Legislation Details (With Text)

File #:	24-0428	**Version:**	1	**Name:**	4/4/24 Uplift Redevelopment Liquor License Request
Type:	Resolution			**Status:**	Passed
File created:	4/4/2024			**In control:**	City Council
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Title: Resolution to Recommend Approval of Issuance of a Downtown Development District Liquor License to Uplift Ann Arbor, LLC, Located at 210 S. First St., Suite 100 N

Sponsors:

Indexes:

Code sections:

Attachments: 1. 210 S First St - Uplift Ann Arbor - Liquor License Application_Redacted.pdf

Date	Ver.	Action By	Action	Result
4/15/2024	1	City Council	Approved	Pass
4/4/2024	1	Council Liquor License Review Committee	Recommended for Approval	Pass

Resolution to Recommend Approval of Issuance of a Downtown Development District Liquor License to Uplift Ann Arbor, LLC, Located at 210 S. First St., Suite 100 N
The attached resolution will approve the recommendation of Uplift Ann Arbor, LLC to the MLCC for issuance of a downtown development district liquor license to be sited at 210 S. First St., Suite 100 N, in Ann Arbor.

The City Council of Ann Arbor adopted Resolution R-08-024 on February 4, 2008, establishing the Ann Arbor Downtown Development District as a development district for liquor licensing in accordance with the requirements of Public Act 501 (MCL 436.1521A(1)(B) of 2006 and the Michigan Liquor Control Commission “MLCC”). To receive a Development District Liquor License an applicant must be approved by the City and the MLCC. An application for a license will not be authorized for investigation until the MLCC has received a City resolution which approves the applicant at a specific location “above all others.”

Uplift Ann Arbor, LLC has submitted the City license application with all requested supplemental documentation to the City Clerk. The restaurant has been inspected by the City Service Units and its taxes are current. The Council Liquor License Review Committee has recommended approval on April 4, 2024.

A determination that the applicant is approved “above all others” at the designed premises is recommended on the basis of the unique character of the restaurant and the services it offers to the downtown community and the general public.

If approved by City Council, the applicant will still be required to demonstrate to the MLCC that it meets all statutory licensing requirements to be issued a downtown development district liquor license.

Prepared by: Rachel Rickinger, Administrative Assistant
Reviewed by: Jacqueline Beaudry, City Clerk
Reviewed by: John Reiser, Senior Assistant City Attorney
Sponsored by: Council Liquor License Review Committee

Whereas, In 2006 in an effort to promote economic development in qualifying communities, the Michigan Legislature passed Act 501 (MCL 436.1521A(1)(B)) of the Public Acts of 2006 ("Act") which Act established the criteria for development area liquor licenses;

Whereas, Pursuant to the Act, the City of Ann Arbor may authorize the approval of certain on-premises liquor licenses, irrespective of the availability of on-premises licenses from quota to applicants within a designated development project area meeting certain established criteria;

Whereas, The Act requires a resolution from the governing body of the community that establishes and certifies certain criteria, including a certification that the community has created a qualifying development area, and approving an applicant at a location within a development area before that applicant may apply to the Michigan Liquor Control Commission for a development area liquor license;

Whereas, The City Council of Ann Arbor adopted Resolution R-08-024 on February 4, 2008, establishing the Ann Arbor Downtown Development District as a development district for liquor licensing in accordance with the requirements of Public Act 501 (MCL 436.1521A(1)(B)) of 2006 and the Michigan Liquor Control Commission ("MLCC");

Whereas, Uplift Ann Arbor, LLC has submitted an application to the City requesting City approval and recommendation to the MLCC of issuance of a downtown development district liquor license;

Whereas, Uplift Ann Arbor, LLC meets the statutory requirements for a development area liquor license as it is engaged in the business of dining, entertainment or recreation, is open to the general public and has a seating capacity of not less than 25 persons;

Whereas, Uplift Ann Arbor, LLC has provided evidence with its application that it can document the expenditure to the Michigan Liquor Control Commission, of not less than $75,000.00 in the rehabilitation or restoration of the building that houses the licensed premises over the preceding 5 years as required by the Act;

Whereas, The designated premises, 210 S. First St., Suite 100 N is within the established boundaries of the development district and the type and character of the dining establishment and the service it provides to the downtown community and the general public qualify it as appropriate for designation "above all others" at that specific location;

Whereas, The Council Liquor Committee having been fully advised of the application of Uplift Ann Arbor, LLC and having made the following findings:

- That Uplift Ann Arbor, LLC is Ann Arbor's first LGBTQ+ bar in almost four years and will serve as a vital, physical community space that fosters a sense of safety and belonging to those who feel marginalized in other spaces.
- That Uplift Ann Arbor, LLC will offer a full bar that serves a range of drinks including beer, wine, seltzers, and standard cocktails, as well as craft and regular non-alcoholic beverages. They are partnering with Circ Bar as a food vendor to provide a full menu of hot food.

- That Uplift Ann Arbor, LLC plans to extend beyond entertainment and center on community service, regularly donating space for local queer organizations to hold meetings and host various community events, thus addressing needs currently unmet by other venues.
- That Uplift Ann Arbor, LLC's location and plans for renovation support the growth and development of the DDA district. Their business will not only create a welcoming environment for the LGBTQ+ community but also contribute to Ann Arbor's cultural richness and social fabric where all residents and visitors are invited to engage in a space that champions diversity, understanding, and acceptance.
- That the designated premises, 210 S. First St., Suite 100 N is an appropriate location for a liquor license under applicable planning and development plans of the City.
- That, based on the applicant's statement as to how the issuance of a license will benefit the development district and the City, including its anticipated business plan, it is appropriate on the facts presented and for this location and this business only, to recommend the issuance of a license for beer, wine and liquor (consistent with the MLCC terminology "Class C" license) and to make no specific restriction on the hours of operation.

does recommend to City Council the application of Uplift Ann Arbor, LLC for recommendation to the MLCC for approval "above all others"; and

Whereas Uplift Ann Arbor, LLC has been informed that final approval of a license at 210 S. First St., Suite 100 N will be subject to approval by the Michigan Liquor Control Commission and a background investigation and approval by this body;

RESOLVED, That City Council recommend for the reasons stated above that the Michigan Liquor Control Commission consider the request from Uplift Ann Arbor, LLC, 210 S. First St., Suite 100 N, Ann Arbor, MI 48104, for Approval for the issuance of a license for beer, wine and liquor (consistent with the MLCC terminology "Class C" license) "**Above All Others"** and that the application be recommended for issuance of a Development District Liquor License under MCL 436.1521A(1)(B);

RESOLVED, That City Council affirms that Uplift Ann Arbor, LLC, 210 S. First St., Suite 100 N, Ann Arbor, MI 48104, is within the established boundaries of the development district (City of Ann Arbor Downtown Development District boundary) and the type and character of the dining establishment and the service it provides to the downtown community and the general public qualify it as appropriate for designation "above all others" at that specific location; and

RESOLVED, That the City Clerk forward a copy of this resolution to Uplift Ann Arbor, LLC and the Michigan Liquor Control Commission.

Sponsored by: City Council Liquor Review Committee