

DOWNTOWN DEVELOPMENT AUTHORITY

Policy for Redevelopment Liquor License Requests PA 501 of 2006

PURPOSE: To amend the policy and procedure criteria for redevelopment liquor license requests to the Ypsilanti Downtown Development Authority (YDDA) in accordance with on-premise licenses created by Section 521 a (1) (b) of Public Act 501 of the Public Acts on 2006.

PROCESS: Once the YDDA is notified by the City Clerk that a redevelopment liquor license application has been submitted and receives the necessary documentation, the request will be directed to the YDDA Economic Restructuring & Design Committee. The Committee will review the application and accompanying documents and make a recommendation to the full YDDA Board of Directors.

Once the YDDA Board of Directors makes a recommendation it will be directed to the City Clerk to forward to City Council for their consideration when deliberating a request to the Liquor Control Commission.

The Economic Restructuring & Design Committee* meets the Thursday of the week following the YDDA Board meeting at 8:30am at SPARK East, 215 W. Michigan Ave., Ypsilanti MI. 48197. The YDDA monthly Board meetings* are held the third Thursday of the month at 8:00am at SPARK East, 215 West Michigan Avenue, Ypsilanti, MI. 48197.

*Meetings are contingent on having a quorum and scheduling and locations may change.

POLICY: The YDDA may, pursuant to PA 501, recommend issuance of new liquor licenses for businesses located within the Development District, which meet the requirements of the law. A public review will be held during the regularly scheduled YDDA Economic Restructuring & Design monthly committee meeting in order to make a recommendation to the YDDA Board of Directors. After the public review and with the Economic Restructuring & Design Committee recommendation, the DDA is permitted to make findings that issuing the license would prevent deterioration and promote economic growth. The policy of the DDA is to use the following criteria in making its findings.

1. The business or individual requesting a license ('applicant'), whether for a proposed or existing business, must document that the applicant has a real property interest within the Development District as evidenced by deed, lease, purchase agreement or the like.
2. The Applicant must meet all the requirements of PA 501 which includes that it is engaged in dining, entertainment or recreation, is open to the general public not less than 10 hours per day, 5 days per week and has a seating capacity of not less than 25 persons.

- 3. For an existing business, the Applicant must demonstrate how the issuance of a license would prevent further deterioration in the Development District and promote economic growth. The YDDA will consider such factors as:**
 - A. The business, an existing asset in the district, will be supported by the license and maintain its occupancy of existing space.**
 - B. The business, with the new license, will contribute to the mix of dining/drinking, entertainment and recreational establishments already existing.**
 - C. The business demonstrates that neither an on-premise escrowed license or quota license is readily available under a standard of economic feasibility, as applied to the specific circumstances of the applicant, that can include, but not be limited to the following:**
 - i. The fair market value of the license, if determinable**
 - ii. The size and scope of the proposed operation**
 - iii. The existence of mandatory contractual restrictions or inclusions attached to the sale of the license**
- 4. For a proposed business, the Applicant must demonstrate how issuance of license would prevent further deterioration in the Development District and promote economic growth. The YDDA will consider factors such as:**
 - A. The proposed business is described in a business plan.**
 - B. The proposed business represents a desired land use as determined by the DDA.**
 - C. The proposed business would promote economic growth by:**
 - i. Creating new employment opportunities**
 - ii. Adding tax value through the purchase of new equipment**
 - iii. Generating significant tax value in new building improvements**
- 5. The Applicant must:**
 - A. Demonstrate that the business will locate in, and remain in, the Development District while possessing a 501 liquor license.**
 - B. Acknowledge that the license is not transferable to another location.**

- 6. The Applicant must meet all MLCC and the City of Ypsilanti requirements and regulations regarding the issuance of liquor licenses under Section 17k(1) of the Liquor Control Act according to Chapter 6 of the code of Ypsilanti.**
- 7. The DDA may decline to recommend the issuance of a license if it determines, based upon factors such as the density of similar establishments, that the establishment may have a negative impact upon the public health, safety and welfare of the district and surrounding neighborhood.**
- 8. Certification or other written evidence from the city treasurer demonstrating that all real and personal property taxes and city utility bills associated with the premises at which the liquor license will be used are paid to date (except where circumstances dictate, the city council may approve the transfer of a license without personal property taxes being paid, and that all real and personal property taxes, city income taxes, and city utility bills in the name of the applicant are paid to date).**