



**City of Rochester Hills  
AGENDA SUMMARY  
NON-FINANCIAL ITEMS**

**1000 Rochester Hills Dr.  
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**Legislative File No:** 2004-0604

**TO:** AIS Committee  
**FROM:** Jane Leslie, Clerks Office, 2461  
**DATE:** 10/27/05  
**SUBJECT:** Transfer of Class C License for 6900 N. Rochester Rd.

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**REQUEST:**

To recommend approval of the transfer of a Class C License from Palm Beach Recreation, Inc., 23050 W. Eight Mile, Southfield, Michigan 48034 to Papa Joe's Oakland, LLC to be located at 6900 N. Rochester Rd.

**BACKGROUND:**

The applicant has an approved site plan at this time for the construction of a new facility. Plans have been submitted to the Building Department for their approvals. At this time we have verbal OK's from the Fire Department and Oakland County Sheriff's Department, as the approvals for the construction will be done by the Building Department. Plans appear to meet the requirements for approvals. As the project is constructed, approvals will be given officially. The PUD agreement approved earlier for this location required intersection improvements before construction could begin. The improvements have commenced and construction will be moving forward at the appropriate times.

The applicant previously requested three new Class C licenses to be issued from the city's quota and appeared before the Administration Information Services Committee on 10/5/04. The current request is for one of the locations previously requested. The facility is for the main Papa Joe's and will consist of the market, café, banquet facilities, wine bar, and full service restaurant. The Local Approval Notice from LCC indicates that the licensee will have 6 bar permits to accommodate the various locations in the building. They do not indicate a Dance Permit. There may need to be clarification as to use of banquet facilities as to whether or not there are dance floor areas or if any dancing will be permitted. If any is expected, there are requirements for a dance permit and space to be identified.

Previously, questions were asked about barriers for separating the retail market area from areas that serve on-premise. LCC has advised that barriers as such are not required for indoor service the same way they are for outdoor service (e.g. patios, sidewalk use, etc.). The licensee must be in control of the license/permits issued at all times. There are additional rules that prohibit the use of the license for the benefit of any other than the licensee that also requires the licensee to be in control and responsible. The applicant has also asked for 1 direct connection which allows an inside connection between the licensed premises and an unlicensed portion of the same building. This is not completely explained in the application. The applicant and attorney will be present at AIS on 11/1 for additional questions/answers.

I have included copies of some of the LCC rules that pertain to direct connection, control of licenses, and dance permits. The transfer request was apparently placed earlier this year, but the city did not receive

the notice until last week. We have not had time for full review of building plans. A request to the Building Department is in process and a report is expected by 11/1 for the meeting.

Attached you will find copies of the following:

- Application
- Applicant Background Info. – includes financials, operating agreement, trust info, etc.
- Floor Plan – larger/detailed plans will be available at the meeting
- Local Approval Notice
- Copies of Rules applicable for some of the outstanding questions

A proposed resolution has been included for your consideration.

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**RESOLUTION**

Resolved, that the Administration & Information Services (AIS) Committee recommends that the Rochester Hills City Council approve/deny the request from Papa Joe’s Oakland, LLC to transfer ownership of 2005 Class C licensed business (in escrow) with Sunday Sales from Palm Beach Recreation, Inc.; transfer location (Governmental Unit)(MCL436.1531 (1) from 23050 W. Eight Mile, Southfield, MI 48034, Oakland County; Cancel existing Dance permit, A-Concourse Permit, and Official Permit (Bowling) and request a new SDM license to be held in conjunction , new Official Permit (Food), 5 new additional bar permits (for a total of 6 bars) and One (1) direct connection to 6900 N. Rochester Rd. Rochester Hills, Oakland County, Michigan 48306.

**NEXT AGENDA ITEM**

**RETURN TO AGENDA**

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<b>APPROVALS:</b>	<b>SIGNATURE</b>	<b>DATE</b>
<b>Department Review</b>		
<b>Department Director</b>		
<b>Mayor</b>		
<b>City Council Liaison</b>		