



# Plymouth Liquor License Review Committee Meeting Agenda

Monday, November 7, 2022, 6:15-6:45 p.m.

Plymouth City Hall 201 S. Main St. Plymouth, MI 48170

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City of Plymouth  
201 S. Main  
Plymouth, Michigan 48170-1637

[www.plymouthmi.gov](http://www.plymouthmi.gov)  
Phone 734-453-1234  
Fax 734-455-1892

<https://us02web.zoom.us/j/84934297777> Webinar ID: 849 3429 7777 Passcode: 849491

1. Call to Order
2. Roll Call
3. Approval of Minutes of the July 5, 2022, LLRC Meeting
4. Consider adding two additional licenses in the DDA.
5. Adjournment



# City of Plymouth

## LLRC Meeting Minutes

July 5, 2022, 2022 6:30 p.m.  
Plymouth City Hall

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201 S. Main  
Plymouth, Michigan 48170-1637

Phone 734-453-1234  
Fax 734-455-1892

### 1. CALL TO ORDER

Mayor Pro Tem Sebastian called the meeting to order at 6:30 p.m.

PRESENT: Commissioners Suzi Deal, Alanna Maguire, Mayor Pro Tem Tony Sebastian

ALSO PRESENT: City Manager Paul Sincock, City Attorney Bob Marzano, Director of Public Safety Al Cox

### 2. APPROVAL OF MINUTES

Maguire offered a motion, seconded by Deal, to approve the minutes of the March 21, 2022 meeting.

MOTION PASSED 3-0

### 3. LIQUOR LICENSE TRANSFER PLYMOUTH ANN ARBOR ELKS

The following resolution was offered by Deal and seconded by Maguire.

WHEREAS There has been a request for a transfer of a Liquor License from the Plymouth Ann Arbor, MI Lodge 325 of the Benevolent & Protective Order of the Elks from 41700 Ann Arbor Road in Plymouth Township, to the same organization at their new address of 110 W. Ann Arbor Trail, Plymouth.

NOW THEREFORE BE IT RESOLVED THAT the Local Liquor License Review Committee of the City of Plymouth does hereby recommend to the City Commission that the State Liquor License, for the Plymouth Ann Arbor, MI Benevolent & Protective Order of the Elks be approved.

BE IT FURTHER RESOLVED THAT should the State of Michigan Liquor Control Commission ultimately grant the transfer of license the City Police Department shall make regular inspections of this establishment as it does all liquor serving establishments in the City to ensure compliance with Local Ordinances and State Law.

MOTION PASSED 3-0

### 4. LIQUOR LICENSE TRANSFER SIDECAR

The following resolution was offered by Maguire and seconded by Deal.

WHEREAS There has been a request for a transfer of a Liquor into the City of Plymouth from Northville Township; and

WHEREAS The Local Liquor License Review Committee did review the application from Sidecar Plymouth, LLC.

NOW THEREFORE BE IT RESOLVED THAT the Local Liquor License Review Committee of the City of Plymouth does hereby recommend to the City Commission that they recommend to the City Commission the transfer of the Liquor License and related permits for Sidecar Plymouth, LLC.

BE IT FURTHER RESOLVED THAT should the State of Michigan Liquor Control Commission ultimately grant the transfer of license the City Police Department shall make regular inspections of this establishment as it does all liquor serving establishments in the City to ensure compliance with Local Ordinances and State Law.

MOTION PASSED 3-0

**5. ADJOURNMENT**

Deal offered a motion, seconded by Sebastian, to adjourn the meeting at 6:42 p.m.

MOTION PASSED 3-0



# Liquor License Review Committee (LLRC)

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City of Plymouth  
201 S. Main  
Plymouth, Michigan 48170-1637

[www.plymouthmi.gov](http://www.plymouthmi.gov)  
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To: Liquor License Review Committee (LLRC)  
From: Paul J. Sincock, City Manager  
CC: *S:\Manager\Sincock Files\Memorandum - LLRC Meeting - Change Liquor License Cap - Add 2 in DDA - 11-07-22.docx*  
Date: October 27, 2022  
RE: Change Liquor License Cap – Public Hearing

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## Background

The City Commission directed the City Administration to prepare the required Ordinance changes to allow two additional Liquor Licenses in the DDA. The Liquor License Review Committee (LLRC) must review any changes in the Ordinance and must make a recommendation to the City Commission for action.

The LLRC recommendation is one of the steps that is necessary prior to any changes in the Liquor Management Ordinance. Another step is that the City Commission hold a public hearing and we are required to provide notice to all current liquor license holders and other potentially interested parties.

The change in the Ordinance that the LLRC is to review is the change to allow two additional licenses in the DDA District. The members of the LLRC should be aware that we have separate caps on licenses, one in the DDA and another for other zoning districts. The city administration would like to advise the LLRC that we have had a call from an attorney representing a client, who is a current food establishment that is looking to obtain a liquor license, outside of the DDA. This action only reviews potential changes within the DDA.

The report from Chief AI Cox indicates that the vast majority of our establishments are in compliance with our Liquor Management Ordinance and there are no significant issues. We have one establishment who has outstanding MLCC Violations. All of this is covered in the report that we have attached from Chief Cox, and we have previously provided this report to the City Commission.

Related to the Liquor License Cap, there are currently no licenses “available” under the Liquor License cap in the Liquor Management Ordinance. In order to allow additional licenses for any type of alcohol by the glass establishment, we need to amend our Liquor Management Ordinance. To add licenses in the DDA, we need to update the City Ordinance Section 6-33, subsections b, d, and f.

**RECOMMENDATION:**

The Liquor License Review Committee must make a recommendation to the City Commission related to the proposed changes. We have prepared a proposed resolution for the LLRC to review which would recommend to the City Commission to change the Liquor Management Ordinance to allow two additional licenses in the DDA.

If the City Commission passes these amendments, then a second reading of the amendments will take place at the next regular City Commission meeting on November 21, 2022.

If you have any questions in advance of the meeting, please feel free to contact either Al Cox or myself.

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**2022 MID-YEAR REPORT OF ALCOHOL RELATED POLICE INCIDENTS**

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**TO:** PAUL SINCOCK, CITY MANAGER  
**FROM:** A.L. COX, DIRECTOR OF PUBLIC SAFETY *a.l. cox*  
**SUBJECT:** ALCOHOL RELATED INCIDENTS FOR PERIOD 1/1/2022-9/30/2022  
**DATE:** 10/7/2022

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**Current MLCC Licenses in the City of Plymouth**

Alcohol by the Glass: 27 Active, 1 In Escrow (1 for every 338 residents)  
Packaged Liquor: 10 Active (1 for every 913 residents)

**Total MLCC inspections by Officers to every MLCC regulated establishment**

- Officers are required to perform MLCC inspections of all MLCC regulated establishments. This occurs monthly for alcohol by the glass establishments, including our packaged beer, wine, and liquor stores. Inspections consist of an Officer's walk-thru/observation of the establishment's employees, patrons, and service practices. A written checklist/report may also be completed.

MLCC Police Officer Inspections	2019	2020	2021	2022 through 9/30
Total	447	424	355	267

**Total alcohol related Disorderly Conduct Calls For Service (CFS)**

- The following table displays all alcohol related Disorderly Conduct CFS for the referenced time period. Total CFS of this type are listed first, followed by those dispatched directly to the address of any licensed establishment. The last category is all other alcohol related Disorderly Conduct CFS around town. Two felonies were included in these numbers (Aggravated Assault-Gun & Aggravated Stalking)

Alcohol Related Disorderly Conduct CFS	2019	2020	2021	2022 through 9/30
Total	32	44	32	25
Local Establishments	9	19	11	11
Other Areas Around Town	23	25	21	14

**Total alcohol related driving/motor vehicle CFS**

- All drunken driving incidents, including OWI 1st Offense, Repeat Offenders (OWI II & OWI III), Super Drunk, and Child Endangerment cases.

Alcohol/Motor Vehicle related CFS	2019	2020	2021	2022 through 9/30
Total	36	32	31	25

- In an effort to give you a better understanding of our total number, the following table breaks down the specifics regarding the types of drunks we encounter and in some cases an idea of their condition (Blood Alcohol Content over .17).

Year	OWI 1st Offense MISDEMEANOR	OWI 2nd Offense MISDEMEANOR	OWI 3rd Offense FELONY	“Super Drunk” Law .17 BAC or higher MISDEMEANOR	Total OWI Arrests	OWI Crashes
2019	20 (56%)	2 (6%)	3 (8%)	11 (30%)	36	3
2020	22 (68%)	5 (16%)	0	5 (16%)	32	4
2021	18 (58%)	4 (13%)	1 (3%)	8 (26%)	31	5
2022 through 9/30	15 (60%)	2 (8%)	1 (4%)	7 (28%)	25	4

**Total other alcohol related incidents**

- Includes such incidents as Minor in Possession, Open Intoxicants, Trespassing and other CFS involving alcohol not otherwise captured.

Other alcohol related incidents	2019	2020	2021	2022 through 9/30
Total	5	7	4	7

**Total alcohol related Malicious Destruction of Property (MDOP) CFS**

- This single CFS was not classified as an MDOP but resulted in glass breakage and door damage during the Breaking & Entering of a commercial business by an intoxicated arrestee.

Alcohol related MDOP CFS	2019	2020	2021	2022 through 9/30
Total	2	2	0	1

**Total alcohol related referrals to Hegira Health Inc.- Community Outreach for Psychiatric Emergencies (COPE)**

- This includes all alcohol related incidents in which a referral was made to COPE for either an immediate crisis situation or one in which a person is seeking help with alcohol or substance abuse.

Alcohol related COPE Referrals	2019	2020	2021	2022 through 9/30
Total	No Data Captured	10	3	1

**Total Violation Reports Involving City MLCC Licensed Establishments**

MLCC Violation Reports	2019	2020	2021	2022 through 9/30
Total	1	11	5	1

**G.I. Poros (The Ebenezer)**

- 9/14/2022: Violation Report was filed with the MLCC for repeated Fire Code violations during fire inspections on multiple dates between 6/22/2022 and 9/14/2022. Currently, awaiting review by the MLCC.

**CONTINUE TO NEXT PAGE→**



**Total Police Notifications to MLCC regulated establishments**

- These notifications were telephone calls, emails, or face to face meetings with bar owners or management anytime Officers responded to an incident involving a subject(s) that consumed in their establishment (i.e. a visibly intoxicated subject that was arrested for drunk driving after having been served at a local bar). They also included interaction with fire department personnel regarding failed fire inspections that result in a MLCC Violation Report.
- It is important to note that the information as to where a subject(s) was drinking is generally provided by an intoxicated person that, in the same breath, will tell us he/she had “two beers” when it is obvious they had much more.

Establishment	2019	2020	2021	2022 through 9/30
Aqua	0	0	0	0
Barrio Cocina Y Tequileria	0	0	0	0
Bigalora	0	1	0	0
Compari's/Fiama/Sardine Room	0	0	0	0
Cultural Center	0	0	0	0
E.G. Nicks	0	1	0	0
Greek Islands	0	4	4	1
Herman's Olde Town Grille	0	0	0	0
Ironwood	0	0	0	1
Liberty Street Brewing Co.	0	0	0	0
Mayflower Meeting House	0	0	0	0
Nico & Vali	0	0	0	0
Pakwaan Restaurant	0	0	0	0
Park Place Gastro Pub	0	0	0	0
Penn Grille	0	0	1	0
Pizza E Vino	0	0	0	0
Plymouth Knights of Columbus	0	0	0	0
Plymouth ROC	0	3	0	0
Sean O'Callaghan's	0	0	0	0
Stella's Trackside & Stella's Black Dog Tavern	0	0	0	0
Stella's Black Dog Tavern	0	1	0	0
The Honey Hole	0	0	0	0
The Post Local Bistro	3	3	1	0
VFW	0	0	0	0
Westborn Market	0	0	0	0
<b>Total</b>	<b>3</b>	<b>13</b>	<b>6</b>	<b>2</b>

# City of Plymouth MLCC Licenses

DBA Name Alcohol By The Glass Establishments	License Type	Bus. ID	Ownership/Licensee	Address	Date Opened
Aqua	C SDM	226180	VNB, LLC.	413 N Main	Greclan Café 2011
Barrio Cocina Y Tequileria	C SDM	236468	The Locale, LLC	555 Forest	2006- Grape Expectations
Bearded Lamb Brewing Company	Micro-Brewer/Small Wine Maker	272804	Bearded Lamb LLC	149 W Liberty	2009- Liberty St Brewing Co.
Bigalora	C SDM	260089	Bigalora Plymouth, LLC	777 W Ann Arbor Tr	Pre-1998
Compari's On The Park/Flamma/Sardine Room	C SDM	130622	Palson, Inc.	350, 370, & 380 S Main	2000/Sardine-2011
Cultural Center	C	1315	City of Plymouth Parks & Rec	525 Farmer	Pre-1998
E.G. Nick's	C	98834	T. Belli & Assoc., Inc.	500 Forest	1998
Greek Islands/The Ebenezer	C	243776	G.I. Poros, Inc.	306 S Main	2018
Hermann's Olde Town Grille	C-Resort SDM	260437	Hermann Hospitality Corporation	195 W Liberty	Pre-1998
Ironwood Grill	C SDM	216563	Ironwood of Plymouth, LLC	840 W Ann Arbor Tr	2010
Mayflower Lt. Gamble Post 6695 of VFWUS	Club	8784	Mayflower-Lt. Gamble Post No. 6695 VFWUS	1426 S Mill	Pre-1998
Mayflower Meeting House	C	369	Exclusive Catering, Inc.	499 S Main	Pre-1998
Nico & Vail	C SDM	217164	Nico & Vail, LLC	744 Wing	2010
Pakwaan Restaurant	C-DDA	261375	Pakwaan, LLC	447 Forest	1999 Tavern-2006
Park Place Gastro Pub	C SDM	132112	Plano Bar of Plymouth, Inc.	336 S Main	2000 (Formerly 336)
Penn Grill	C SDM	192104	VMS Holdings, LLC	820 Penniman	2006/2007
Pizza E Vino	C SDM	226382	Bruno Vito Winery, LLC	849 Penniman	2011
Plymouth-Ann Arbor Elks	Club	8213	Plymouth-Ann Arbor Mt Lodge No. 325	110 W Ann Arbor Trail	2022
Plymouth KOC Bldg Council #3292	Club	8119	Benevolent and Protective Order of Elks	150 Fair	Pre-1998
Plymouth ROC Restaurant	C SDM	272107	Straight Family Hospitality Inc	1020 W Ann Arbor Rd	Pre-1998
Sean O'Callaghan's Public House	C SDM	135112	Sean O'Callaghan's Ltd.	821 Penniman/345 Fleet	2001
Sidecar	C SDM	276453	Sidecar Plymouth, LLC	340 N Main	Pre-1998 (Jack Dunleavy's)
Stella's Trackside & Stella's Black Dog Tavern	C SDM	263307	Stella's Trackside, Inc.	885 Starkweather	Pre-1998
Stella's Blackdog Tavern	C SDM	233687	TBD Advisors Inc.	860 Fraick	Pre-1998
The Honey Hole	C SDM	259259	The Honey Hole Market, Inc	584 Starkweather	2018
The Post Local Bistro	C SDM	232456	408, Inc.	844 Penniman	RBG-2010
Westborn Market	C SDM	241888	Westborn of Plymouth, LLC	860-870 Penniman	2016
Packaged Alcohol- Stores					
Bellybusters Liquor	SDM/SDO	140657	B&D Pizza, Inc.	571 S Mill	
Main Street Quick Stop	SDM/SDO	9664	Yaldo, Inc.	480 N Main	
Mayflower Market	SDM/SDO	142078	J.B.N.A., Inc.	824 S Main	
Old World Olive Press	SDM	228753	Old World Olive Press-Plymouth LLC	467 Forest	
Rite Aid #3657	SDM/SDO	141512	Rite Aid of Michigan, Inc.	300 W Ann Arbor Rd	
Sunoco Gas Station	SDM/SDO	239870	F&L Petroleum, Inc.	129 W Ann Arbor Tr	
Speedway #8820 Gas Station	SDM	246381	Speedway LLC (A Delaware LLC)	1066 N Mill	3/1/2017
Starvin Marvin, Inc (Marathon Gas Station)	SDM	264666	Starvin Marvin, Inc	402 N Mill	7/30/2019
USA Gas & Go	SDM/SDO	271492	Plymouth Business Ventures, LLC	700 W Ann Arbor Rd	7/13/1905
Westborn Market	SDM	246614	Westborn of Plymouth, LLC	860-870 Penniman	1/26/2017
Other Alcohol					
Vodka	Small Distiller	241605	Vodka LLC	710 Junction.	2016-CANX LICENSE IN 2020

Updated: 10/7/2022

Allowable Alcohol by the Glass= 16/12

DDA (16)

OUTSIDE DDA (12)

ESCROW LICENSE

OFF PREMISE LICENSE (10)

INACTIVE LICENSE



## Administrative Information

**To:** Paul Sincock, City Manager

**From:** DDA Staff 

**CC:** S:\DDA\Shared Files\DDA Board\DDA Agendas\DDA Agendas 2022\October2022

**Date:** 10/10/2022

**Re:** DDA Board Recommendation on Liquor License Cap

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### Background:

As you are aware the Downtown Development Authority Board of Directors discussed the existing liquor license cap within the DDA. This discussion was precipitated by the City Commission's desire to do a second cap review this year after requests from potential business owners to "expand" the cap.

The DDA board considered three options: leaving the liquor license cap at the current sixteen licenses in the DDA, increasing the cap by "x" amount, or eliminating the cap. Initially a motion to keep the cap at the current level was made and supported. The board discussed several issues including parking, and business mix and what impact new/additional establishments may have on the parking supply/demand. Additional discussion included why this issue was raised mid-year as opposed to during the regular cap review in the winter/spring? The board also discussed the potential impact on police resources and how much new licenses may increase alcohol related police calls for service. A roll call vote was taken and the motion to keep the cap at 16 in the DDA failed (2 in favor, nine opposed).

Another motion was made to recommend that the City Commission increase the cap number by three (3) licenses and supported. A friendly amendment was made and accepted to increase the cap by only two (2) licenses. This motion passed 8-3 with a roll call vote.

**Recommendation:**

The Downtown Development Authority Board of Directors recommends that the City Commission consider increasing the liquor cap in the DDA district by two (2) licenses resulting in the new cap of eighteen liquor licenses permitted by ordinance in the DDA.

Draft meeting minutes from the DDA Board meeting are included for your reference.



# Plymouth Downtown Development Authority

## Regular Meeting Minutes

### Monday, October 10, 2022 - 7:00 p.m.

City of Plymouth  
201 S. Main  
Plymouth, Michigan 48170-1637

www.plymouthmi.gov  
Phone 734-453-1234  
Fax 734-455-1892

#### 1. CALL TO ORDER

Chair Kerri Pollard called the meeting to order at 7:00 p.m.

Present: Chair Pollard, Vice Chair Andre Martinelli, Mayor Nick Moroz, Members Jack Ayoub, Ellen Elliott, Scott Foess, Brian Harris, Dan Johnson, Richard Matsu, Patrick O'Neill, and Shannon Perry

Also present: Economic Development Director John Buzuvis,

#### 2. CITIZENS COMMENTS

There were no citizen comments.

#### 3. APPROVAL OF THE AGENDA

Martinelli offered a motion, seconded by Johnson, to approve the agenda for Monday, October 10, 2022.

MOTION PASSED 11-0

#### 4. APPROVAL OF THE MEETING MINUTES

Moroz offered a motion, seconded by Martinelli, to approve the minutes of the September 12, 2022, meeting.

MOTION PASSED 11-0

#### 5. BOARD COMMENTS

Moroz congratulated Detective Jon Hiemstra for being named the police officer of the year. Johnson asked about the status of the parking deck repair. Buzuvis said construction began last week and is on schedule.

#### 6. OLD BUSINESS

##### a. Five-Year Action Plan Update

Buzuvis said RRFB lights have been installed on Ann Arbor Trail and on and Main St. and that new bases for the mast arms at Ann Arbor Trail and Harvey are on order. He said staff was working with the Detroit Institute of Arts and with artist Tony Roko for projects that will be installed in the spring, and that there would be one more power washing this fall.

##### b. Paid Parking Discussion

Pollard referred the group to the paid parking presentation City Manager Paul Sincock gave to the City Commission and some members of the DDA on September 19. Discussion ensued. It was suggested that money collected from paid parking could be used to replace the parking deck. Bonding and a millage were also suggested as a way to pay for a new parking deck. There was also

# DRAFT OCTOBER DDA MINUTES

a suggestion that revenue from paid parking could be used to fund a system of transportation within the downtown area. Some expressed concern that paid parking would be a deterrent to potential customers and staff and that there would be significant ongoing costs. There were also comments about changing driving habits that could lead to less need for parking and the impact of paid public parking on the private lots downtown. The discussion concluded with the suggestion that the DDA needs to decide what it wants to accomplish in terms of parking and then how it will be paid for.

Debora Kuptz, 997 Carol, said a rigorous study should be completed to determine whether there is a parking problem, and stated her belief that paid parking downtown would lead to more parking in the neighborhoods.

## 7. NEW BUSINESS

### a. 2022 Liquor License Cap Recommendation

Buzuvis explained that this topic was brought up at a City Commission meeting in September when two businesses expressed interest in moving to the City if there were available liquor licenses.

Administration prepared three resolutions for consideration.

#### RESOLUTION A

The following motion was offered by Elliott and seconded by O'Neill.

WHEREAS The City of Plymouth has a Liquor Management Ordinance related to the number of allowable liquor licenses in a particular zoning district; and

WHEREAS The Plymouth Downtown District currently allows for 16 licenses under the current cap; and

WHEREAS The City Commission has requested a recommendation from the DDA Board on the potential of raising the current cap in the DDA District.

NOW THEREFORE BE IT RESOLVED THAT the Downtown Development Board of Directors recommends that no changes be made to the current cap in the downtown district. The cap would remain at 16 in the downtown district as defined in the Liquor Management Ordinance under this recommendation pending approval from the City Commission.

Several concerns about raising the cap were voiced, among them, that adding liquor licenses would lead to a business mix weighted toward restaurants, and that increasing liquor-serving establishments could lead to alcohol offenses that would take officers off the road for extended time periods. The need for more parking during the peak restaurant hours was also mentioned as a concern.

There was a roll call vote.

LIQUOR DISCUSSION

# DRAFT OCTOBER DDA MINUTES

Yes: Elliott, Harris

No: Ayoub, Foess, Johnson, O'Neil, Perry, Martinelli, Matsu, Moroz, Pollard

MOTION FAILED 2-9

RESOLUTION B – No motion was made.

WHEREAS The City of Plymouth has a Liquor Management Ordinance related to the number of allowable liquor licenses in a particular zoning district; and

WHEREAS The Plymouth Downtown District currently allows for 16 licenses under the current cap; and

WHEREAS The City Commission has requested a recommendation from the DDA Board on the potential of raising the current cap in the DDA District.

NOW THEREFORE BE IT RESOLVED THAT the Downtown Development Board of Directors recommends the liquor license cap in the downtown district under the Liquor License Management Ordinance be removed in its entirety. The cap would no longer exist in the downtown district as defined in the Liquor Management Ordinance under this recommendation pending approval from the City Commission.

RESOLUTION C

Moroz offered the following motion, seconded by Martinelli.

WHEREAS The City of Plymouth has a Liquor Management Ordinance related to the number of allowable liquor licenses in a particular zoning district; and

WHEREAS The Plymouth Downtown District currently allows for 16 licenses under the current cap; and

WHEREAS The City Commission has requested a recommendation from the DDA Board on the potential of raising the current cap in the DDA District.

NOW THEREFORE BE IT RESOLVED THAT the Downtown Development Board of Directors recommends the liquor license cap in the downtown district under the Liquor License Management Ordinance be raised by three. The cap in the downtown district as defined in the Liquor Management Ordinance would now have 19 potential licenses under this recommendation pending approval from the City Commission.

O'Neill offered an amended motion to raise the cap by two, with 18 potential licenses under the recommendation. Moroz and Martinelli accepted the amendment.

There was a roll call vote.

# DRAFT OCTOBER DDA MINUTES

Yes: Ayoub, Foess, O'Neill, Perry, Martinelli, Matsu, Moroz, Pollard

No: Elliott, Harris, Johnson

MOTION PASSED 8-3

## 8. REPORTS AND CORRESPONDENCE

Buzuvis said preparations for the holiday season has begun. Pollard reminded the group to complete the online security training.

## 9. ADJOURNMENT

Foess offered a motion, seconded by Moroz to adjourn the meeting at 8:37 p.m.

MOTION PASSED 11-0

DRAFT





**NOTICE OF PUBLIC HEARING**  
Monday, November 7, 2022, 7:00 p.m.

City of Plymouth  
201 S. Main  
Plymouth, Michigan 48170-1637

www.plymouthmi.gov  
Phone 734-453-1234  
Fax 734-455-1892

**THE PLYMOUTH CITY COMMISSION WILL HOLD A  
PUBLIC HEARING  
IN ACCORDANCE WITH THE LIQUOR MANAGEMENT  
ORDINANCE  
AT THEIR REGULAR MEETING ON**

**Monday, November 7, 2022, at 7:00 p.m.  
At Plymouth City Hall, 201 S. Main St. Plymouth, MI 48170**

**Zoom access at**

**<https://us02web.zoom.us/j/85441667419> Passcode: 303320 Webinar ID: 854 4166 7419**

**The public hearing will consider the following:**

**To consider expanding “license cap” by two licenses in the  
DDA District that is a part of the Liquor Management Ordinance under  
Licensing Policy, Section 6-33  
as shown in the City’s Code of Ordinances.**

This is a public meeting, and any interested person is invited to attend and provide comment to the City Commission related to increasing the current restriction on the number of liquor licenses or to eliminate the cap on liquor licenses in the City.

Interested persons may also provide comment to the City Commission in advance of the public meeting by sending an email to [citycommission@plymouthmi.gov](mailto:citycommission@plymouthmi.gov)

Maureen Brodie  
City Clerk

Posted: City Hall  
Cultural Center  
Public Library

## Sec. 6-31. - Short title.

This article shall be known and may be cited as the "Liquor Management Ordinance." 

(Ord. No. 2010-01, 4-5-10)

## Sec. 6-32. - Statement of purpose.

- (a) The purpose of this article is to allow the city to establish and administer a policy for the issuance and transfer of liquor licenses and permits which allow the service by the glass of any alcohol (beer, wine, spirits) to be consumed on the premises, to provide for the enforcement of liquor laws, regulations and ordinances, and to manage the number of on-premises retail liquor licenses in the city.
- (b) This article shall also create the liquor license review committee (LLRC), which shall be composed of at least three members of the city commission. The purpose of the LLRC is to review applications and make recommendations to the city commission as required by this article.
- (c) It shall be the policy of the city to notify all known existing service by the glass also known as on-premises retail type liquor license holders of proposed changes in this article via first class mail at least ten business days in advance of the city commission acting on a change.

(Ord. No. 2010-01, 4-5-10)

## Sec. 6-33. - Licensing policy.

- (a) New licenses or liquor license permits, transfer of ownership of existing licenses, transfers into the city of new licenses, will be approved at the sole discretion of the city commission. This shall include liquor license permits proposed within the B-1, B-2, B-3, and ARC zoning districts within the city.
- (b) Within the B-2, central business district, as indicated on the city zoning map, the city shall have a cap or total of not more than 16 state stand alone liquor licenses of any type of on-premises retail licenses that would allow for the service of any alcohol (beer, wine, spirits) by the glass or for consumption on premises of any establishment. This section would not apply to non-stand alone state licenses.
- (c) Within the B-1, B-3 and ARC zoning districts within the city, as indicated on the city zoning map, the city shall have a cap or total of not more than 12 state stand alone liquor licenses of any type of on-premises retail licenses that would allow for the service of any alcohol (beer, wine, spirits) by the glass or for consumption on premises of any establishment. This section would not apply to non-stand alone state licenses.
- (d) The city commission shall not recommend to the state liquor control commission the approval of any on-premises retail liquor license in excess of 16 within the B-2 district as outlined here.
- (e) The city commission shall not recommend to the state liquor control commission the approval of any on-premises retail liquor license in excess of 12 within the B-1, B-3, and ARC districts as outlined here.
- (f) The city shall conduct an annual review of all 28 on premises retail liquor licenses within B-1, B-2, B-3, and ARC zoning districts in accordance with the liquor management ordinance. This review shall be conducted by the local liquor license review committee and a recommendation shall be forwarded to the city commission.
- (g) If the designation of a non-stand alone license changes to one of a stand alone license, no such license can be operated, sold or transferred in the city unless there is space available under the cap as defined in 6-33(b)

and (c).

(Ord. No. 2003-4, 5-19-03; Ord. No. 2011-05, §§ 1, 2, 6-26-11; Ord. No. 17-04, 4-17-17; Ord. No. 18-03, 3-5-18)

Sec. 6-34. - Plan of operation required.

- (a) *Business operation.* All new requests for permits, requests for transfers of ownership of existing licenses or requests for transfers of licenses into the city of on-premises licensees shall operate in accordance with a plan of operation approved by the city commission.
- (b) *Plan of operation.* A plan of operation shall contain an operational statement outlining the proposed manner in which the establishment will be operated, including, but not limited to, the format, schedule of the hours of operation, crowd control, security, alcohol management, use of the facilities, parking provisions, plan for interior use and layout, and any other pertinent information as requested by the city or city's liquor license review committee (LLRC).
- (c) *Compliance.* Licensees shall comply with all applicable state and city regulations, this general policy, and a plan of operation as approved by the city commission. Any change to a plan of operation shall be approved by the city commission prior to implementation of the change by the licensee. Failure of such compliance or variance from an approved plan is a violation of this ordinance and may result in the city commission recommending to the Michigan Liquor Control Commission that the license be revoked or not renewed.

(Ord. No. 2010-01, 4-5-10)

Sec. 6-35. - Review procedures.

Each applicant for a new license, the establishment of a new permit, the transfer into the city of a new license, or the transfer of an existing license shall make a request to the city in accordance with the following procedures:

- (1) *Application.* Each applicant must submit to the city clerk an application (on a form provided by the city), a plan of operation, plot plan of the site, a plan for interior use and exterior design, and the layout of any ancillary facilities. As part of the application, each applicant shall submit a written statement explaining in detail how their proposal meets the factors as listed in subsection 6-35(4).
- (2) *City departmental review.* Upon receipt of an application and plans, the city manager will refer same to the chief of police, fire chief, planning department, building department and other city officers or employees, who shall cause a thorough review and investigation, including, but not limited to a complete history of past business experience and liquor law violations, if any, to be made of the persons and/or premises which must meet or exceed codes. The applicant shall provide all requested information to, and fully cooperate with, all city departments requesting any and all additional relevant information. The findings resulting from such review and investigation shall be reported to the city manager, who then will report same to the LLRC and the city commission.
- (3) *Public hearing/review.*
  - a. *Hearing.* The city commission shall hold a public hearing upon a request for a new license, the establishment of a new permit, transfer of an existing license to new owners, or for the transfer of a new license into the city.
  - b. *Notice.* Notice of all hearings shall be provided to all property owners, residents and voters, within

300 feet of the proposed establishment, all LCC Service by the Glass-On Premises retail license holders, the Chamber of Commerce, all neighborhood associations and the Plymouth-Canton Community Schools. The applicant shall pay the cost of such notice.

- c. *Appearance.* The applicant will be required to appear at the hearing before the LLRC committee or the city commission, and make a written and/or oral presentation concerning the request.
  - d. *Recommendation.* The LLRC shall review and may recommend approval or disapproval of all requests to the city commission.
- (4) *Review factors.* In reviewing a request for a new license or permits or transfers of ownership of existing licenses or transfers into the city of new on-premises licensees, the city commission or LLRC may consider and/or weigh the following factors:
- a. Conserve the expenditure of funds for public improvements and services to conform with the most advantageous uses of land, resources and property.
  - b. Total number of similar licenses in the city.
  - c. Input from residents and surrounding business owners.
  - d. Impact of the establishment on surrounding businesses and neighborhoods.
  - e. Whether a proposed licensed premise is part of a multi-use project with substantial new retail, office, or residential components. The size of the licensed premise relative to the overall project or development.
  - f. Crowd control.
  - g. Parking availability.
  - h. Preservation or restoration of historic buildings.
  - i. Locating in an underdeveloped area.
  - j. Concentration of drinking establishments and impact on policing requirements.
  - k. Policing requirements.
  - l. Business history.
  - m. Business experience.
  - n. LCC violation history.
  - o. Will facility be a sit down full service restaurant serving alcohol or other "bar only" type establishment.
  - p. Will restaurant have a 70-percent—30-percent sales of food over alcohol
  - q. Percent of floor area devoted to dining versus bar area.
  - r. Size of bar area.
  - s. Size of dance floor, if any.
  - t. Type or character of the establishment, e.g. dining, nightclub, hotel, dance club.
  - u. Overall benefit of the plan to the city.
  - v. Non-payment of taxes or other payment due to the city.
  - w. Any other factor(s) that may effect the health, safety and welfare or the best interests of the community.

- (5) *Approval.* If after a review by the LLRC, and/or a public hearing, the city commission is satisfied that the establishment or operation will provide a benefit to the city and constitute an asset to the community, it will adopt a resolution granting approval, subject to the satisfaction of any conditions stated in the resolution.
- a. *Building—Remodeling.* If the request involves a change to the physical size or layout of the establishment, when the applicant's building or remodeling is completed, it must meet all state and local regulations, and must comply with the representations made to the city commission and LLRC committee by the applicant. If such physical alteration is approved by the city commission and it is subsequently determined that the project was not substantially completed as required by the plans and specifications presented to the city, or in substantial compliance with representations made to the city, the city may recommend that the license be revoked or not be renewed for the following year.

(Ord. No. 2010-01, 4-5-10)

Sec. 6-36. - Permits and transfer of ownership.

- (a) *Permits.* New requests for permits for dance, entertainment, or dance and entertainment shall be reviewed by the LLRC and approved in the sole discretion of the city commission after evaluation of the factors listed in subsection 6-35(4). The city will not consider requests for topless entertainment permits.
- (b) *Transfer of ownership.* Requests for transfer of ownership of existing licensed establishments shall be reviewed by the LLRC and approved or disapproved by the city commission. The city commission may hold a public hearing. If the continuation of an existing operation is contemplated, the applicant must present a plan that indicates that it will continue the existing operation as established. If there are proposed changes in the operations then the request for transfer of ownership shall be subject to the reviews outlined in subsection 6-35(4).
- (c) Any change in existing operations from a full service sit down restaurant that serves alcohol to an establishment that features primarily alcohol would be subject to a new review as outlined in subsection 6-35(4).

(Ord. No. 2003-4, §6, 5-19-03; Ord. No. 18-03, 3-5-18)

Sec. 6-37. - Annual license and permit review.

- (a) The city commission will undertake a review of any license or permit for the purpose of making a recommendation to the Michigan Liquor Control Commission regarding renewal of said license or permit. The commission shall consider whether a licensed establishment has been operated in a manner consistent with the provisions of this article and all other applicable laws, and regulations of the city and the State of Michigan.
- (b) Each year, the city manager shall cause an investigation to be made relative to each existing on-premises licensed establishment. The investigation shall include, but not be limited to, the following:
- (1) Licensee shall submit copies of current valid licenses from appropriate county, state or federal governments to insure authorization to serve food at the establishment.
  - (2) An inspection of the premises to determine whether the licensee is in compliance with the license itself,

its approved site plan and if applicable its plan of operation, as well as any conditions imposed by the city or the Michigan Liquor Control Commission or representations made by the licensee at the time of issuance or transfer of the license.

- (3) An inspection of city records to determine whether all taxes and other monies due the city are timely paid.
  - (4) An inspection of police files or other sources of information to determine whether any activity in connection with the licensed premise is in violation of the law, disturbs the public peace and tranquility, constitutes a nuisance, or contributes to the disruption of the normal activities of those in the neighborhood of the licensed premise.
  - (5) A review to determine the existence of any of the criteria as described in section 6-39.
  - (6) A review of the operation of the licensed establishment to determine whether the business is being operated in compliance with any and all representations that may have been made by the licensee to the city or the city commission.
- (c) *Recommendations from city departments.* Following receipt of a fully completed application, fees, and such other information as may be requested by the city, the city clerk shall forward the application to the police department, fire department, building department, treasurer's office, and such other departments as required by the city manager, which departments shall make their reviews and recommendations prior to consideration by the city commission. In conducting its review, the city may request other pertinent information from the licensee. The completed report shall be reviewed by the LLRC prior to being considered by the city commission.
- (d) The local liquor license review committee shall annually review and report to the city commission its recommendations to maintain, expand or delete the total number of allowable on-premises retail licenses for establishments that serve alcohol by the glass under a variety of State of Michigan Licenses, including but not limited to; Class C, Club, B Hotel, A Hotel, Tavern, Brewpub, Micro-brewer, Resort, DDA, Economic Development, winery or other type license.

(Ord. No. 2010-01, 4-5-10; Ord. No. 18-03, 3-5-18)

#### Sec. 6-38. - Revocation and non-renewal.

- (a) Each establishment within the city for which a liquor license or permit is granted shall be operated and maintained in accordance with all applicable laws and regulations of the City of Plymouth and the State of Michigan. Upon any violation of this article, the commission may, after notice and hearing, request the Michigan Liquor Control Commission to revoke such license and/or permit.  
Upon any violation(s) of this article, the city will notify the licensee of the specific violation(s) and afford the licensee an opportunity to come into compliance with this article. Licensee must reach compliance in that time established by the city manager, but in no event more than ten days after notification to licensee by city of such violation. Absent compliance within that time established by the city manager, the city may hold the above mentioned hearing and request that the Michigan Liquor Control Commission not renew and/or revoke such license and/or permit.
- (b) Before filing any objection to renewal or request for revocation of a license or permit with the Michigan Liquor Control Commission, the city shall serve the licensee with notice and proceed in accordance with this

article, as amended. The city shall serve the licensee by first class mail mailed at least ten days prior to the hearing with notice of hearing, which notice shall contain, the following:

- (1) Date, time and place of hearing.
  - (2) Notice of the proposed action.
  - (3) Reasons for the proposed action.
  - (4) Names of witnesses known at the time who will testify.
  - (5) A statement that the licensee may present evidence or any testimony that may refute or respond to the claims of adverse witnesses.
  - (6) A statement requiring the licensee to notify the city attorney's office at least three days prior to the hearing date if they intend to contest the proposed action, and to provide the names of witnesses known at the time who will testify on their behalf.
- (c) Upon completion of the hearing, the city commission shall submit to the licensee and the Michigan Liquor Control Commission a written statement of its findings and determination.

(Ord. No. 2010-01, 4-5-10)

Sec. 6-39. - Criteria for non-renewal or revocation.

- (a) The city commission may recommend non-renewal or revocation of a license or permit originally authorized on or after July 1, 2003 to the liquor control commission upon a determination based upon a preponderance of the evidence presented at the hearing that any of the following exists:
- (1) Failure to comply with all standards, plans or agreements entered into in consideration for the issuance, transfer or continuance of the license or permit, or failure to comply with all agreements or consent judgments entered into subsequent to the issuance of the license or permit.
  - (2) Failure to comply with an approved plan of operation and other plans, specifications, or representations made or submitted to the city by the licensee.
  - (3) Violations of the state liquor laws or regulations of the liquor control commission.
  - (4) Violations of state laws or local ordinances including, but not limited to those laws or ordinances concerning the public health, safety or public welfare.
  - (5) Maintenance of a nuisance upon or in connection with the licensed premises including, but not limited to, any of the following:
    - a. Failure to correct violations of building, electrical, mechanical, plumbing, zoning, health, fire or other applicable regulatory codes, to include the history thereof;
    - b. A pattern of patron conduct in the neighborhood of the licensed premises, which is a violation of the law and/or disturbs the peace, order and tranquility of the neighborhood; Including types of police, fire or medical services related to this operation.
    - c. Failure to maintain the grounds and exterior of the licensed premises, including litter, debris or refuse blowing or being deposited upon adjoining properties;
    - d. Entertainment on the premises or activity in connection with the licensed premises which by its nature causes, creates or contributes to disorder, disobedience to rules, ordinance or laws, or

contributes to the disruption of normal activity of those in the neighborhood of the licensed premises.

- (6) Failure by the licensee to permit the inspection of the licensed premises by the city's agents or employees in connection with the enforcement of this article.
  - (7) Failure to pay taxes or make other payments due to the city in a timely manner.
- (b) The city commission may recommend non-renewal or revocation of a license or permit originally authorized to operate in the city on or before June 30, 2003 to the liquor control commission upon a determination based upon a preponderance of the evidence presented at the hearing that any of the following exists:
- (1) Violations of the state liquor laws or regulations of the liquor control commission.
  - (2) Violations of state laws or local ordinances including, but not limited to those laws or ordinances concerning the public health, safety or public welfare.
  - (3) Maintenance of a nuisance upon or in connection with the licensed premises including, but not limited to, any of the following:
    - a. Failure to correct violations of building, electrical, mechanical, plumbing, zoning, health, fire, property maintenance or other applicable regulatory codes, to include the history thereof;
    - b. A pattern of patron conduct in the neighborhood of the licensed premises, which is a violation of the law and/or disturbs the peace, order and tranquility of the neighborhood;
    - c. Failure to maintain the grounds and exterior of the licensed premises, including litter, debris or refuse blowing or being deposited upon adjoining properties;
    - d. Entertainment on the premises or activity in connection with the licensed premises which by its nature causes, creates or contributes to disorder, disobedience to rules, ordinance or laws, or contributes to the disruption of normal activity of those in the neighborhood of the licensed premises.
  - (4) Failure by the licensee to permit the inspection of the licensed premises by the city's agents or employees in connection with the enforcement of this article.
  - (5) Failure to pay taxes or make other payments due to the city in a timely manner.

(Ord. No. 2010-01, 4-5-10)

#### Sec. 6-40. - Capacity limits.

The total capacity of each room of a licensed establishment shall be established and determined by the appropriate fire and building safety codes.

(Ord. No. 2010-01, 4-5-10)

#### Sec. 6-41. - Termination of escrowed licenses.

The city commission may, through resolution, request that the Michigan Liquor Control Commission terminate an on-premises license that has been placed in escrow for more than one (1) year after its expiration.

(Ord. No. 2010-01, 4-5-10)



## Sec. 6-42. - Fees.

Each applicant for a new license or permit, for transfer of an existing license or permit, for expansion of an existing establishment, and for renewal of an existing license or permit shall pay a non-refundable application investigation fee. Each applicant for renewal of a license that was originally established on or before June 30, 2003 shall be exempt from annual renewal fees; all others shall pay an annual review fee. Such fees will be in addition to any fee required by the liquor control commission and shall be set by a city commission resolution.

(Ord. No. 2010-01, 4-5-10)

# LLRC RESOLUTION

The following Resolution was offered by \_\_\_\_\_ and seconded by \_\_\_\_\_

WHEREAS The City of Plymouth has a Liquor Management Ordinance to help protect the public Health, safety, and welfare. This Ordinance limits the amount of State Liquor Licenses That are allowed in the city, and

WHEREAS The city commission on October 17, 2022, did determine that they wanted to expand the Number of liquor licenses allowed in the B-2 Zoning District by two, and

WHEREAS The Local Liquor License Review Committee is required to review proposed changes and to Make a recommendation to the City Commission regarding changes in the Liquor Management Ordinance.

NOW THEREFORE BE IT RESOLVED THAT the Local Liquor License Review Committee (LLRC) of the City of Plymouth does hereby recommend to the City Commission that they adopt three changes in the Liquor Management Ordinance to allow a total of 18 liquor licenses in the DDA or the B-2, Central Business District Zoning, this includes changes to Section 6-33, subsections b, d, and f.

**6-33, subsection b – shall add two additional licenses and shall read as follows:**

*(b) Withing the B-2, central business district, as indicated on the city zoning map, the city shall have a cap or total of **not more than 18** ~~(16)~~ state standalone liquor licenses of any type of on-premises retail licenses that would allow for the service of any alcohol (beer wind spirits) by the glass or for consumption on premises of any establishment. This section would not apply to non-stand-alone state licenses.*

**6-33, subsection d – shall add two additional licenses and shall read as follows:**

*(d) The city commission shall not recommend to the state liquor control commission the approval of any on-premises retail liquor license in **excess of 18** ~~(16)~~ within the B-2 district as outlined here.*

**6-33, subsection f – shall add two additional licenses and shall read as follows:**

*(f) The city shall conduct an annual review **of all 30** ~~(28)~~ premises retail liquor licenses within the B-1, B-2, B-3, and ARC zoning districts in accordance with the liquor management ordinance. This review shall be conducted by the local liquor license review committee and a recommendation shall be forwarded to the city commission.*