



Rochester Hills

Master Report

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File Number: 2006-0177

File Number: 2006-0177 **File Type:** License **Status:** To Council Liaison
Version: 2 **Reference:** **Controlling Body:** City Council Regular Meeting
Requester: Clerk's Office **Cost:** **Introduced:** 02/24/2006
File Name: Request for a "New from Quota" Class C License - Tom's Oyster Bar **Final Action:**

Title: Request for a "New from Quota" Class C Liquor License from 6870 Tienken, LLC to be located at 6870 N. Rochester Road, Rochester Hills, Michigan 48306

Notes: Contacts:

Gary Kotlarz, Atty
 221 S. Main, Ste 201
 Royal Oak, MI 48067

Eric Eggan, Atty
 Honiama. Miller. Schwartz & Cohn

Code Sections:

Indexes: Liquor License

Sponsors:

Attachments: Agenda Summary.pdf, AIS Agenda Summary.pdf, Application & Articles of Organization.pdf, Lease Commitment letter.pdf, Dept Reports.pdf, Paid Fees Receipt.pdf, LCC Local Approval Notice.pdf, AIS Resolution ver 1.pdf

Agenda Date:

Agenda Number:

Enactment Date:

Enactment Number:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	AIS DRAFT Minutes	02/07/2006	Discussed				

Notes: Ms. Leslie, City Clerk, introduced five (5) representatives regarding a new restaurant, Tom's Oyster Bar, to be opened at the new Papa Joe's Gourmet Market Place building located on the northwest corner of Rochester and Tienken Roads.

The five (5) representatives were:

- . Mr. Eric Eggan, attorney representing the special entity to be created to hold the new license
- . Mr. Tony Curtis, developer of the new Papa Joe's Gourmet Market Place
- . Mr. Tom Brandel, owner/founder of Tom's Oyster Bar
- . Mr. Gary Kotlarz, representing one of the possible members of the special entity to be

created to hold the new license

. Mr. Ron Ray, architect for the new Papa Joe's Gourmet Market Place building

Mr. Eggan gave a brief presentation that included the following:

* Initially Papa Joe's applied for three (3) new licenses which were denied by City Council. However, they transferred an existing license which was approved by City Council and the Liquor Control Commission.

* Papa Joe's is requesting a new license for Tom's Oyster Bar.

* The holder of the new license will be a special entity created with an agreement that will give Papa Joe's the license in the event that Tom's Oyster Bar moves away. The intent is for the license to stay with the property.

Mr. Ray gave a brief presentation of the floor plan of Tom's Oyster Bar which including the following:

* The restaurant will have a separate outside entrance so there will be no need to go through the market; it will be free-standing. However, it will share another entry off the lobby with stairs and an elevator to access the upper level banquet facilities.

* The restaurant will be a classic New England style, with a friendly atmosphere with approximate seating capacity of 180 to 235 which includes a proposed outdoor cafe. Tom's Oyster Bar is also located in Gross Pointe, Detroit and Royal Oak.

Vice Chairman Duistermars thanked the representatives for their presentation.

1	AIS DRAFT Minutes	03/21/2006	Recommended for Approval	City Council Regular Meeting	Pass
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Notes: Chairperson Holder welcomed the representatives for Tom's Oyster Bar. They were:

- . Mr. Tom Brandel, owner/founder of Tom's Oyster Bar
- . Mr. Eric Eggan, attorney from Honigam Miller Schwartz and Cohn
- . Mr. Tony Curtis, developer of the new Papa Joe's Gourmet Market Place
- . Mr. Gary Kotlarz, attorney representing one of the investors which happens to be his wife, Cheryl Kotlarz

Mr. Eggan and the representatives thanked the Committee for the opportunity to be heard on this issue. They gave a brief summary that included the following:

. Approximately one (1) year ago, the Papa Joe's entity came before the AIS Committee and Council to request three (3) new licenses from the City's quota. The request was denied with an understanding that if Papa Joe's obtained a transfer license, they could re-apply to be considered for one (1) new license from the City's quota.

. Papa Joe's purchased a transfer liquor license which was approved by Council last fall. [Note: Please refer to Legislative File 2004-0604]

. Papa Joe's is seeking another restaurant and another liquor license that can be purchased and transferred into the City for the new Papa Joe's facility.

. The name on the new license will be the corporation, Tom's Oyster Bar, of which there are three (3) investors.

The AIS Committee voted to recommend that Council approve one (1) new Class C Liquor License for Tom's Oyster Bar.

Aye: Duistermars, Holder, Kinker and Verschueren

Absent: Rosen

Text of Legislative File 2006-0177

..title

Request for a "New from Quota" Class C Liquor License from 6870 Tienken, LLC to be located at 6870 N. Rochester Road, Rochester Hills, Michigan 48306

..body

Resolved that the request from 6870 Tienken, LLC for a New Class C License to be located at 6870 N. Rochester Road, Rochester Hills, MI, 48306, Oakland County, Michigan be considered for approval "Above All Others" by Michigan Liquor Control Commission.