 34 seconds East, 264.01 feet along said North line to the North ¼ corner of said section 15; thence continuing along said North line North 88 degrees 35 minutes 38 seconds East, 989.28 feet to the point of beginning.

Except a part of the Northwest ¼ and the Northeast ¼ of Section 15, Town 1 North, Range 8 East, City of Novi, Oakland County, Michigan, more particularly described as: Commencing at the Northeast corner of Section 15 and proceeding South 88 degrees 35 minutes 38 seconds West, 2679.54 feet along the North line of said Section 15 to the North ¼ corner of Section 15; thence continuing South 87 degrees 32 minutes 34 seconds West, 229.01 feet along the North line; thence South 01 degree 52 minutes 22 seconds East, 75.00 feet to a Point of Beginning; thence South 01 degrees 52 minutes 22 seconds East, 2306.40 feet; thence North 81 degrees 25 minutes 51 seconds West, 35.59 feet; thence North 01 degrees 52 minutes 22 seconds West, 2299.59 feet; thence North 87 degrees 32 minutes 34 seconds East, 35.00 feet to the point of beginning.

Also except a part of the Northwest ¼ and the Northeast ¼ of Section 15, Town 1 North, Range 8 East, City of Novi, Oakland County, Michigan, more particularly described as: Beginning at the North ¼ corner of Section 15; thence North 88 degrees 35 minutes 38 seconds East, 989.28 feet along the North line of said Section 15; thence South 01 degrees 53 minutes 38 seconds East, 102.00 feet; thence North 46 degrees 58 minutes 12 seconds West, 38.57 feet, thence South 88 degrees 35 minutes 38 seconds West, 962.00 feet to a point on the North-South ¼ line of said Section 15, thence South 87 degrees 32 minutes 34 seconds West, 202.19 feet; thence South 42 degrees 38 minutes 24 seconds West, 38.25 feet; thence North 01 degrees 52 minutes 22 seconds West, 27.00 feet; thence South 87 degrees 32 minutes 34 seconds West, 35.00 feet, thence North 01 degrees 52 minutes 22 seconds West, 75.00 feet to a point on the North line of said Section 15; thence North 87 degrees 32 minutes 34 seconds East, 264.01 feet along the North line of said Section 15 to the point of beginning.

SAVE AND EXCEPT: (GFS Marketplace Realty Five LLC).

Situated in the County of Oakland, City of Novi, State of Michigan, is described as follows:

A part of the Northeast ¼ of Section 15, Town 1 North, Range 8 East, City of Novi, Oakland County, Michigan, more particularly described as: Commencing at the Northeast corner of said Section 15; thence along the North line of said Section, South 88 degrees 35 minutes 38 seconds West, 1690.26 feet; thence South 01 degrees 53 minutes 38 seconds East, 102.00 feet to a point on the West right of way line of Donelson Drive (70 feet wide) also being the point of beginning; thence continuing along said West line South 01 degrees 53 minutes 38 seconds East, 278.00 feet, thence South 88 degrees 35 minutes 38 seconds West, 309.80 feet; thence North 01 degrees 24 minutes 22 seconds West, 305.00 feet to a point on the South right of way line of 12 Mile Road (75 feet ½ width); thence along said South right of way North 88 degrees 35 minutes 38 seconds East, 279.89 feet, thence South 46 degrees 58 minutes 12 seconds East, 38.57 feet to the point of beginning.

Part of Tax Item No. 22-15-200-100

MEMORANDUM



cityofnovi.org

TO: Melissa Morris, Deputy City Clerk
FROM: Alan Hall, Deputy Director of CD *ASH*
SUBJECT: BLACK ROCK LIQUOR LICENSE TRANSFER
DATE: 05/31/24

The property located at **44175 TWELVE MILE RD F145** has received a Special Inspection permit (**PSI24-0041**) for the purpose of:

- Auctions
- Liquor license – Class C Liquor License Transfer
- Arcade license
- Massage license
- Outdoor gathering
- Outdoor seating
- Other: _____

The Community Development Department has the following recommendation:

- Approved
- Approved with conditions (listed below)
- Not approved



From a building safety standpoint, the Building Division does not object to the proposed liquor license transfer.

If you have any questions, do not hesitate to contact me at (248) 347-0417.

Thank you!

MEMORANDUM



TO: CORTNEY HANSON, CITY CLERK
FROM: ERIC W. ZINSER 
DIRECTOR OF PUBLIC SAFETY / CHIEF OF POLICE
INITIATED BY: MICHAEL BENDER, DETECTIVE 
SUBJECT: TRANSFER OWNERSHIP APPLICATION, BR NOVI LLC.
DATE: MAY 31, 2024

Liquor License Request:

BR Novi Incorporated is requesting to transfer ownership of the Class C and SDM liquor license. In connection with the purchase transaction, Black Rock Novi has filed an application with the MLCC to transfer ownership of the liquor license, and for a Sunday Sales (AM and PM) Permit, as well as an Entertainment Permit. BR Novi, LLC currently does business as Black Rock Bar & Grill and Black Rock Novi will continue to operate as Black Rock Bar & Grill. The business is located at 44175 W. 12 Mile, Suite F-145, Novi, MI operating as Black Rock Bar & Grill. BR Novi's stockholders are Branden Morganroth and Brock Morganroth.

Applicant/Background Information:

BR Novi's stockholders/owners are Branden Morganroth and Brock Morganroth. Their father, Lonny Morganroth, started the Black Rock concept in 2010 in Hartland, MI. Both owners have worked in the development of the concept of BR, and both have worked directly in the Hartland restaurant. Lonnie Morganroth owned and operated the BR in Novi from 2012-2016 and Branden Morganroth was the general manager. The owners recently started operating at their new BR in Toledo in December of 2023.

Criminal History/Police Contacts:

Neither Branden nor Brock have criminal histories and their police contacts are of no concern for this investigation.

Civil History:

Branden and Brock do not have any civil history according to CLEAR.

Oakland County Treasurer's Office

Contact was made with the Oakland County Treasurer's Office and there is currently delinquent taxes in the amount of \$1,837.65 for this location.

Michigan Liquor Control Commission (MLCC):

Contact was made with the MLCC on BR Novi LLC and there was one violation on 09-16-21 pertaining to a transfer violation. The decision indicated "Violation warning notice".

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: Victor Cardenas, City Manager



May 21, 2024

CITY COUNCIL

Mayor

Justin Fischer

Mayor Pro Tem

Laura Marie Casey

Dave Staudt

Brian Smith

Ericka Thomas

Matt Heintz

Priya Gurumurthy

City Manager

Victor Cardenas

City Clerk

Cortney Hanson

TO: Cortney Hanson, City Clerk

FROM: Fire Marshal – Kevin Pierce

SUBJECT: -Liquor Business License Transfer –
Black Rock

A fire inspection has been conducted at the above business located at 44175 Twelve Mile #F145, Novi MI 48377 and the business has been found to be in compliance with the adopted fire prevention code. The Liquor License transfer for 2024 is recommended for **APPROVAL**.

Novi Public Safety Administration

45125 Ten Mile Road
Novi, Michigan 48375
248.348.7100
248.347.0590 fax

cityofnovi.org