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ROSATI | SCHULTZ
JOPPICH | AMTSBUECHLER

TO: Frank Schulte, City Administrator

FROM: Debra Walling, City Attorney

RE: Pendy's Restaurant Group, LLC – Request for Class C Liquor License Transfer, 20930 Mack Ave., Grosse Pointe Woods

DATE: April 28, 2023

In accordance with Chapter 4, Article II, Section 4-24(4) of the City Code, I have reviewed the application submitted by Pendy's Restaurant Group, LLC for transfer of a Class C Liquor License. The proposed transfer of the Class C Liquor License is from the same location at 20930 Mack Ave.

Sec. 4-24 of the City Code guides the application and review procedures. An extensive and thorough process has been ongoing for the past several weeks. At your request, City departments have carefully considered all of the review factors set forth in Sec. 4-24(6). There have been no concerns identified with the applicant or the application. Therefore, a recommendation for approval of the requested transfer is appropriate.

As we have discussed, Class C and Tavern liquor licenses are important for the City's economic development. State law has changed in recent years such that the Michigan Liquor Control Commission ("MLCC") can approve transfers of quota liquor licenses in and out of communities. In order to restrict those transfers, some communities have required applicants to sign an agreement that requires prior approval of the legislative body before the transfer of a quota liquor license can occur. I drafted such an agreement for consideration pertaining to this transfer, because it involves one of the City's quota liquor licenses. If the City Council is inclined to recommend the transfer request of Pendy's Restaurant Group, LLC to the MLCC, I recommend that the City Council condition its approval of that recommendation upon the requirement that the applicant executes the attached agreement. I further recommend that the City Council's approval be conditioned upon the applicant's compliance with all federal, state, and local laws, including, but not limited to, obtaining a certificate of occupancy prior to opening for business.

Respectfully submitted,

Debra A. Walling

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City Attorney