

1. Agenda

Documents:

[LIQUOR CONTROL COMMITTEE MEETING AGENDA FEBRUARY 26, 2014.PDF](#)

1.I. Gemmayze Request Change To Plan Of Operation

Documents:

[GEMMAYZE REQUEST CHANGE TO PLAN OF OPERATION.PDF](#)

1.II. Burgrz Request Change To Plan Of Operation

Documents:

[BURGRZ REQUEST CHANGE TO PLAN OF OPERATION.PDF](#)

1.III. Annual Class C Review

Documents:

[ANNUAL CLASS C REVIEW.PDF](#)

1.IV. February 2013 Class C License Updates And Summary Report

Documents:

[FEBRUARY 2013 CLASS C LICENSE UPDATES AND SUMMARY REPORT.PDF](#)

LIQUOR CONTROL COMMITTEE
February 26, 2013
6:30PM
Commission Chambers Room 315
Royal Oak City Hall
211 Williams Street, Royal Oak, MI 48067

Agenda

1. Call to Order
2. Public Comment
3. Approval of Minutes – November 26, 2012 Meeting
4. Gemmayze (308-310 South Main Street) Request to Change to Plan of Operation.
 - A. Requesting to allow occasional use of a disc jockey or solo guitarist and expand first floor bar seating.
5. Burgrz (410 South Main Street) Request to Change to Plan of Operation
 - A. Requesting to remain open for business until 3:00 a.m.
6. Annual Class C License Review
7. Police Update
8. Adjournment

MEMORANDUM

To: Mr. Don Johnson, City Manager

From: Gordon Young, Deputy Chief of Police

CC: Corrigan O'Donohue, Chief of Police *CP*

Date: 2/13/2013

Re: CHANGE IN THE PLAN OF OPERATION FOR GEMMAYZE

Gemmayne, located at 308-310 S. Main St., has requested to change their plan of operation.

Change:

- Entertainment
 - Gemmayze will occasionally have a Disc Jockey or Solo Guitarist in the lounge area, on the second floor, with no dancing.
- Seating on 1st Floor
 - Five (5) additional bar seats will be added. Also, four (4) table seats and one (1) Kitchen bar seat will be removed.
 - The total number of 1st floor seating will decrease from 64 to 60.

Mr. Elias Hajjar, owner, is requesting this change to allow a DJ or Solo Guitarist in their second floor lounge area. They are currently planning to have the DJ play recorded music on the last Friday of each month and occasionally have a solo guitarist throughout the year. This request will not need them to seek an Entertainment or Dance Permit, which they do not hold and have no intentions of seeking.

Mr. Hajjar explained that he does not like how the bar flows with the service station located near the bar. Mr. Hajjar is requesting to move the service station and extend the bar. The current Plan of Operation allows for eight (8) bar seats, he now operates with only six (6).

The proposed change will increase bar seating from 8 to 13. The overall seating will also decrease because the service station is being moved to a location currently occupied by a table of four (4) and he is removing one (1) Kitchen bar seat.

The format of the establishment will not change and the overall patron seating will decrease from 64 seats to 60 seats. Gemmayze is a well run establishment with no

significant calls for police service. Over the past thirteen months, this department responded to three (3) calls-for-service. None were related to the service of alcohol. The Royal Oak Police Department does not object to any of the requested changes in the Plan of Operation for Gemmayze.

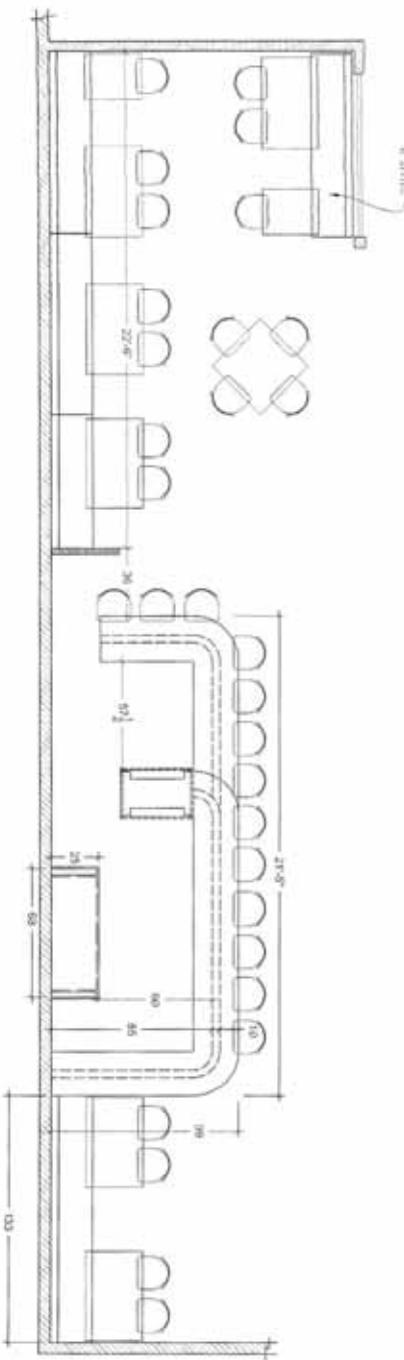
If approved, the applicant will be required to meet all City code and ordinance requirements as dictated by the Building, Planning, Zoning and Fire Departments.

Approval for this change in the Plan of Operation is subject to the approval or denial of the Royal Oak City Commission.

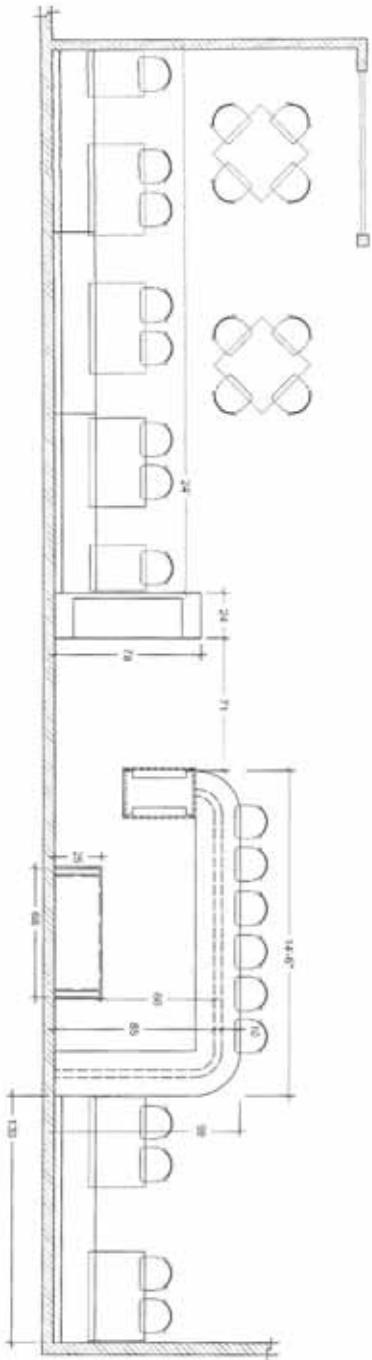
Respectfully,



Gordon Young
Deputy Chief of Staff Services
Royal Oak Police Department



PROPOSED LAYOUT #7



CURRENT LAYOUT

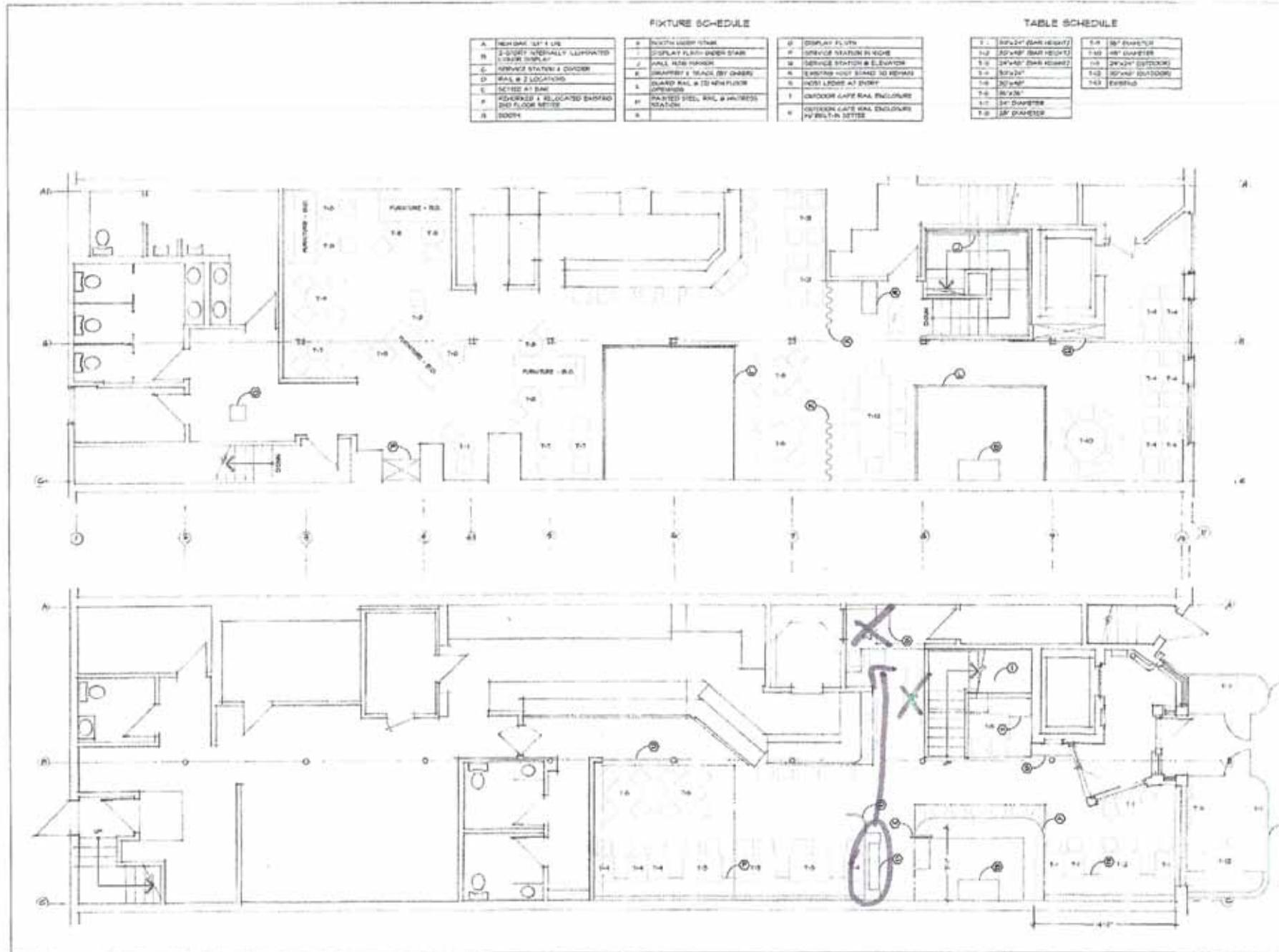
2-12-2013

1:250 scale

FIRST FLOOR BAR LAYOUT

BY JONY CHALHOUB

GEMMAYZEI
ROYAL OAK, MI



THE GEMMAYZE EXPERIENCE
310 S. MAIN

TOTAL CALLS FOR SERVICE – 1/1/2012 – 12/31/2012 = 3

| <u>DATE</u> | <u>REPORT/D-CARD</u> | <u>COMPLAINT</u> | <u>SYNOPSIS</u> |
|-------------|----------------------|--------------------|--|
| 2/4/2012 | 12-2366D | Miscellaneous | Officer's bagged meters for lunchtime event at bar. Yellow plastic meter bags used. |
| 8/30/2012 | 12-24047R | Damage to Property | Business was vandalized by graffiti. |
| 11/14/2012 | 12-31620D | 911 Hang-Up | Sounds like a fax machine on call back. Checks ok, didn't dial phone right. No report. |

THE GEMMAYZE EXPERIENCE
310 S. MAIN

TOTAL CALLS FOR SERVICE – 1/1/2013 – 1/31/2013 =

| <u>DATE</u> | <u>REPORT/D-CARD</u> | <u>COMPLAINT</u> | <u>SYNOPSIS</u> |
|-------------|----------------------|------------------|-----------------|
|-------------|----------------------|------------------|-----------------|

**GEMMAYZE
PLAN OF OPERATION
As of February 11, 2013**

Business Name: Joy Main Inc
Doing Business As: Gemmayze
Address: 308-310 S. Main St.
Royal Oak, MI 48067
Phone: 248-399-4900
Fax: 248-399-4902

PREAMBLE

We have received a copy of 2001-06, the City of Royal Oak ordinance regulating liquor licenses. Joy Main, Inc. ("Joy Main") requesting approval to transfer ownership and location of a Class C liquor license from Pizza Hut of America, Inc. for operation at 308-310 S. Main, Royal Oak. The following Plan of Operation is developed in keeping with the spirit and intent of this policy. Joy Main LLC will do business as Gemmayze. ("Gemmayze")

HOURS OF OPERATION

The hours of operation for the business will be 11:00 a.m. to 10:00 p.m. Sunday, from Monday through Thursday from 11:00 a.m. to 11:00 p.m. and 11:00 a.m. to 2:00 a.m. Friday and Saturday.

The full kitchen will be open all business hours and until 12:00 am Friday and Saturday

FORMAT

CONCEPT: This is two story building which will operate as a family-style Mediterranean restaurant. The menu will include lunch and dinner appetizers, such as Saganaki, Gamberi, Asti-Spumante shrimp, salads, pizzas, middle-eastern favorites, such as Baba Ghannoch, Grape Leaves, and Kibbe and full course entrees such as Kabobs and Grilled Baby Lamb Chops. Gemmayze will be a great place for families to dine and this concept will add diversity to the City of Royal Oak.

SEATING: There will be approximately 60 seats on the first floor, which includes 40 dining seats, 7 Kitchen bar seats and 13 seats at the bar. There will be approximately 95 seats on the second floor, which includes 13 seats at the bar, 40 in the relaxed dining area and 42 dining seats.

The final capacity is subject to the approval of the Royal Oak Police Department. Based upon architectural drawings, the capacity should be approximately 166 patrons, per the applicable State law codes. The square footage of the establishment is 6600.

The food sales/alcohol sales ratio is approximately 70% food and 30% alcoholic beverages.

OUTDOOR SEATING

There will be an outdoor patio on the East side of the establishment on the city sidewalk with seating for 14 patrons. The outdoor service area will have full food and beverage service provided by the wait staff.

The Outdoor Service Area will operate in accordance with and consistent with all City policies, practices, and procedures regulating outdoor service, including, but not limited to:

- a. The Outdoor Service Area will not be permanently enclosed;
- b. The fence and/or other barricades or rail surrounding the Outdoor Service Area should be anchored in accordance with the Uniform Engineering Anchoring System as promulgated by the Engineering Department of the City of Royal Oak;
- c. The manner in which the Outdoor Service Area is enclosed shall be subject to prior approval and inspection by the Police and Engineering Department;
- d. The use of alcohol will be allowed in accordance with the rules of the Michigan Liquor Control Commission and the City's Ordinances from April 15th to October 15th;
- e. The Outdoor Service Area will be clean and free of debris or trash. The Area shall be cleaned at the close of each business day;
- f. Gemmayze will pay fees in accordance with the City's Sidewalk Café License Agreement application.

ENTERTAINMENT

Gemmayze will occasionally have a DJ or Solo Guitarist that will play in the lounge area on the second floor with no dancing.

DANCE PERMIT

Gemmayze is not requesting a dance permit.

SECURITY

Security for the customer, building, and community are the first priorities for the company. Gemmayze will undertake whatever measures are necessary to maintain, secure, and supervise our customers and premises.

CODE COMPLIANCE

The premises comply and will continue to comply with all applicable health, safety, building, sanitation, electrical, plumbing, and fire codes as well as zoning requirements.

PARKING

Gemmayze would like to offer valet parking to its customers through a company yet to be determined. All employees will be required to park in the parking structure on Center Street and will be advised to carpool with other employees if possible.

ALCOHOL MANAGEMENT

Gemmayze will strictly obey all rules, regulations, and ordinances established by the City of Royal Oak and the State of Michigan Liquor Control Commission. There will be neither service to nor consumption of alcoholic beverages to minors at any time. The establishment fully participates in the TIPS/TAM training program and will continue such participation in that program or a similarly recognized program approved by the Royal Oak Police Chief. TIPS/TAM certification shall be provided to the Chief of Police within one hundred and twenty (120) days of date of hire.

In addition, the following policies shall be enforced at Gemmayze:

- No alcoholic beverages are allowed on the premises other than what is dispensed by the establishment.
- All staff will pay attention and stay alert to observable clues displayed by an intoxicated individual such as: (a) impaired reflexes, (b) impaired coordination, (c) reduced judgment and inhibitions, and (d) impaired vision or physical behavior.
- All staff will be alert to potential problems at their respective areas at the facility.
- Be polite and courteous to the intoxicated individual(s). Be knowledgeable as to when to request assistance from additional facility staff.
- Patrons who appear to be under thirty-five (35) years of age or younger will be asked to show proper Michigan identification. Signs will be posted at serving locations. Patrons must produce proper identification.
- All patrons under twenty-one (21) years of age – alcohol service will be refused.
- Check 'State Seal' and other markings. Check for damage or alterations to identification card.
- Do not return falsified identification cards. Call management immediately.
- If a patron shows signs of intoxication, then refuse service, politely explain policy, suggest non-alcoholic purchase, and call for management immediately.
- If a patron is purchasing on behalf of someone else who appears less than thirty (30) years old, then request to see identification of recipient or contact supervisory personnel who will seek patron(s) out. Refuse service to minors. Inform all parties involved that policy allows for ejection from premises and notification to police department of illegal activity.
- Alcohol dispensing may be restricted to one of the following practices or any combination thereof:
 - No sales to intoxicated persons.

- No sales without proper identification.
- Limited alcoholic choices if necessary.
- When in doubt, do not serve – call supervisor
- Observe all patrons leaving the property. No alcoholic beverages are allowed to leave the facility or property.
- Approach any patron appearing to be impaired and leaving the property. Determine if they are driving, and, if so, attempt to persuade them not to drive and request a non-impaired companion to drive. If unable, offer a free cab ride directly home.
- Supervisory and management personnel will complete documentation of any alcoholic related incidents at the end of event. Information will be disseminated accordingly.
- We shall provide free and/or at reduced prices non-alcoholic beverages to all designated drivers.

REFUSE

Gemmayne will dispose of refuse in enclosed dumpster(s), with locked lids. Pickup will be a minimum of two times weekly. A water line with spigot will be provided to clean dumpster enclosure as necessary

GENERAL

Every effort will be made to maintain positive relationships with adjacent and nearby businesses and residences, and cooperate with all city departments. Every effort will be made to address and resolve any problems that may arise.

EMERGENCY: In case of an emergency, contact the following individuals:

Elias Hajjar
4216 Shamley Green
Toledo, OH 43623
Phone: 419-346-5528

Joy Main, Inc. d/b/a Gemmayze

By: _____
Elias Hajjar
President

Date: January 24, 2013

**GEMMAYZE
PLAN OF OPERATION
As of October 18, 2010**

Business Name: Joy Main, Inc.
Doing Business As: Gemmayze
Address: 308-310 S. Main St.
Royal Oak, MI 48067
Phone: 248-399-4900
Fax: 248-399-4902

PREAMBLE

We have received a copy of 2001-06, the City of Royal Oak ordinance regulating liquor licenses. Joy Main, Inc. ("Joy Main") requesting approval to transfer ownership and location of a Class C liquor license from , Inc. for operation at 308-310 S. Main, Royal Oak. The following Plan of Operation is developed in keeping with the spirit and intent of this policy. Joy Main LLC will do business as Gemmayze. ("Gemmayze")

HOURS OF OPERATION

The hours of operation for the business will be 11:00 a.m. to 10:00 p.m. Sunday, from Monday through Thursday from 11:00 a.m. to 11:00 p.m. and 11:00 a.m. to 2:00 a.m. Friday and Saturday.

The full kitchen will be open during all business hours until 12:00 a.m.

FORMAT

CONCEPT: This is two story building which will operate as a family-style Mediterranean restaurant. The menu will include lunch and dinner appetizers, such as Saganaki, Gamberi, Asti-Spumante shrimp, salads, pizzas, middle-eastern favorites, such as Baba Ghannooch, Grape Leaves, and Kibbe and full course entrees such as Kabobs and Grilled Baby Lamb Chops. Gemmayze will be a great place for families to dine and this concept will add diversity to the City of Royal Oak.

SEATING: There will be approximately 64 seats on the first floor, which includes 8 seats at the bar. There will be approximately 95 seats on second floor, which includes 13 seats at the bar, 40 in the relaxed dining area and 42 dining seats

The final capacity is subject to the approval of the Royal Oak Police Department. Based upon architectural drawings, the capacity should be approximately 166 patrons, per the applicable State law codes. The square footage of the establishment is 6600 sq. ft.

The food sales/alcohol sales ratio is approximately 70% food and 30% alcoholic beverages.

OUTDOOR SEATING

There will be an outdoor patio on the East side of the establishment on the city sidewalk with seating for 14 patrons. The outdoor service area will have full food and beverage service provided by the wait staff.

The Outdoor Service Area will operate in accordance with and consistent with all City policies, practices, and procedures regulating outdoor service, including, but not limited to:

- a. The Outdoor Service Area will not be permanently enclosed;
- b. The fence and/or other barricades or rail surrounding the Outdoor Service Area should be anchored in accordance with the Uniform Engineering Anchoring System as promulgated by the Engineering Department of the City of Royal Oak;
- c. The manner in which the Outdoor Service Area is enclosed shall be subject to prior approval and inspection by the Police and Engineering Department;
- d. The use of alcohol will be allowed in accordance with the rules of the Michigan Liquor Control Commission and the City's Ordinances from April 15th to October 15th;
- e. The Outdoor Service Area will be clean and free of debris or trash. The Area shall be cleaned at the close of each business day;
- f. Gemmayze will pay fees in accordance with the City's Sidewalk Café License Agreement application.

ENTERTAINMENT

Gemmayne will not offer any type of entertainment.

DANCE PERMIT

Gemmayne is not requesting a dance permit.

SECURITY

Security for the customer, building, and community are the first priorities for the company. Gemmayze will undertake whatever measures are necessary to maintain, secure, and supervise our customers and premises.

CODE COMPLIANCE

The premises comply and will continue to comply with all applicable health, safety, building, sanitation, electrical, plumbing, and fire codes as well as zoning requirements.

PARKING

Gemmayne would like to offer valet parking to its customers through a company yet to be determined. All employees will be required to park in the parking structure on Center Street and will be advised to carpool with other employees if possible.

ALCOHOL MANAGEMENT

Gemmayne will strictly obey all rules, regulations, and ordinances established by the City of Royal Oak and the State of Michigan Liquor Control Commission. There will be neither service to nor consumption of alcoholic beverages to minors at any time. The establishment fully participates in the TIPS/TAM training program and will continue such participation in that program or a similarly recognized program approved by the Royal Oak Police Chief. TIPS/TAM certification shall be provided to the Chief of Police within one hundred and twenty (120) days of date of hire.

In addition, the following policies shall be enforced at Gemmayze:

- No alcoholic beverages are allowed on the premises other than what is dispensed by the establishment.
- All staff will pay attention and stay alert to observable clues displayed by an intoxicated individual such as: (a) impaired reflexes, (b) impaired coordination, (c) reduced judgment and inhibitions, and (d) impaired vision or physical behavior.
- All staff will be alert to potential problems at their respective areas at the facility.
- Be polite and courteous to the intoxicated individual(s). Be knowledgeable as to when to request assistance from additional facility staff.
- Patrons who appear to be under thirty-five (35) years of age or younger will be asked to show proper Michigan identification. Signs will be posted at serving locations. Patrons must produce proper identification.
- All patrons under twenty-one (21) years of age – alcohol service will be refused.
- Check 'State Seal' and other markings. Check for damage or alterations to identification card.
- Do not return falsified identification cards. Call management immediately.
- If a patron shows signs of intoxication, then refuse service, politely explain policy, suggest non-alcoholic purchase, and call for management immediately.
- If a patron is purchasing on behalf of someone else who appears less than thirty (30) years old, then request to see identification of recipient or contact supervisory personnel who will seek patron(s) out. Refuse service to minors. Inform all parties involved that policy allows for ejection from premises and notification to police department of illegal activity.
- Alcohol dispensing may be restricted to one of the following practices or any combination thereof:
 - No sales to intoxicated persons.
 - No sales without proper identification.
 - Limited alcoholic choices if necessary.
 - When in doubt, do not serve – call supervisor

Gemmayne

- Observe all patrons leaving the property. No alcoholic beverages are allowed to leave the facility or property.
- Approach any patron appearing to be impaired and leaving the property. Determine if they are driving, and, if so, attempt to persuade them not to drive and request a non-impaired companion to drive. If unable, offer a free cab ride directly home.
- Supervisory and management personnel will complete documentation of any alcoholic related incidents at the end of event. Information will be disseminated accordingly.
- We shall provide free and/or at reduced prices non-alcoholic beverages to all designated drivers.

REFUSE

Gemmayne will dispose of refuse in enclosed dumpster(s), with locked lids. Pickup will be a minimum of 2 times weekly. A water line with spigot will be provided to clean dumpster enclosure as necessary

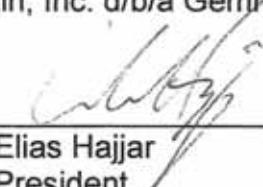
GENERAL

Every effort will be made to maintain positive relationships with adjacent and nearby businesses and residences, and cooperate with all city departments. Every effort will be made to address and resolve any problems that may arise.

EMERGENCY: In case of an emergency, contact the following individuals:

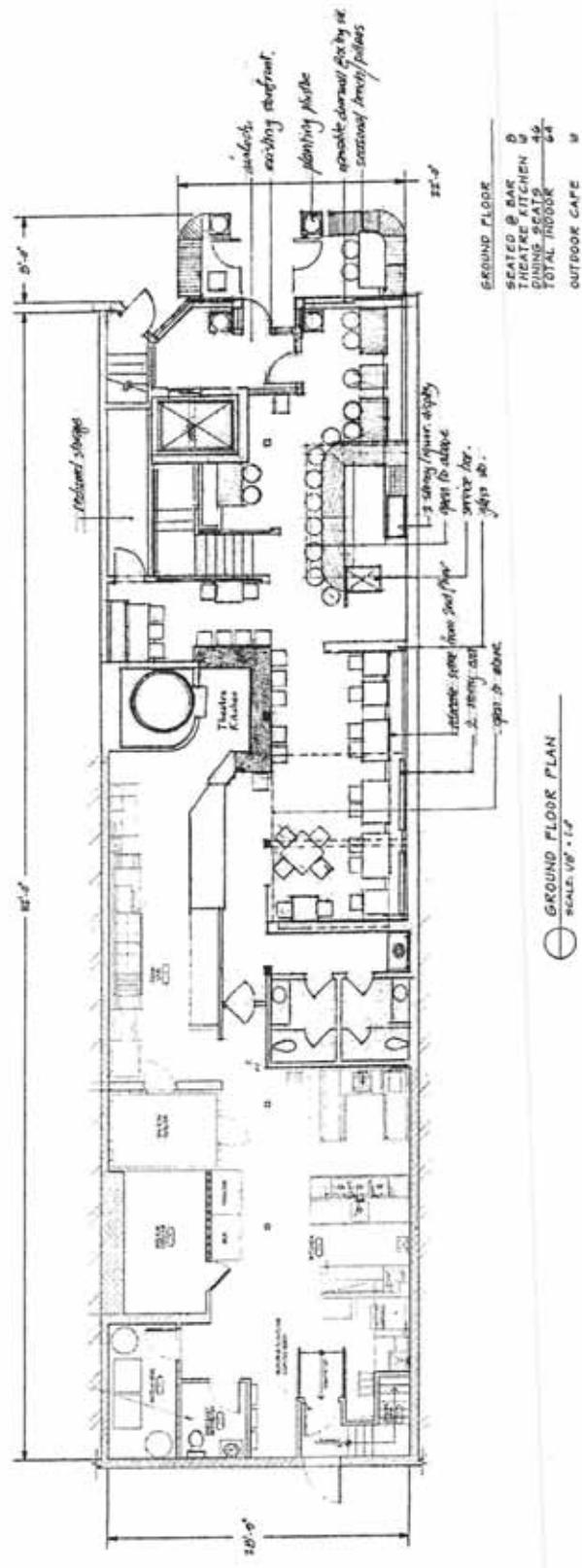
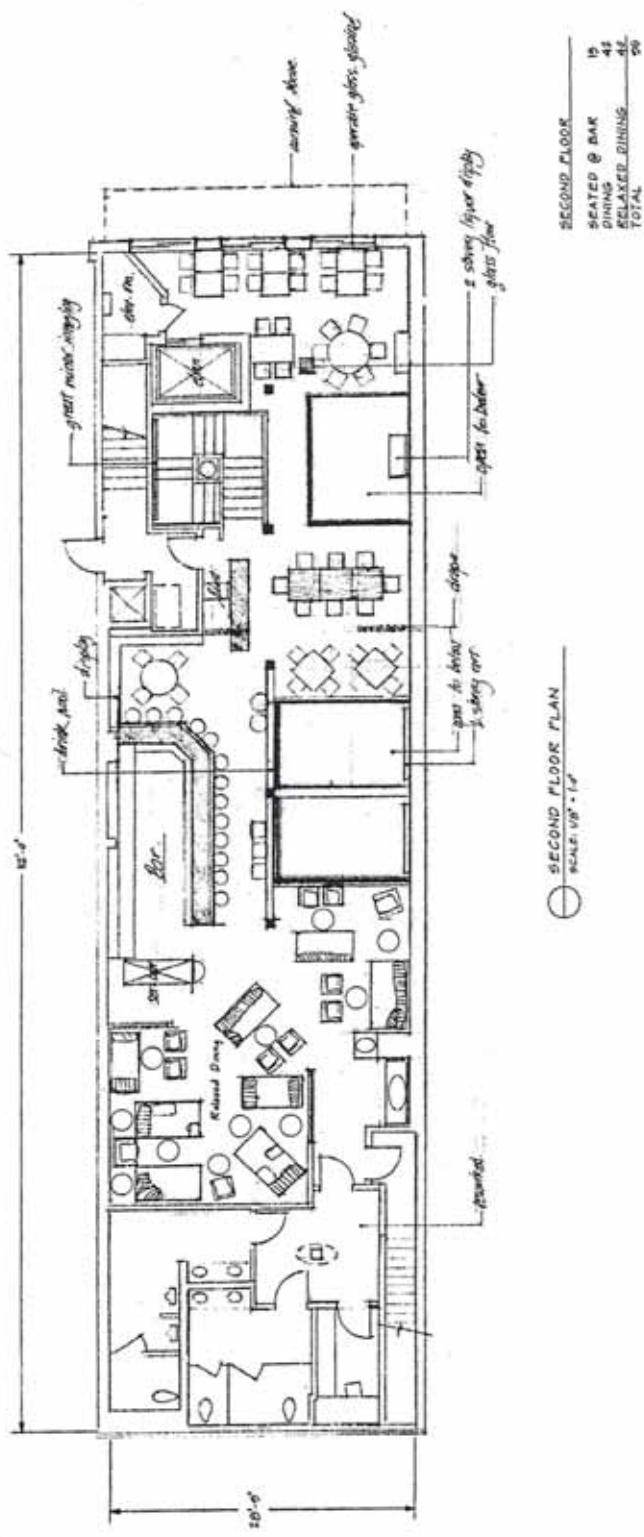
Elias Hajjar
4216 Shamley Green
Toledo, OH 43623
Phone: 419-346-5528

Joy Main, Inc. d/b/a Gemmayze

By: 

Elias Hajjar
President

Date: April 12, 2011



G E E M M A Y Z E Haben Sie sich schon auf den Sommerurlaub vorbereitet?

MEMORANDUM

To: Mr. Don Johnson, City Manager
From: Gordon Young, Deputy Chief of Police
Cc: Corrigan O'Donohue, Chief of Police *CPD*
Date: 2/13/2013
Re: CHANGE IN THE PLAN OF OPERATION FOR BURGRZ

Burgrz, located at 410 S. Main St., has requested to change their plan of operation.

Changes:

- May remain open for business until 3:00 a.m.
- Alcohol will not be consumed after midnight.
- All alcoholic containers (i.e. bottles/cans) will be removed from patron tables at midnight.

The format will not change and the patron seating will not change (61 interior and 12 exterior). Burgrz is a well run establishment with no significant calls for police service. Over the past thirteen months, this department responded to six (6) calls-for-service. None were related to the service of alcohol. The Royal Oak Police Department does not object to any of the requested changes in the Plan of Operation for Burgrz.

Approval for this change in the Plan of Operation is subject to the approval or denial of the Royal Oak City Commission.

Respectfully,



Gordon Young
Deputy Chief of Staff Services
Royal Oak Police Department

BURGRZ RESTAURANT
PLAN OF OPERATION

Second Amendment on February 4th, 2013

Business Name: Burgrz Royal Oak, Inc.
Doing Business as: Burgrz Restaurant
Address: 410 S. Main St.
Royal Oak, MI 48067
Phone 248-543-4900

PREAMBLE: We have received a copy of Royal Oak City Ordinance 90-3 regulating liquor licenses. Burgrz Royal Oak, Inc. currently holds a "Bistro" Redevelopment Quota Class C Liquor License, which was downgraded to a Tavern license to sell beer and wine only, an Official Food Permit, and an Outdoor Service Permit for the approved outdoor service area. Burgrz has been doing business as Burgrz Restaurant at this location since May of 2011. The following Plan of Operation is developed in keeping with the spirit and intent of this Ordinance.

HOURS OF OPERATION: Our hours of operation will be 11:00 A.M. to 03:00 A.M. Last call will be at 11:30 P.M., with last service at 11:40 P.M. Alcohol will not be consumed on premises after midnight. Also, at midnight, all alcoholic containers (i.e. bottles and cans) will be removed from indoor/outdoor patron tables.

FORMAT: Burgrz is a full service restaurant owned and operated by four brothers: Michael A. Ansara, Anthony R. Ansara, Victor L. Ansara, Jr. and Nicolas L.E. Ansara. Burgrz is a casual restaurant specializing in burgers, fries, salads and other offerings. The premises is operated as a full-service restaurant, with a full-service kitchen facility providing for 61 patrons, with an additional 12 seats in the outdoor service area. There will be no bar. Beer and wine will be served in bottles, cans, and glasses. The restaurant will not serve draft beer. There is no entertainment or dancing at this restaurant. Burgrz has been in operation as a full-service restaurant since May of 2011 in Royal Oak and since July of 2010 in Rochester Hills at 3204 Walton Blvd. We have invested \$395,400 in this new restaurant.

It is agreed that we will not change the format or type of business without written approval of the City Commission. This includes changing from a full-service restaurant to a bar where food service is reduced. The ratio of food sales to alcohol sales is approximately 80% food 20% beer and wine. The interior seating area is 1,000 – 1,200 square feet.

CODE COMPLIANCE: The premises comply with all applicable health, safety, building, sanitation, electrical, plumbing, and fire codes as well as zoning requirements. There is an approved outdoor service area for 12 patrons. This area will operate in accordance with and consistent with all city policies, practices and procedures regulating outdoor service, including, but not limited to:

including, but not limited to:

- a. The Outdoor Service Area will not be permanently enclosed
- b. The fence and/or other barricades or rail surrounding the Outdoor Service Area is anchored in accordance with the Uniform Engineering Anchoring System as promulgated by the Engineering Department of the City of Royal Oak.
- c. The use of alcohol will be allowed in accordance with the rules of the Michigan Liquor control commission and the City's Ordinances from April 15th to October 15th.
- d. The outdoor Service Area will be maintained throughout the service each day and cleaned at the close of each business day.
- e. Burgrz will pay fees as it has in the past in accordance with the City's Sidewalk Café License Agreement.

PLAN OF OPERATION: It is acknowledged that under Ordinance 2001-06 section 4A, the business shall be operated in accordance with an approved plan of operation. Changing the operation of the business in any manner inconsistent with the approved plan of operation is a violation of the ordinance and the rules of the Liquor Control Commission. Any change to the plan of operation must be approved by the City Commission prior to it being placed into effect on the business premises.

SECURITY: Security for the customers, building and community is the first priority for the corporation, and as such, we will continue to undertake whatever measures are necessary to maintain and supervise the expected level.

PARKING: Parking is provided by public parking spaces and public parking lots and structures. Employees will be instructed to park in parking structures.

ALCOHOL MANAGEMENT: Burgrz Restaurant will strictly obey all the rules and regulations established by the City of Royal Oak and the State of Michigan Liquor Control commission. There will be neither service to nor consumption of alcoholic beverages by minors at any time. No alcoholic beverages will be sold, or permitted to be sold, on a commission basis by any person. Burgrz Restaurant will participate in ServSafe, TIPS, or TAM training programs and will continue such participation in the program or a similarly recognized program approved by the Royal Oak Police Chief. ServSafe, TIPS, or TAM certification shall be provided to the Chief of Police within 35 days of date of hire.

The following policies will be enforced at the establishment:

1. No alcoholic beverages will be allowed on the premises, other than what is dispensed by the establishment.
2. Alcoholic beverages will only be served to seated patrons.
3. All staff will pay attention and be alert to observable clues displayed by an intoxicated individual, such as: impaired reflexes, impaired coordination, reduced judgment and inhibitions, impaired vision, etc.

4. All staff will be alert to potential problems at their respective areas at the facility.
5. All staff will be polite and courteous to the intoxicated individual(s) and will be knowledgeable as to when to request assistance from additional facility staff.
6. Patrons who appear to be 30 years of age or younger will be asked to show proper identification. Signage will be posted at serving locations. Patrons must produce proper identification.
 - a. All patrons under 21 years of age, alcohol beverage service will be refused.
 - b. Check "State Seal" and other markings. Check for damage or alterations to identification card.
 - c. Do not return falsified identification cards. Call management immediately.
7. If a patron shows signs of intoxication, staff is to refuse service, politely explain policy, suggest non-alcohol purchase, and/or call for management, if necessary.
8. If a patron is purchasing on behalf of someone else who appears to be **less than 30 years old**, staff is to request to see identification of recipient or contact supervisory personnel who will seek patron(s) out. Staff will refuse service to minors and will inform all parties involved that policy allows for ejection from premises if illegal activity has occurred.
9. Alcoholic beverage dispensing may be restricted to one of the following practices or any combination thereof:
 - a. No sales to intoxicated persons.
 - b. No sales without proper identification.
 - c. Limited alcoholic beverage choices, if necessary.
 - d. When in doubt, do not serve. Call supervisor.
10. Observe all patrons leaving the property. No alcoholic beverages are allowed to leave the facility or property.
11. Staff is to approach any person appearing to be impaired and leaving the event to determine if they are driving. If so, staff is to attempt to persuade them not to drive and request a non-impaired companion to drive. If unable, staff will refer patron(s) to bus or taxi service.
12. Supervisory and management personnel will complete documentation of any alcohol-related incidents at end of event. Information will be disseminated accordingly.
13. We shall provide non-alcoholic beverages to all designated drivers either free or reduced prices.

14. The establishment fully participates in the Techniques in Alcohol Management Program and will continue such participation in that program or a similarly recognized program approved by the Royal Oak Police Chief. TIPS/TAM certification for all employees shall be provided to the Royal Oak Chief of Police within 35 days of the date of hire.

REFUSE DISPOSAL: Burgrz Restaurant shares a dumpster/compactor with other tenants of the building. This disposal system is located in a locked area of the building and is controlled by the Landlord for which Burgrz Restaurant pays a fee to the Landlord.

GENERAL: Burgrz Restaurant has established positive relationships with adjacent businesses, as well as cooperation with all City departments. Every effort will be made to solve any problems which may arise.

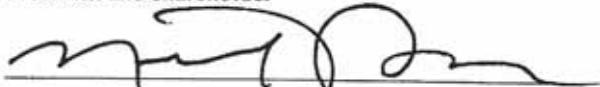
EMERGENCY CONTACTS: Michael A. Ansara (c) 248-941-3755
Anthony R. Ansara (c) 248-941-3651

RESTAURANT HISTORY: The owners/shareholders of the Applicant have been raised in the restaurant business and have worked in restaurants since they were children. Their grandfather and his brother created the Ansara Restaurant Group in 1951. Based in Farmington Hills, the Applicant's shareholder's father, Victor Ansara, Sr. is currently the President and Chief Operating Officer of the Ansara Restaurant Group. The company now owns and operates 5 Big Boy Restaurants in Michigan and at one time owned and operated 18 Big Boy restaurants. They also now own and operate 22 Red Robin Restaurants with 20 in Michigan and 2 in Ohio. They also own and operate several other restaurants in Metropolitan Detroit. They have an excellent record with the Michigan Liquor Control Commission and are well respected in the Michigan restaurant community. They are fully committed to the restaurant industry with Victor Ansara, Sr. a board member of the Michigan Restaurant Association and a member of many other industry groups.

Date: February 7th, 2013

Burgrz Royal Oak, Inc. / Burgrz Restaurant
Corporate Name/Doing Business As

By: Michael A. Ansara
President and shareholder



BURGRZ RESTAURANT
PLAN OF OPERATION
December 13, 2011
Amended on May 8, 2012

Business Name: Burgrz Royal Oak, Inc.
Doing Business as: Burgrz Restaurant
Address: 410 S. Main St.
Royal Oak, MI 48067
Phone 248-543-4900

PREAMBLE: We have received a copy of Royal Oak City Ordinance 90-3 regulating liquor licenses. Burgrz Royal Oak, Inc. is requesting a "Bistro" Redevelopment Quota Class C Liquor License, which will be downgraded to a Tavern license to sell beer and wine only, an Official Food Permit, and an Outdoor Service Permit for the approved outdoor service area. Burgrz has been doing business as Burgrz Restaurant at this location since May of 2011. The following Plan of Operation is developed in keeping with the spirit and intent of this Ordinance.

HOURS OF OPERATION: Our planned hours of operation will be 11:00 A.M. to 10:00 P.M. weekly; and 11:00 A.M. to 12:00 Midnight. Friday and Saturday. Last call will be 30 minutes before closing. Last service will be 20 minutes before closing.

FORMAT: Burgrz is a full service restaurant owned and operated by four brothers: Michael A. Ansara, Anthony R. Ansara, Victor L. Ansara, Jr. and Nicolas L.E. Ansara. Burgrz is a casual restaurant specializing in burgers, fries, salads and other offerings. We have included a menu for your convenience. The premises will be operated as a full-service restaurant, with a full-service kitchen facility providing for 61 patrons, with an additional 12 seats in the outdoor service area. There will be no bar. There is no entertainment or dancing at this restaurant. Burgrz has been in operation as a full-service restaurant since May of 2011 in Royal Oak and since July of 2010 in Rochester Hills at 3204 Walton Blvd. We have invested \$395,400 in this new restaurant.

It is agreed that we will not change the format or type of business without written approval of the City Commission. This includes changing from a full-service restaurant to a bar where food service is reduced. The ratio of food sales to alcohol sales is anticipated to be 80% food 20% beer and wine. The interior seating area is 1,000 – 1,200 square feet.

CODE COMPLIANCE: The premises comply with all applicable health, safety, building, sanitation, electrical, plumbing, and fire codes as well as zoning requirements. There is an approved outdoor service area for 12 patrons. This area will operate in accordance with and consistent with all city policies, practices and procedures regulating outdoor service, including, but not limited to:

- a. The Outdoor Service Area will not be permanently enclosed
- b. The fence and/or other barricades or rail surrounding the Outdoor Service Area is anchored in accordance with the Uniform Engineering Anchoring System as

- c. promulgated by the Engineering Department of the City of Royal Oak.
- c. The use of alcohol will be allowed in accordance with the rules of the Michigan Liquor control commission and the City's Ordinances from April 15th to October 15th.
- d. The outdoor Service Area will be maintained throughout the service each day and cleaned at the close of each business day.
- e. Burgrz will pay fees as it has this past season in accordance with the City's Sidewalk Café License Agreement.

PLAN OF OPERATION: It is acknowledged that under Ordinance 2001-06 section 4A, the business shall be operated in accordance with an approved plan of operation. Changing the operation of the business in any manner inconsistent with the approved plan of operation is a violation of the ordinance and the rules of the Liquor Control Commission. Any change to the plan of operation must be approved by the City Commission prior to it being placed into effect on the business premises.

SECURITY: Security for the customers, building and community is the first priority for the corporation, and as such, we will undertake whatever measures are necessary to maintain and supervise the expected level.

PARKING: Parking is provided by public parking spaces and public parking lots and structures. Employees will be instructed to park in parking structures.

ALCOHOL MANAGEMENT: Burgrz Restaurant will strictly obey all the rules and regulations established by the City of Royal Oak and the State of Michigan Liquor Control commission. There will be neither service to nor consumption of alcoholic beverages by minors at any time. No alcoholic beverages will be sold, or permitted to be sold, on a commission basis by any person. Burgrz Restaurant will participate in ServSafe, TIPS, or TAM training programs and will continue such participation in the program or a similarly recognized program approved by the Royal Oak Police Chief. ServSafe, TIPS, or TAM certification shall be provided to the Chief of Police within 35 days of date of hire.

The following policies will be enforced at the establishment:

1. No alcoholic beverages will be allowed on the premises, other than what is dispensed by the establishment.
2. Alcoholic beverages will only be served to seated patrons.
3. All staff will pay attention and be alert to observable clues displayed by an intoxicated individual, such as: impaired reflexes, impaired coordination, reduced judgment and inhibitions, impaired vision, etc.
4. All staff will be alert to potential problems at their respective areas at the facility.
5. All staff will be polite and courteous to the intoxicated individual(s) and will be

knowledgeable as to when to request assistance from additional facility staff.

6. Patrons who appear to be 30 years of age or younger will be asked to show proper identification. Signage will be posted at serving locations. Patrons must produce proper identification.
 - a. All patrons under 21 years of age, alcohol beverage service will be refused.
 - b. Check "State Seal" and other markings. Check for damage or alterations to identification card.
 - c. Do not return falsified identification cards. Call management immediately.
7. If a patron shows signs of intoxication, staff is to refuse service, politely explain policy, suggest non-alcohol purchase, and/or call for management, if necessary.
8. If a patron is purchasing on behalf of someone else who appears to be **less than 30 years old**, staff is to request to see identification of recipient or contact supervisory personnel who will seek patron(s) out. Staff will refuse service to minors and will inform all parties involved that policy allows for ejection from premises if illegal activity has occurred.
9. Alcoholic beverage dispensing may be restricted to one of the following practices or any combination thereof:
 - a. No sales to intoxicated persons.
 - b. No sales without proper identification.
 - c. Limited alcoholic beverage choices, if necessary.
 - d. When in doubt, do not serve. Call supervisor.
10. Observe all patrons leaving the property. No alcoholic beverages are allowed to leave the facility or property.
11. Staff is to approach any person appearing to be impaired and leaving the event to determine if they are driving. If so, staff is to attempt to persuade them not to drive and request a non-impaired companion to drive. If unable, staff will refer patron(s) to bus or taxi service.
12. Supervisory and management personnel will complete documentation of any alcohol-related incidents at end of event. Information will be disseminated accordingly.
13. We shall provide non-alcoholic beverages to all designated drivers either free or reduced prices.
14. The establishment fully participates in the Techniques in Alcohol Management Program and will continue such participation in that program or a similarly recognized program approved by the Royal Oak Police Chief. TIPS/TAM certification for all employees shall

be provided to the Royal Oak Chief of Police within 35 days of the date of hire.

REFUSE DISPOSAL: Burgrz Restaurant shares a dumpster/compactor with other tenants of the building. This disposal system is located in a locked area of the building and is controlled by the Landlord for which Burgrz Restaurant pays a fee to the Landlord.

GENERAL: Burgrz Restaurant has established positive relationships with adjacent businesses, as well as cooperation with all City departments. Every effort will be made to solve any problems which may arise.

EMERGENCY CONTACTS: Michael A. Ansara (c) 248-941-3755
Anthony R. Ansara (c) 248-941-3651

RESTAURANT HISTORY: The owners/shareholders of the Applicant have been raised in the restaurant business and have worked in restaurants since they were children. Their grandfather and his brother created the Ansara Restaurant Group in 1951. Based in Farmington Hills, the Applicant's shareholder's father, Victor Ansara, Sr. is currently the President and Chief Operating Officer of the Ansara Restaurant Group. The company now owns and operates 5 Big Boy Restaurants in Michigan and at one time owned and operated 18 Big Boy restaurants. They also now own and operate 22 Red Robin Restaurants with 20 in Michigan and 2 in Ohio. They also own and operate several other restaurants in Metropolitan Detroit. They have an excellent record with the Michigan Liquor Control Commission and are well respected in the Michigan restaurant community. They are fully committed to the restaurant industry with Victor Ansara, Sr. a board member of the Michigan Restaurant Association and a member of many other industry groups.

Date: May ____, 2012

Burgrz Royal Oak, Inc. / Burgrz Restaurant
Corporate Name/Doing Business As

By: Michael A. Ansara
President and shareholder



THE CAPACITY OF THIS
ROOM IS LIMITED TO
65 PERSONS

Royal Oak Police Department

Address 410 S. Main

Date Issued 5/18/11

Location/Room Burgrz - Dining Room

Issued By Lt. T. Goad

Lt. T. Goad, Liquor License Coordinator



Corrigan P. O'Donohue

Corrigan P. O'Donohue, Interim Chief of Police

This occupant capacity placard is to be posted in a conspicuous location.



**BURGRZ
410 S. MAIN**

TOTAL CALLS FOR SERVICE – 1/1/2012 –12/31/2012 = 5

| <u>DATE</u> | <u>REPORT/D-CARD</u> | <u>COMPLAINT</u> | <u>SYNOPSIS</u> |
|--------------------|-----------------------------|-------------------------|--|
| 1/14/2012 | 12-933R | Larceny | Complainant states that his jacket was stolen from the back room while he was at the restaurant. A large amount of cash was in the jacket and his ID and credit cards. |
| 5/19/2012 | 12-12590D | Open Alarm | Front door. Resecured the door, no damage inside. No report. |
| 7/28/2012 | 12-20317D | Unwanted Person | Homeless man with a crutch on patio, refuses to leave. Gone on arrival. No report. |
| 8/17/2012 | 12-22558D | Open Alarm | Front door. Exterminator on site, no pass code. Cancel per caller. |
| 9/18/2012 | 12-18/2012 | Prisoner Pick Up | Attempted warrant pick up. Subject is no longer employed there. No report. |

**BURGRZ
410 S. MAIN**

TOTAL CALLS FOR SERVICE – 1/1/2013 – 1/31/2013 = 1

| <u>DATE</u> | <u>REPORT/D-CARD</u> | <u>COMPLAINT</u> | <u>SYNOPSIS</u> |
|--------------------|-----------------------------|-------------------------|---|
| 1/22/2013 | 13-2182D | Open Alarm | Front door, front motion and rear motion. Cancel per alarm company. Employee on site with valid pass code. No report. |

**Royal Oak Police
Deputy Chief**

MEMORANDUM

To: Mr. Don Johnson, City Manager
From: Gordon Young, Deputy Chief of Police
CC: Corrigan O'Donohue, Chief of Police
Date: 2/18/2013
Re: Annual Class C Review

The Fire Department has conducted their annual reviews and inspections of all Class-C liquor establishments in the City of Royal Oak. Although there are a few businesses that need minor improvements, Royal Oak Fire Marshal Tom Nikkila recommends the renewal of all current Class C license holders.

The Treasurer's Office has identified six (6) establishments that have not paid their taxes and/or water bills. The six (6) establishments in question are being notified of the overdue payment(s) and will be requested to attend the February 26th LCC meeting. The six (6) businesses are: *Pallis Restaurant (Jimi's), Hi Tops 10½, Pronto's, D'Amato's, Oxford Inn and Tom's Oyster Bar*. The Treasurer's Office will provide a list of those businesses not current on February 26th.

According to the City Clerks Office Camelia's Mexican Grill is the only Class C liquor renewal that has not been paid. On Tuesday, February 12th, I spoke with Camelia's general manager who stated they would send out the check immediately.

All plans of operations have been updated except for Mr. B's and Red Coat Tavern. I am currently working with both of these establishments and anticipate them being completed by February 26, 2013.

In 2012 the following Class C businesses received violations from State officials:

- Pronto's
 - July 25, 2012
 - Sale to Minor, State Decoy Operation
 - Fine paid on 10/01/12
- Camelia's Mexican Grill
 - May 19, 2012
 - Failed to show proof of alcohol server training by due date.
 - Fine paid on 12/12/12
- Tequila Blue

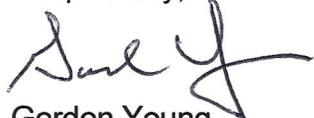
- October 18, 2012
 - MLCC received an NSF check
 - Check paid and fine paid on 12/13/12

Enclosed for your review are the following:

1. Synopsis of MLCC violations for 2012.
2. Six (6) year statistical summary of calls for service.
3. Synopsis of all calls for service.

The Police Department conducted a review of all Class C licensed businesses and does not oppose the renewal of all Class C licenses.

Respectfully,



Gordon Young
Deputy Chief of Staff Services
Royal Oak Police Department

**Royal Oak Police
Deputy Chief**

MEMORANDUM

To: Mr. Don Johnson, City Manager
From: Gordon Young, Deputy Chief of Police
CC: Corrigan O'Donohue, Interim Chief of Police
Date: 2/18/2013
Re: Royal Oak Class C License Review-February 2013

ESCROWED LICENSES

- **Fiddleheads**, 4313 W. Thirteen Mile Rd.- No pending transfer on record.
- **Leo's Bar & Grill #2**, 112 S. Main – No pending transfer on record. This license will need City Commission approval to reactivate.
- **Rumors**, 112 S. Main – MLCC transfer pending. Current License holder, Lawrence L. Sophia & Sons, INC., request license transfer to 212 W. Fifth, Royal Oak. License approved to transfer upon completion of construction.
- **Four Green Fields**, 30919 Woodward Avenue – MLCC transfer on record. This department had not received any request to transfer.
- **Snookers**, 30295 Woodward Avenue-MLCC Transfer Pending to Hamlin's Corner upon completion of construction.

PENDING LICENSE APPLICATIONS

- **Northern United Brewing Company, L.L.C. (d/b/a Jolly Pumpkin)**, 218 S. Main St. This is a small wine maker, micro brewer, and small distiller licensed business. This license was approved by the City Commission on January 23, 2012. At this time, there is no timetable for completion of construction.
- **Lawrence L. Sophia & Sons, INC.**, requested license transfer of Rumors escrowed 2011 Class C & SDM with Sunday Sales (pm) permit and Outdoor to 212 W. Fifth, Royal Oak. This license was approved by the City Commission on December 17, 2012. The new business will be d/b/a Local 212. At this time, there is not timetable for completion of construction.

- **Royal One L.L.C. (d/b/a Hamlin Bar and Grille)**, 376-386 N. Main St. This license was transferred from 30295 Woodward (Snookers). This application was approved by the City Commission on April 16, 2012. Construction is anticipated to be completed in April of 2013.
- **Dexter Hospitality Holdings, L.L.C.**, requested license transfer of ownership of Class C and SDM liquor licenses from Royal Oak Dining, L.L.C. (d/b/a Sangria and Sky Bar) located at 401 S. Lafayette, Royal Oak, MI. This license was approved by the City Commission on December 17, 2012. The new business will be d/b/a Up/Down. At this time, there is no timetable for completion of construction.

CBD patrol detail and highlights not available at this time.

Respectfully,



Gordon Young
Deputy Chief of Staff Services
Royal Oak Police Department