

CITY COMMISSION POLICY

 GRAND RAPIDS MICHIGAN	NUMBER: 300-08	HISTORY	
		FILE #	DATE
	DATE: 11-1-2016	76040	March 27, 2007
	FILE NUMBER:	82617	July 23, 2013
	DEPARTMENT: Clerk's	86205	November 1, 2016

SUBJECT: REQUIREMENTS FOR APPROVAL OF LIQUOR LICENSE REQUESTS IN CITY DEVELOPMENT DISTRICTS

PURPOSE: To establish criteria for the evaluation of liquor license requests submitted pursuant to Public Act 501 of 2006 (MCL 436.1521a) (the "Act") and to establish necessary conditions to ensure that the issuance of a license is consistent with adopted goals and plans of the development areas and will enhance the quality of life for residents and visitors.

BACKGROUND:

The City of Grand Rapids can, pursuant to Public Act 501 of 2006 (MCL 436.1521a), recommend issuance of new liquor licenses for dining, entertainment or recreation businesses located within a development district, as defined in the Act. This policy is intended to: 1) provide guidance to applicants who may be interested in requesting a license under the Act; and 2) establish procedures for review and approval of such requests.

Businesses licensed under the Act must:

- Be engaged in dining, entertainment or recreation.
- Be open to the general public.
- Have a seating capacity of at least 25 people.
- Demonstrate to the satisfaction of the Liquor Control Commission (LCC) that they attempted to purchase an available on-premise escrowed license or quota license within the city, and that one was not readily available as defined in the Act.
- Either have expended at least \$75,000 for the rehabilitation or restoration of the building over a period of the preceding five years, or commit capital investment of at least \$75,000 that will be expended for the building before the license is issued.

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Licenses may be issued to businesses in one of the following development districts:

1. Tax Increment Financing Authority (Monroe North TIFA)
2. Corridor Improvement Authority
3. Downtown Development Authority
4. Principal Shopping District (Downtown Improvement District)

POLICY:

It is the policy of the City Commission to use the following procedures in reviewing applications for liquor licenses under the Act:

1. The City Assessor shall annually determine the total amount of public and private investment in real and personal property in each development area over a period of the preceding 5 years. The Assessor shall transmit his or her determination to the City Clerk who shall certify the results as needed to the Liquor Control Commission (LCC).
2. Applicants requesting a license must document that they have a real property interest within the district by completing an application documenting the property interest to the satisfaction of the City Clerk (deed, lease, contingent sale, contingent lease, etc.). If the applicant is not the owner, applicant shall include concurrence from the owner. Each application must be accompanied by an application fee in the amount established from time to time by resolution of the City Commission.
3. The applicant shall include, as a part of an application, documentation showing that at least \$75,000 has been expended for the rehabilitation or restoration of the building that would house the licensed premises, or shall make a commitment for capital investment of at least \$75,000 which shall be expended prior to the issuance of the license.
4. The applicant shall document how the issuance of the license will benefit the development district and the city. Such documentation may include a business plan, an architectural plan, a security management plan, and other information necessary to review the proposal.
5. The applicant shall include, as part of an application, documentation of feedback from within the neighborhood and business district in which the subject property is located.

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6. The City Clerk shall forward each new application to the development area board for review and consideration and to appropriate City departments for review. In evaluating proposals, the development area board may consider how the issuance of a license would promote economic growth in a manner consistent with adopted goals, plans or policies of the development area.
7. The development area board shall transmit its recommendation in writing to the City Clerk. Per Liquor Control Commission (LCC) guidance, the development area board may recommend approval “above all others,” recommend approval, or recommend denial of the request.
8. Upon receipt of the recommendation of the development area board and the City departments reviewing the request, the City Clerk shall publish in the Grand Rapids Press and send notice to property owners and residents within 300’ of the subject property within 15 days prior to the City Commission consideration if the Planning Commission is not required to hold a public hearing on the application and forward the recommendation to the City Commission in accordance with Commission policies for review and approval of liquor licenses. An additional fee will be charged to cover the cost of this notice if not facilitated as part of the Planning Commission agenda. The amount of this fee will be established by City Commission resolution.
9. In accordance with Liquor Control Commission (LCC) guidance, the City Commission reserves the right to “approve above all others”, approve or deny any application. The City Commission reserves the right to waive any provision of this policy.
10. The City will not establish a “City redevelopment project area” as provided in Section 1(a) of the Act at this time.