



# Memorandum on Liquor License Requests

**TO:** Grosse Pointe Woods City Council and City Administration  
**FROM:** Brigitte Wolf, AICP  
**SUBJECT:** **Class C, SDM Context and Comparison**  
**DATE:** September 5, 2024

This memo includes an overview and cross comparison of the two restaurants who have applied for a liquor license from the City of Grosse Pointe Woods. The evaluation also takes into consideration Ordinance requirements based on the request for a Class C license as well as zoning, parking and SDM buffering requirements of the City’s Zoning Ordinance.

The applicants and their respective locations include the following:

1. 20195 Mack Ave, BCM Restaurants – Branden McRill (*former Boston Market*)
2. 20710 Mack Ave, Daily Jam GP, LLC – Dan Curis (*former Big Boy*)

Originally both businesses applied for a Class C and Specially Designated Merchant (SDM) license; however, at this time, BCM Restaurants is applying for Class C and Daily Jam GP, LLC is applying for both the Class C and SDM license.

## BACKGROUND

There are a variety of liquor licenses, both for retailers and manufacturers. The licenses being considered, **1) Class C** and **2) Specially Designated Merchant (SDM)**, are within the retailer tier. Retailer licenses are “quota” licenses, meaning there are a limited number of specific license types based on the population of the local municipality\*. BCM Restaurants and Daily Jam are seeking the last Class C license available from the city quota. Class C quota licenses can be transferred from one local government to another and are available for purchase at the county level.

For context, the businesses with liquor licenses in GPW, including SDM license, are listed in the table on the right and the category types are explained below.

- Class C – Allows for a restaurant / bar to serve beer, wine, mixed spirit drink, and spirits to customers on site. Local legislative approval is required for issuing new licenses, but not required to transfer ownership or location of an existing license.
- Specially Designated Merchant (SDM) – This is an “off-premises” retailer license. Allows convenience stores, grocery stores, or gas stations to sell beer and wine in its original packaging to customers for consumption off the premises. An on-premises retailer (restaurant) may hold an SDM license to allow packaged

Name	Classification
Little Tony's Lounge	CC
Bucci	CC; SDM
Champs	CC
Telly's Place	CC
Mack Avenue Grille	CC
Churchill's Cigar Bar	CC; SDM
Salvatore Scallopini	CC
Ferlito's Family Dining	CC
Da Edoardo Restaurant	CC; SDM
Pendy's	CC
Crispelli's	CC
Garrido's Bistro	CC
Someday Brewing	CC
Woods Wholesale Wine	SDD; SDM
Oxford Beverage	SDD; SDM
Merchant's Fine Wine	SDD; SDM
CVS/Pharmacy #8107	SDD;SDM
Fairway Packing Retail, LLC	SDM
Merit Woods Drugs	SDD; SDM
Kroger Store #454	SDM
On the Run Mobile Gas Station	SDM
Lochmoor Club	SDM; C



alcoholic purchases for takeout. No local legislative approval required; however, the City Zoning Ordinance (Section 50-4.9 (B)) has buffering requirements for this license type

- Specially Designated Distributor (SDD) – This is another “off-premises” retailer license that allows for the sale of spirits. These are almost always held in conjunction with SDM license.

Businesses with these licenses need permits for extended or additional activities, such as:

- Catering Permit – Allows for the sale, delivery, and service of beer, wine, and spirits at private events. In this case, alcohol is served to guests for no charge. Those with a Class C, SDM, ADD, manufacturer with on-premises tasting room permit, and other licensees many seek a catering permit. No local legislative approval required.
- Additional permits needed for additional bars, banquet facility, Sunday Sales (AM) (PM), Authorization for Outdoor Service, Beer & Wine Tasting, Dance or Entertainment, Extended Hours, etc.

\* There are some exemptions from the quota; for example, in the case of SDM, exemptions are allowed if there is not the same type of business within two miles of the proposed licensed business, which does not apply here. Other exemptions for Class C apply to redevelopment or development districts (DDA) with a certain amount of investment, as well as resorts and other special development, such as universities, sporting events, or airports – these exemptions do not apply either.

Local government considerations based on the City’s Ordinance are explained in the following subsections.

## **ORDINANCE STANDARDS FOR LIQUOR LICENSE**

In addition to Zoning standards, included below, any liquor license application must meet the standards of the Grosse Pointe Woods Ordinance Section 4-24. Application and review procedures. This information was included in the application form provided to each applicant. Additional restrictions are found in Section 4-30 as well, to ensure that the applicant not only can legally hold such a license, and that the license shall not be issued to the following:

- *“To a fast-food or drive-through type establishment or other establishment which has characteristics such as counter-only service or no wait staff,”* giving priority to full service, sit-down restaurants with a full menu and not a carry-out or fast-food restaurant. Sit-down restaurants typically 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. Counter service that offers seating on site are not considered counter-only, carry-out, fast-food restaurants.
- *“To a person who cannot establish that a license will be used by the licensee within six months of LCC approval and will not be held for investment.”* This should be clarified at the meeting.

Based on the information provided in the application, both applicants have the potential to meet the Ordinance requirements for a Class C licensed establishment.

## **SPECIAL LAND USE**

Beyond the licensing stipulations in the Ordinance there are additional review requirements for such businesses in the Zoning Ordinance. Restaurants serving alcohol (taverns) require special land use review within the C Commercial Business District. Either applicant would be subject to the special land use review process. This process involves site plan review, as well as a public hearing and recommended action to City Council by



Planning Commission regarding approval or denial of the application. The required contents of site plans to be reviewed are listed under 50-6.1 (G).

**SDM BUFFERING REQUIREMENT**

Based on the Zoning Ordinance Section 50-4.9, SDM have buffering requirements. The Planning Commission shall not approve any SDD or SDM use within the C-2 high intensity city center district if such proposed use or establishment is:

1. within a 500-foot distance from an existing SDD or SDM establishment, or
2. within a 500-foot distance from a place of worship or an elementary, junior or senior high school site.

Location	Neighboring SDM	Place of Worship	School	Compliance
20195 Mack	<b>Bucci (100 ft)</b>	<i>None</i>	<i>None</i>	<i>Would not comply; however, no longer seeking SDM.</i> <b>Complies</b>
20710 Mack	<b>On the Run Mobile Gas Station (0ft); Woods Wholesale Wine (~350 ft)</b>	<i>None</i>	<b>Parcells Middle School (~480ft)</b>	<i>Does not comply.</i> <i>Variance(s) needed.</i>

Daily Jam GP, LLC is interested in continuing to pursue an SDM license for catering purposes. In addition to the special land use, multiple variances would be needed for the request at 20710 Mack Avenue.

For a variance to be granted, the applicant must prove that compliance with the restrictions governing area, setbacks, frontage, height, bulk, density, or other dimensional provisions would create a practical difficulty. The Zoning Board of Appeals would need to agree with a finding of practical difficulty, based on the criteria set in the Ordinance under Section 50-7.15.

**PARKING**

Zoning Ordinance requirement based on the land use type for establishments for sale and consumption on the premises of beverages, food or refreshments: “One for each 200 square feet of gross floor area, plus one for each employee on the premises during the peak employment shift.”

Location	Required	Provided	Compliance
20195 Mack	Square footage of gross floor area = 2,192.016  Number of Employees (largest shift) = #  50%(11) = <b>5 + Employees</b>	10 off street parking + on-street spaces.  Could add one-two more with relocating the dumpster.	<b>Likely</b> complies pending information on employees in the largest shift.



20710 Mack	Square footage of gross floor area = 5,503 Number of Employees (largest shift) = # 50%(28) = <b>14 + Employees</b>	31 off street parking + shared parking agreement = 40	<b>Very likely</b> complies pending information on employees in the largest shift.
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### NEXT STEPS IN THE REVIEW PROCESS

In summary, both restaurants with alcoholic beverages would require a site plan and special land use review, involving additional Planning Commission and City Council reviews. In addition, based on the SDM requirements, Daily Jam LLC at 20710 Mack Avenue would also require multiple variances given the proximity to the middle school and two other SDM businesses, which would require review by the Zoning Board of Appeals and findings of practical difficulty. Strict compliance with the Ordinance requirements should be followed, especially as the last Class C license is currently available for the City to administer.

We recommend that the City consider the input received during the public hearing and information from each respective applicant on how they align with Ordinance standards. During the public hearing, we recommend Council request further clarification on the following:

- From 20195 Mack Ave, BCM Restaurants – clarity on their business model on how it aligns with the Ordinance requirement for service beyond counter-only food service; and if they will be able to operate within 6 months from LCC approval.
- From 20710 Mack Ave, Daily Jam GP, LLC – clarity on how the SDM license will be used as a part of their business model and if they will be able to start operating in 6 months of LCC approval.

Following information received during the meeting, Council may either 1) grant an applicant the Class C license, and then the applicant will pursue site plan and special land use approval, 2) table the decision if further information is needed, or 3) table the decision until each applicants pursues site plan approval, special land use recommendation and a recommendation on variances from Planning Commission prior to deciding who will be granted the Class C license.