



CITY OF NOVI CITY COUNCIL
JANUARY 23, 2023

SUBJECT: Approval of a request to transfer ownership of escrowed 2021 Resort Class C Liquor License & SDM license with Sunday Sales Permit (PM) with New Outdoor Service Area, Sunday Sales Permit (AM) and Sunday Sales Permit (PM) SDM- Mixed Spirit Drink from Sip Bay Harbor LLC., to KHP Novi, LLC., 44375 W. 12 Mile Rd, #G-147, Novi, MI.

SUBMITTING DEPARTMENT: City Clerk

BACKGROUND INFORMATION:

KHP Novi, LLC requests to transfer ownership of an escrowed Class C Resort license from Sip Bay Harbor, LLC. KHP (Korean Hot Pot) is a Korean BBQ themed restaurant that is being developed in Fountain Walk. Hot Pot is an Asian cooking method, prepared with a simmering pot of soup stock at the dining table, containing a variety of East Asian foodstuffs and ingredients. While the hot pot is kept simmering, ingredients are placed into the pot and are cooked in a manner similar to fondue.

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.
- d) 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.
- e) The permanence of the establishment in the community, as evidenced by the prior or proposed contributions to the city or community by the applicant or business, and the extent to which the issuance of the license will assist in the further investment of the applicant or business in the city or the community.
- f) The character and extent of investment in improvements to the building, premises, and general area.
- g) Such other considerations as the council may deem proper, provided such considerations are reasonable under all of the circumstances.

RECOMMENDED ACTION:

Approval of request to transfer ownership of escrowed 2021 Resort Class C from Sip Bay Harbor LLC., to KHP Novi, LLC., 44375 W. 12 Mile Rd, #G-147, Novi, as requested because the surrounding neighborhood is commercially zoned, with numerous dining and entertainment businesses. KHP Novi would compliment the area and provide residents and visitors another unique dining option which 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.