

## 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**

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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 1<sup>st</sup> 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 1<sup>st</sup> 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.

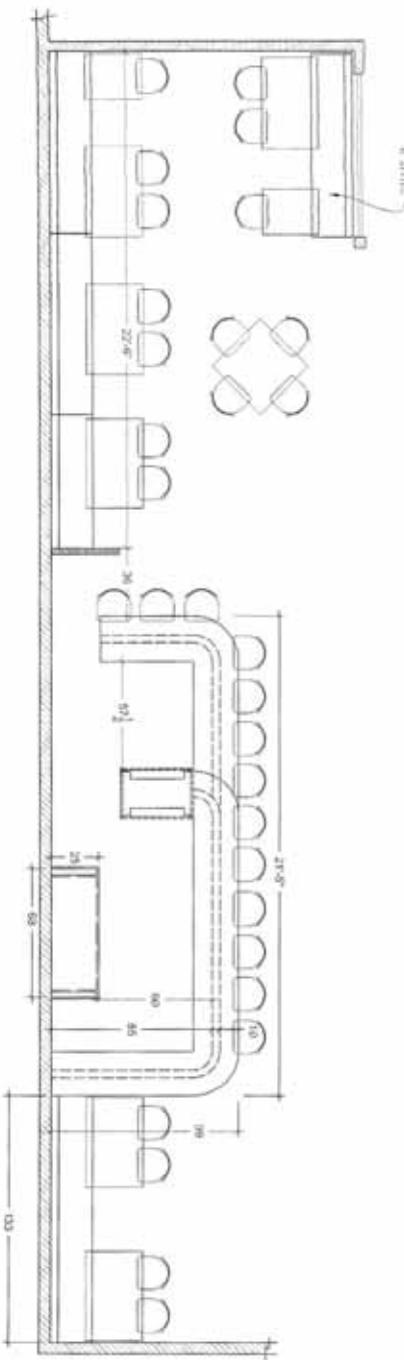
If approved, the applicant will be required to meet all City code and ordinance requirements as dictated by the Building, Planning, Zoning and Fire Departments.

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

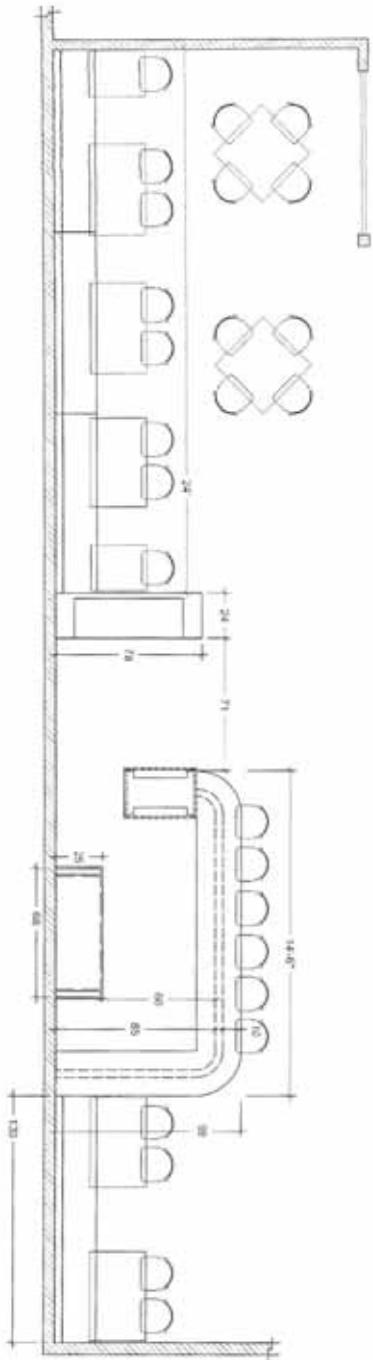
Respectfully,



Gordon Young  
Deputy Chief of Staff Services  
Royal Oak Police Department



## PROPOSED LAYOUT #7



CURRENT LAYOUT

7

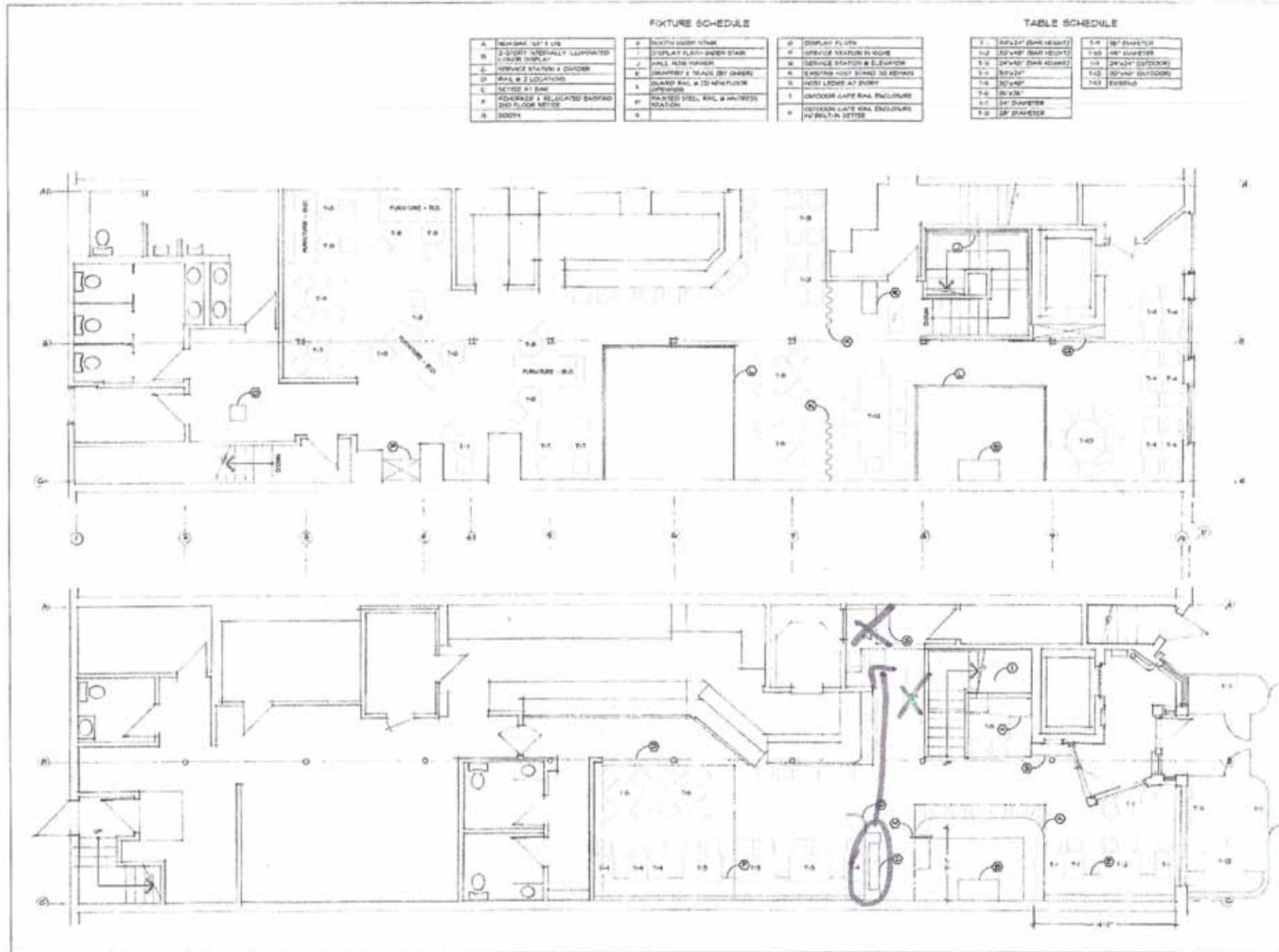
A small rectangular logo containing the word "COPYRIGHT" and a small graphic element.

FIRST FLOOR BAR LAYOUT

TONY CHALHOUB

The image shows a business card for MCS. The logo 'MCS' is in a large, bold, serif font. Below it, the text 'KATONAH TONAWANDA CANTON' is in a smaller, all-caps serif font. Underneath that, 'HOLLYWOOD & CANTON MOULDERS' is in a smaller, all-caps serif font. At the bottom, there is a line of smaller text: '4000 WILLOUGHBY AVENUE • 1-800-255-1000 • FAX 716-662-5200 • 8:00 AM-8:00 PM EST • 716-662-5200'.

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>
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**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. ("Gemmayne")

**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 15<sup>th</sup> to October 15<sup>th</sup>;
- 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**

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*Gemmayne*

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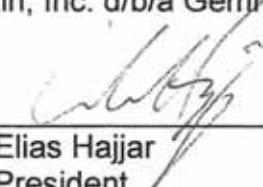
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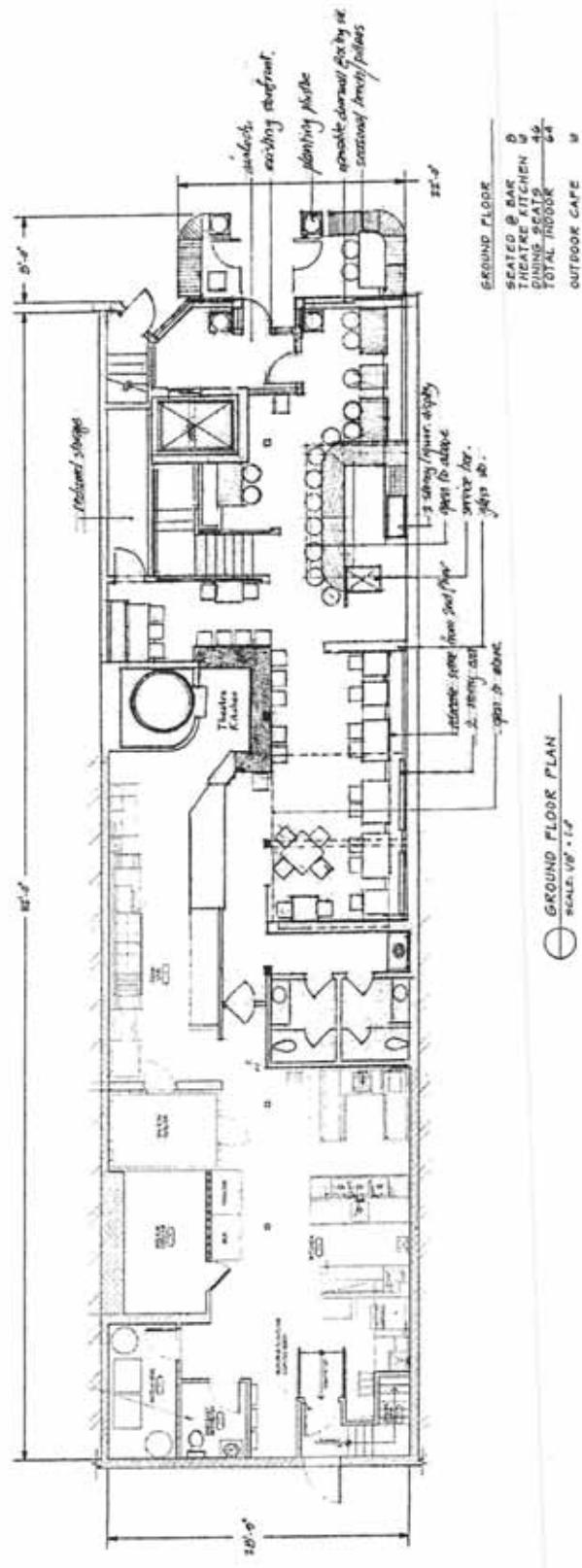
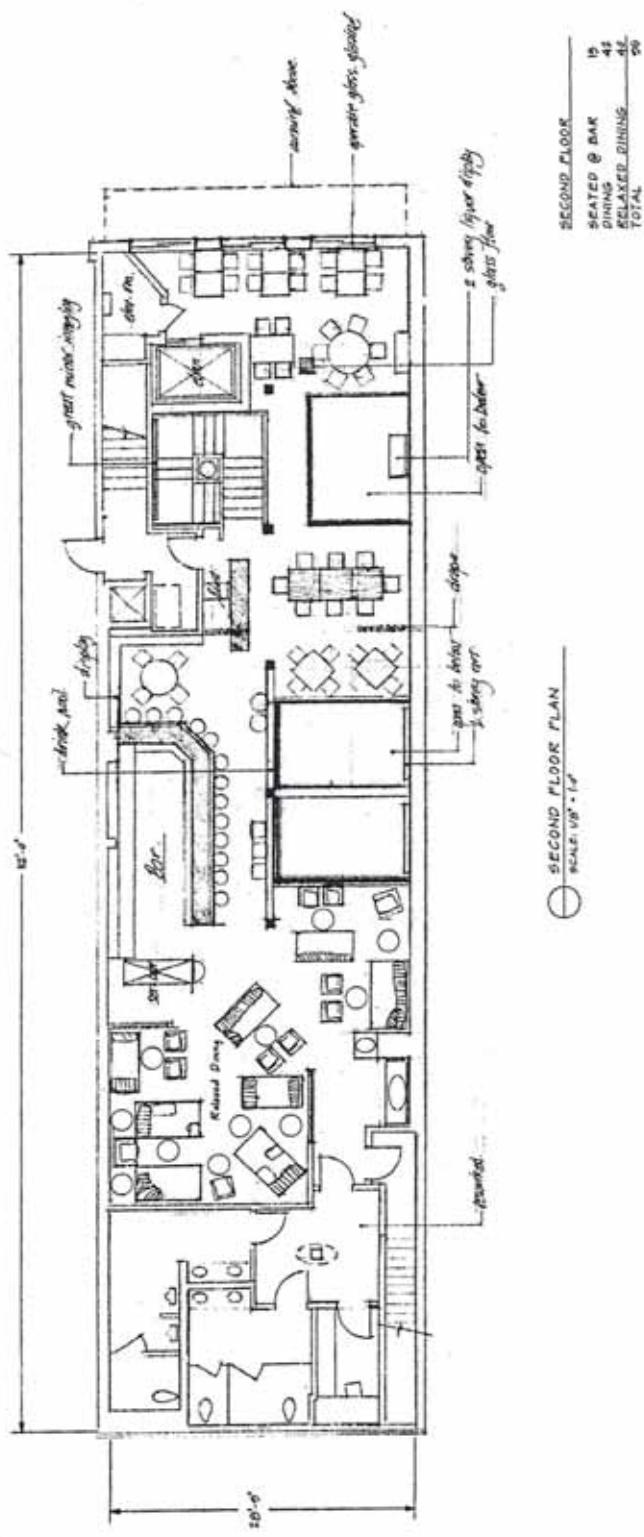
Elias Hajjar  
4216 Shamley Green  
Toledo, OH 43623  
Phone: 419-346-5528

Joy Main, Inc. d/b/a Gemmayze

By: 

Elias Hajjar  
President

Date: April 12, 2011



G E M M A Y Z E *Labels and labels* (Techno and lounge)