



Memorandum

TO: Frank Schulte, City Manager
Paul Antolin, City Clerk

FROM: Michael Boettcher, AICP

SUBJECT: **Pendy's Review and Next Steps**

DATE: April 28, 2023

Pendy's Restaurant Group, LLC is proposing a \$600,000 - \$1.0M investment to replace Trattoria Serventi at 20930 Mack Avenue with a contemporary restaurant serving similar fare to Serventi, to be operated as Pendy's Grosse Pointe. The owners will renovate the interior and are requesting to transfer both a Class C and Specially Designated Merchant (SDM) liquor license from the existing Trattoria Serventi.

As a "tavern" land use in a C Commercial Business zoning district, per Section 50-4.20 of the Zoning Ordinance, the project requires special land use approval, including public hearings at the Planning Commission and City Council. The remodeling of the building also triggers site plan review.

Outlined below are the steps related to those functions, as well as review comments regarding the requested transfer of liquor licenses.

LIQUOR LICENSE

This request is to transfer the Class C (sale of beer, wine, and spirits for consumption on the premises) and SDM License (sale of beer and wine only, for consumption off the premises) currently in use by Trattoria Serventi. The requested transferred license will include Sunday Sales (AM) and Sunday Sales (PM) permits.

We have reviewed the application for compliance with the requirements of Chapter 4, ALCOHOLIC LIQUORS and Chapter 50, ZONING, of the City Code of Ordinances. Based on our review of the submittal, we offer the following comments for your consideration:

Any liquor license application must meet the standards of Section 4-24. Application and review procedures. Additional restrictions are found in Section 4-30 as well, to ensure that the applicant not only can legally hold such a license, but also to ensure that the restaurant being granted a license is a full-service sit-down restaurant with a full menu and not a carry-out or fast-food restaurant. Full service, sit-down restaurants contribute more to the vitality of the business district than fast food restaurants because they encourage patrons to stay in the area longer and visit other businesses either before or after dinner.

LIQUOR LICENSE REVIEW COMMENTS

Please note that this section is the most complete, as we have received and reviewed the liquor license applications and are responding here to the requirements those prompt, but the special land use and site plan review sections further below describe processes that have not yet begun and may be modified or ultimately may not be necessary.

Section 4-24 (1) *Site location, design, operational and implementation information*



- a) *A location map of the property where the license is to be located shall be provided. The map shall show the relationship of the proposed licensed facility to surrounding property and uses and any church or school building within 500 feet from the proposed facility.*

A map was not submitted. Our search found no schools or churches within 500 feet of the proposed restaurant though. The subject site is located in a C Commercial Business zoning district. Per Section 50-4.20, a “Tavern” use such as Pendy’s will require special land use approval.

- b) *A site plan showing the location of the building on the lot where the proposed licensed facility is to be operated, the architectural design and building elevations, and other pertinent physical features of the proposed building.*

Such site plans and elevations have not been submitted.

- c) *The floor plans, seating arrangements, interior design, and the type of furniture and fixtures to be used in the proposed restaurant facilities.*

A floor plan from Andiamo Trattoria, the previous tenant at this site was submitted with the license application. Drawings and specifications for furniture and fixtures have not been submitted. Any proposed changes will be reviewed for compliance with the City’s codes and ordinances.

- d) *If the building is already constructed, then, in addition to the above items, the applicant shall furnish proposed renovation plans for the interior of the premises or any proposed exterior building alterations.*

The application includes an estimated cost of renovation in the range of \$600,000 to \$1 million, though no plans for interior or exterior building alterations or improvements were provided.

- e) *A statement as to when the applicant intends to commence construction or renovation of the proposed building or facility and when the applicant expects to complete such construction.*

No such statement was provided.

- f) *A statement as to the proposed hours of operation, menu, staff and culinary facilities and capabilities.*

The proposed hours of operation at Pendy’s are Thursday from 11:00 am to 9:00 pm, and Friday through Sunday from 11:00 am to 10:00 pm. It will hire 15 full-time and 25 part-time employees. A menu is included with the application.

- g) *Submittal by the applicant of a proposed restaurant improvement plan and ongoing development goals to maintain quality service should a license be approved.*

Planning staff will defer to others who can review and comment on this aspect of the application.

Section 4-24 (6) also contains several items germane to the Planning and Zoning functions. We will respond to those items below here. Any subsections not listed are items on which we have no comment.

- a) *The appropriate relationship between buildings and land uses.*

There is an existing appropriate relationship between buildings and land uses along this portion of the Mack Avenue corridor, which the transfer of the requested liquor licenses will not change.



b) *Total number of similar licenses in the city.*

The City of Grosse Pointe Woods has ten active Class C licenses, including the one currently in use by Trattoria Serventi that the applicant wishes to transfer. One additional applicant is currently seeking a new, 11th Class C license at 19850 Mack Avenue. Eleven is the maximum number of Class C licenses allowed in Grosse Pointe Woods.

c) *Input from residents and surrounding business owners.*

We have received no input as of this review. Notification will be sent to property owners within 300 feet of the subject site for public comment in advance of a public hearing.

d) *Impact of the establishment on surrounding businesses and neighborhoods.*

Impact is anticipated to be minimal on surrounding businesses and neighborhoods. Continuing a similar business to what had previously occupied the site will help improve the attractiveness of the city though.

e) *Pedestrian and vehicular movement.*

Existing street and sidewalk infrastructure is sufficient to accommodate the additional traffic this proposed restaurant creates.

f) *Parking availability.*

There is a municipal parking lot directly behind the subject site with approximately 30 metered spaces available, plus an additional municipal lot with 14 spaces across Hampton Road to the north. These spaces plus nearby street parking will accommodate much of the parking demand the restaurant generates. The exact number of required spaces must be determined however, based on the final square footage of the restaurant plus peak staff employment and delivery information.

h) *Substantial renovation of existing buildings.*

Trattoria Serventi currently occupies the subject structure. If substantial renovation is planned, plans and drawings have not been submitted.

i) *Concentration of drinking establishments and impact on policing requirements.*

There is no concentration of drinking establishments near the subject site. Only one other Class C-licensed restaurant sits within 1,000 feet: Telly's Place at 20791 Mack Avenue to the south.

n) *Diversification of the type of commercial activity in a given area or block.*

The Mack Avenue corridor contains a diverse mix of retail, service, and food-related businesses, which this proposed business will reinforce.

p) *Type or character of the establishment, e.g., full-service restaurant, "bar only" or hotel.*

Pendy's will be a full-service restaurant.



- v) *The effect that the proposed establishment would have in contributing to the economic stability or revitalization of areas with the city.*

Retaining a restaurant presence at this location will help maintain the economic stability of the city.

From a planning perspective, we have no objection to the proposed restaurant's requested licenses. In our review though, we noticed that this address falls within 500 feet of Merchant's Fine Wine & Spirits, which would prohibit an SDM license. Perhaps the presence of an active SDM license issued at the subject address can serve as precedent and allow for the transfer. That will need to be determined. We recommend the Zoning Ordinance be amended to eliminate the 11 Class C liquor license limit.

SPECIAL LAND USE

Taverns such as Pendency's are treated as special land uses within the C Commercial Business Zoning District. Per Zoning Ordinance Section 50-6.2, the owner or owner's agent must first file an application with the City. McKenna, as your administrative official would review the application and accompanying documentation. The Planning Commission then holds a public hearing and recommends action to City Council regarding approval or denial of the application.

Restaurants serving alcohol require special land use approval. Perhaps this process could be waived though, as the proposed use is virtually identical to what's there currently and Class C and SDM liquor licenses exist today at that address. If the City has a precedent of waiving such requirements for on-site liquor license transfers, this proposal fits those criteria.

SITE PLAN REVIEW

Per Zoning Ordinance Section 50-6.1, site plan review is required for remodeling of existing commercial structures within the city, and if the site plan involves requests for special land uses or variances, it may be subject to review by the City Council or Zoning Board of Appeals as well. The required contents of site plans to be reviewed are listed under 50-6.1 (G).

This definitely involves a special land use and given the proximity of the SDM license at nearby Merchant's Fine Wine & Spirits, would require a dimensional variance as well. Again though, as the proposed use as well as both the SDM and Class C liquor licenses exist on the site already, perhaps the city would entertain a waiver of these requirements.

Should site plan review be required, as with special land use requests, the owner or owner's agent would meet with the building official to discuss the project. The building official has the discretion to determine the project major or minor, based on its complexity. If found to be minor, the building official may require the completion of a partial application including information determined by the building official. The building official would then furnish a written report and recommendation to the Planning Commission. Should further review be required by the City Council or Zoning Board of Appeals, the Planning Commission would recommend approval, approval with conditions or denial to the appropriate body or bodies.