

**CITY OF MOUNT PLEASANT
REDEVELOPMENT LIQUOR LICENSE POLICY**

The City of Mount Pleasant is supportive of economic development and redevelopment. The City believes that making Redevelopment Liquor Licenses available as authorized by Section 521a of the Michigan Liquor Control Code (1998 PA 58, as amended, MCL 436.1521a) (the “LCC”) will lead to desirable development, job creation, re-investment, redevelopment, and increased tax base in appropriate areas of the City. The City has established a Redevelopment Liquor License District which is made up of portions of its Central Business District Tax Increment Finance District (CBD-TIFA) and Mission-Pickard Downtown Development Authority District (DDA) (refer to Attachment A) which it has deemed an appropriate area for the issuance of Redevelopment Liquor Licenses.

The application procedure, review, and consideration of City approved Redevelopment Liquor Licenses is provided below. Consistent with the LCC, the City Commission shall review and make local decisions on Redevelopment Liquor License (“RLL”) applications. In the event that the City Commission determines that it is appropriate to support the issuance of a RLL, a resolution of support will be sent to the Michigan Liquor Control Commission which is the agency that has authority to issue RLLs under the LCC.

APPLICATION REQUIREMENTS

An application for a RLL shall be made in writing on a form provided by the City and shall include the following:

1. Description of the proposed use of property and address where the RLL will be used
2. Verification that the property is within the Redevelopment Area
3. Verification that a Class I Special Use Permit has been obtained in accordance with the City’s zoning ordinance, or that an application for such a permit has been filed so that it may be considered by the City’s Planning Commission
4. Statement that the business owner and property owner (if different) are not delinquent in the payment of applicable City taxes, charges and fees owed to the City
5. Statement of what measures will be taken to address and/or correct any conditions that exist on the property in violation of the City’s Code of Ordinances as determined by appropriate City staff
6. Information on the projected amount of investment, number of jobs to be created, payroll amount, and status of financing for the business where the RLL will be used
7. Description of previous experience with food service, bar and/or nightclub operation
8. Information on the total financial investment associated with the business where the RLL will be used, including proof of a minimum investment of \$75,000 as required by the LCC

9. A site drawing verifying that the establishment will be engaged in dining with a seating capacity of not less than 25 persons (required by the LCC)
10. An application fee as set by the City Commission

ADDITIONAL APPLICATION MATERIALS

Along with the requirements listed above, applications for an RLL must be accompanied by the following additional materials, based on the location and the nature of construction associated with the proposed business.

<p>Mission Street Properties – New buildings and expansions of existing buildings (includes the properties along side streets that are zoned C-3)</p>
<p>Applicants for projects along Mission Street that include new buildings and expansions of existing buildings must obtain a Special Use Permit pursuant to the Mission Redevelopment Overlay Zone (Section 154.068 of the City’s Zoning Ordinance) prior to review by the City Commission.</p>

<p>Mission Street Properties – Existing building without expansion Non Mission Street Properties – Existing building, new building or building expansion</p>
<p>The applicant shall demonstrate in writing how the new building, building expansion, or existing building and the proposed use will be compatible with surrounding uses of land, twill not be disruptive to neighboring properties, and what measures have been undertaken or are proposed to mitigate potential negative impacts on the nearby single family residences, with particular attention to the following:</p> <ul style="list-style-type: none"> ✓ Noise ✓ Smoking ✓ Odor ✓ Trash/Refuse ✓ Traffic impacts on neighborhoods and the immediate area ✓ Pedestrian and bicycle orientation ✓ Residential units in the immediate area ✓ Parking ✓ Lighting (site lighting and vehicular) ✓ Hours of operation ✓ Building appearance ✓ Privacy (when adjacent to residential uses or zones) ✓ Preservation and/or restoration of historic character ✓ Proximity to residentially zoned properties ✓ Site maintenance

PUBLIC HEARING

Completed applications will be submitted to the City Manager’s office. Incomplete applications will be rejected. Complete applications, as reviewed and approved by the City Manager or the Manager’s designee, will be forwarded to the City Commission for the scheduling of a public hearing.

Notice of the hearing will be provided in the same manner as outlined in the City's On-Premise Liquor License Policy (also known as Criteria for Consideration of Applications for On-Premise Liquor Licenses), as amended.

CITY COMMISSION REVIEW

Following the public hearing, the City Commission will review the application and other supporting materials. The Commission may request additional materials that it deems necessary to evaluate the request.

The City Commission will evaluate applications for Redevelopment Liquor Licenses based on the following:

- A. Compliance with applicable City ordinances, codes and regulations.
- B. Compliance with applicable provisions of the LCC.
- C. Input provided by the public.
- D. The facts and evidence demonstrated in the application materials provided by the applicant.
- E. The terms of the Special Use Permit(s) issued for the subject property.
- F. Conformance with and advancement of the City's adopted Goals and Objectives and its Master Plan, as amended (copies of these documents are available at the City Clerk's office).
- G. The perceived economic benefit(s) of the proposal.
- H. Compatibility of the proposed use with the character and nature of the surrounding properties.
- I. The recommendation of the City Manager or the Manager's designee.
- J. Any other information that the City Commission deems relevant.

If the City Commission is satisfied that the application meets the review criteria listed above and advances the intent of this policy, a resolution of approval will be authorized and forwarded to the Michigan Liquor Control Commission. The Michigan Liquor Control Commission is responsible for issuing all RLLs.

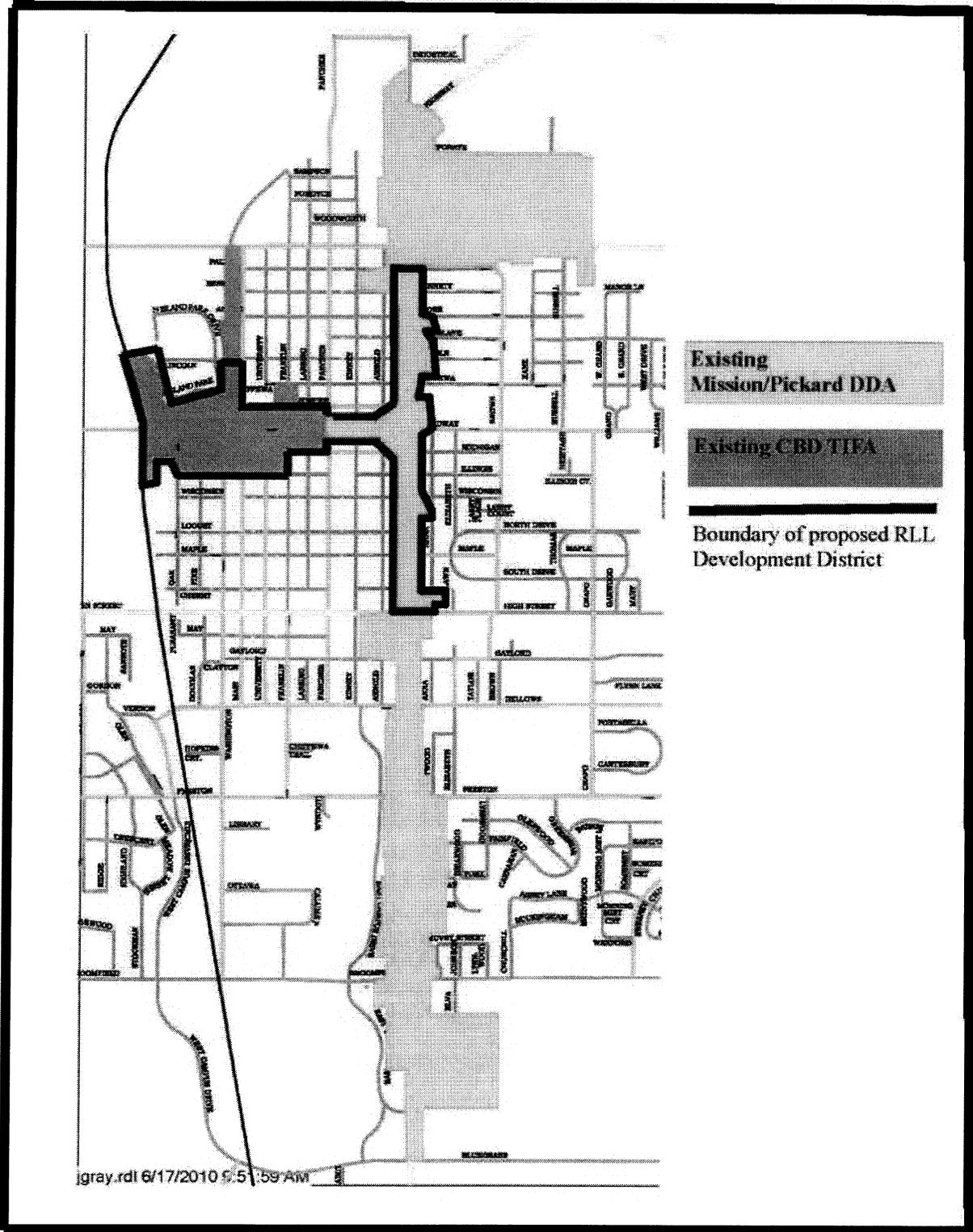
CONSIDERATION OF NON-RESTAURANT USES

The terms of this policy permit and encourage the development of additional Class I Restaurants in the City. The City Commission reserves the right to consider and approve non-Class 1 Restaurant applications for entertainment or recreational businesses, as allowed by the LCC, provided that the City Commission finds that the approval of a non-restaurant RLL is necessary to facilitate an economic

development project that meets and exceeds the requirements of this policy and that has an investment threshold of not less than \$500,000.

Applicants for non-restaurant uses shall, at a minimum, demonstrate that the proposed use meets the requirements of this policy and will have substantial economic benefits, will meet and exceed minimum City regulatory requirements, and will be an improvement to the property and neighboring properties.

Attachment A



9. This proposed licensed business will be owned by: (check one)

- Me as the individual owner
 The named corporation
 The named Liability company
 The following partners (indicate limited partners with an "L" before their name)

Partnership Information: (attach additional sheet if necessary)

Name of Partners	Home Address	Phone Number

* All general partners must complete & submit an LC 621, "Individual, General Partner, Stockholder or Member Questionnaire."
 All limited partners must complete & submit an LC 38, "Limited Partner, Stockholder or Member Statement."

10. Personal Information - Individual Applicants and Partnership Members Only

Sex Height _____ Weight _____ Hair Color _____ Eye Color _____

Date of Birth _____ Place of Birth _____ Social Security No. _____

If you are not a US Citizen - Are you a registered alien? Yes No Or, Do you have a Visa? Yes No

Full name of spouse: _____

Have you ever legally changed your name? Yes No If Yes, FROM _____
 TO _____

Have you been known by other names? Yes No List names: _____

Have you ever been arrested? Yes No If Yes, list all arrests, excluding minor traffic offenses (include alcohol arrests):

DATE	PLACE	CHARGE	DISPOSITION

List your former occupations for the past 3 years:

* attach additional sheet if necessary

To-From DATES mm-dd-yyyy format	OCCUPATION	EMPLOYER NAME AND ADDRESS
to _____		
to _____		
to _____		

I or my spouse previously held or now hold interest in the following licenses for sale of alcoholic beverages as sole licensee, partner or corporation:

NAME OF LICENSEE	TYPE OF LICENSE	LOCATION	DATE

Do you or your spouse hold any law enforcement powers including powers of arrest? Yes No

11. Limited Partnerships-is the limited partnership authorized to do business under the laws of Michigan?

Yes No Date authorized: _____

12. Corporate & Limited Liability Company Applicants Only - stockholders/members must complete a separate survey

Note: Attach copy of filed/proposed Articles of Incorporation, last annual report/statement filed & attach copy of stock options.

Corporate/LLC Name: _____ Incorporated/Organized in what State?
 Alabama _____

Person(s) authorized to sign the application and any documents required by the MLCC: _____

(Check one of each) Profit or Non-profit Corporation Public or Private Corporation

Date last annual report / statement filed with Michigan Corporation & Securities: _____

Corporate Officers:	NAME	ADDRESS	PHONE NUMBER
President	_____	_____	_____
Vice-President	_____	_____	_____
Secretary	_____	_____	_____
Treasurer	_____	_____	_____

13. Corporations and Limited Liability Companies - List all persons, companies and other entities who hold or will hold stock interest or membership interest in applicant entity.

	NAME	ADDRESS	PHONE #	% INTEREST
1.	_____	_____	_____	_____
2.	_____	_____	_____	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____

*Note: All persons, companies and other entities holding 10% interest or more must complete and submit an "Individual, General Partner, Stockholder or Member Questionnaire" (LC-621). All persons, companies and other entities holding less than 10% interest, must complete and submit a "Limited Partners, Stockholders or Members Statement" (LC-38).

14. Financial Details - All Applicants

(A) Source of funds used to establish business, or which will be used to purchase this business, list name address and amount of all money lenders. Money lenders to fill out special "Statement of Money Lender" form enclosed.

Name	Address	Amount
_____	_____	\$ _____
_____	_____	\$ _____
_____	_____	\$ _____

(B) Attorney or representative

Name	Address	Phone Number
_____	_____	_____

(C) Real estate is owned by

Name	Address	Phone Number
_____	_____	_____

Name	Address	Phone Number
_____	_____	_____

(D) Realtor/Broker

Name	Address	Phone Number
_____	_____	_____

(E) Accountant or Bookkeeper

Name	Address	Phone Number
_____	_____	_____

15. Transaction Details - All Applicants

- Note
- Any balance owed on the business selling price must be secured by a non-title retaining instrument such as a promissory note, security agreement, etc.
 - Land contracts are not acceptable as security for any unpaid balance to be owed on the business portion of the sale.
 - Business, fixtures and equipment cannot be listed on land contracts or real estate mortgages.
 - All alcoholic beverage inventory must be paid for in cash at the time of transfer and not by installment payments.
 - Acceptable lease agreements must be provided if ownership of real estate is not in the names of applicants.
 - Purchasers of "ON-PREMISES" licensed establishments are required to have 10% of the purchase price for the licensed business, excluding real estate, in their own funds.

Business/Fixtures/Equipment	\$ _____	Land	\$ _____
Goodwill (if applicable)	\$ _____	Building(s)	\$ _____
Covenant not to compete (if applicable)	\$ _____	Other	\$ _____
Alcoholic beverages (estimate)	\$ _____	TOTAL REAL ESTATE COSTS	\$ <u>_____</u>
Other inventory (estimate)	\$ _____	Down Payment	\$ <u>_____</u>
TOTAL COST OF BUSINESS	\$ <u>_____</u>	BALANCE OWED	\$ <u>_____</u>
Down Payment	\$ <u>_____</u>	Secured by	\$ <u>_____</u>
BALANCE OWED	\$ <u>_____</u>		

For balance owed - explain:

• Terms:

For balance owed - explain:

• Terms:

• Collateral:

• Collateral:

The Commission wishes to warn all applicants for licenses not to invest any money or to commit themselves by any binding agreements in the expectation of being issued a license for sale of alcoholic beverages until officially notified by the Commission that their application has been approved.

WARNING! Section 436.2003 of the Liquor Code provides:

"A person who makes a false or fraudulent statement to the commission, orally or in writing, for the purpose of inducing the commission to act or refrain from taking action, or for the purpose of enabling or assisting a person to evade the provisions of this act is guilty of a violation of this act and is punishable in the manner provided for in section 909. Further, the rules and regulations of the Commission entitled "General Rules" provide: "A licensee shall not obtain a license for the use or benefit of another person whose name does not appear on the license nor shall a licensee allow a person whose name does not appear on the license to use or benefit from the license," and, "A licensee shall not sell or transfer an interest in a business licensed by the Commission without the prior written approval of the Commission."

I hereby authorize investigators of the Michigan Liquor Control Commission to obtain all documents, accounts, books, records and tax returns pertaining to myself and this business. I hereby swear that I have read all of the above answers and that they are true and further that I have read and understand the warning.

Application Date (MM/DD/YYYY)	Signature of Applicant (If applicant is a corporation, include title of signor)	Name of person completing this form if not the applicant
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