

MEMORANDUM

To: Mr. Don Johnson, City Manager

From: Gordon Young, Deputy Chief of Police

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

Date: March 20, 2013

Re: TRATTORIA PIZZERIA LUIGI – 3 SONS, LLC, REQUEST FOR A “BISTRO” REDEVELOPMENT QUOTA CLASS C AND SDM LIQUOR LICENSE WITH SUNDAY SALES PERMIT (A.M./P.M.) AND SPECIFIC PURPOSE PERMIT (FOOD) TO BE LOCATED AT 415 S. WASHINGTON, ROYAL OAK, OAKLAND COUNTY, MICHIGAN, 48067

The Royal Oak Police Department has received a request from 3 Sons, L.L.C. for a “Bistro” Redevelopment Quota Class C and SDM Liquor License with Sunday Sales (A.M./P.M.) and Specific Purpose Permit (Food) to be located at 415 S. Washington, Royal Oak, MI 48067, Oakland County. This license will be in compliance with the Bistro concept as outlined in the City’s Liquor Control Ordinance.

The applicant is Luigi Cutraro. Mr. Cutraro is 100% owner of 3 Sons, L.L.C. Fingerprints are not required by the Michigan Liquor Control Commission. All necessary applications, documentation and background checks have been performed and supplied by the applicant.

Trattoria Pizzeria Luigi will be moving into the building recently vacated by Antica Pizzeria Fellini and will expend \$100,000 for rehabilitation. Mr. Cutraro will lease the property from Washington Properties, L.L.C. The monthly payment will be \$2,450. The rehabilitation and monthly lease payments will come from his personal savings.

The applicant will provide the community a full service restaurant with specialty Italian food being the primary service. The ratio is expected to be 80% food and 20% alcoholic beverages. The total square footage of the building is 2,500. The interior common area for customers is approximately 1,600 square feet. The proposed interior seating will consist of 62 seats, which includes 6 seats at the bar and 8 seats at the Chef’s Table. Trattoria Pizzeria Luigi is located within the Central Business District and parking for customers is available on street or in the parking structures. Employees will be instructed to park in city parking structures.

The hours of operation will be 11:30 a.m. to midnight Monday through Sunday. The kitchen will remain open until closing each night. Alcohol service will end 20 minutes

before closing. There shall be no gaming devices on the premises or direct connections to any other facility.

Trattoria Pizzeria Luigi will serve alcohol to seated customers only. Canned or piped music will be played inside the building. Occasionally, a one-person strolling musician will serenade the customers with a musical instrument.

Final capacity shall be set by the police department and the applicants understand they shall be required to comply with all the requirements of City Codes.

Mr. Cutraro has previously owned two (2) other MLCC licensed businesses; Sangria's (Royal Oak) and Lavilla Restaurant (Clarkston). Mr. Cutraro was a co-owner in Lavilla Restaurant from November 1998 - May 2000. He said he only had financial interest and did not manage the business on a day-to-day basis. During his ownership of Lavilla Restaurant, the business received one (1) MLCC citation for a NSF Check (1999).

Mr. Cutraro had owned Sangria's from September 1999 - February 2013. During his ownership the business received four (4) MLCC violations. They were for the following:

- 1999-NSF Check (MLCC issued)
- 2000-Overcrowding Citation (Royal Oak PD issued)
- 2003-Overcrowding Citation (Royal Oak PD issued)
- 2007-Sale to Minor (Royal Oak PD issued)

Additionally, Mr. Cutraro managed Ultimate Sports Bar in Pontiac from 1989-1994. During this timeframe there were no MLCC violations issued.

Mr. Cutraro's has demonstrated that he can successfully operate a liquor licensed establishment. Trattoria Pizzeria Luigi will comply with Royal Oak's "Bistro" Ordinance and meet the State's requirement for a Redevelopment District License, which includes expending a minimum of \$75,000 in rehabilitation. If approved, the police department does not expect this establishment to cause any significant strain to police resources; and, as such, the police department does not object to this new license request.

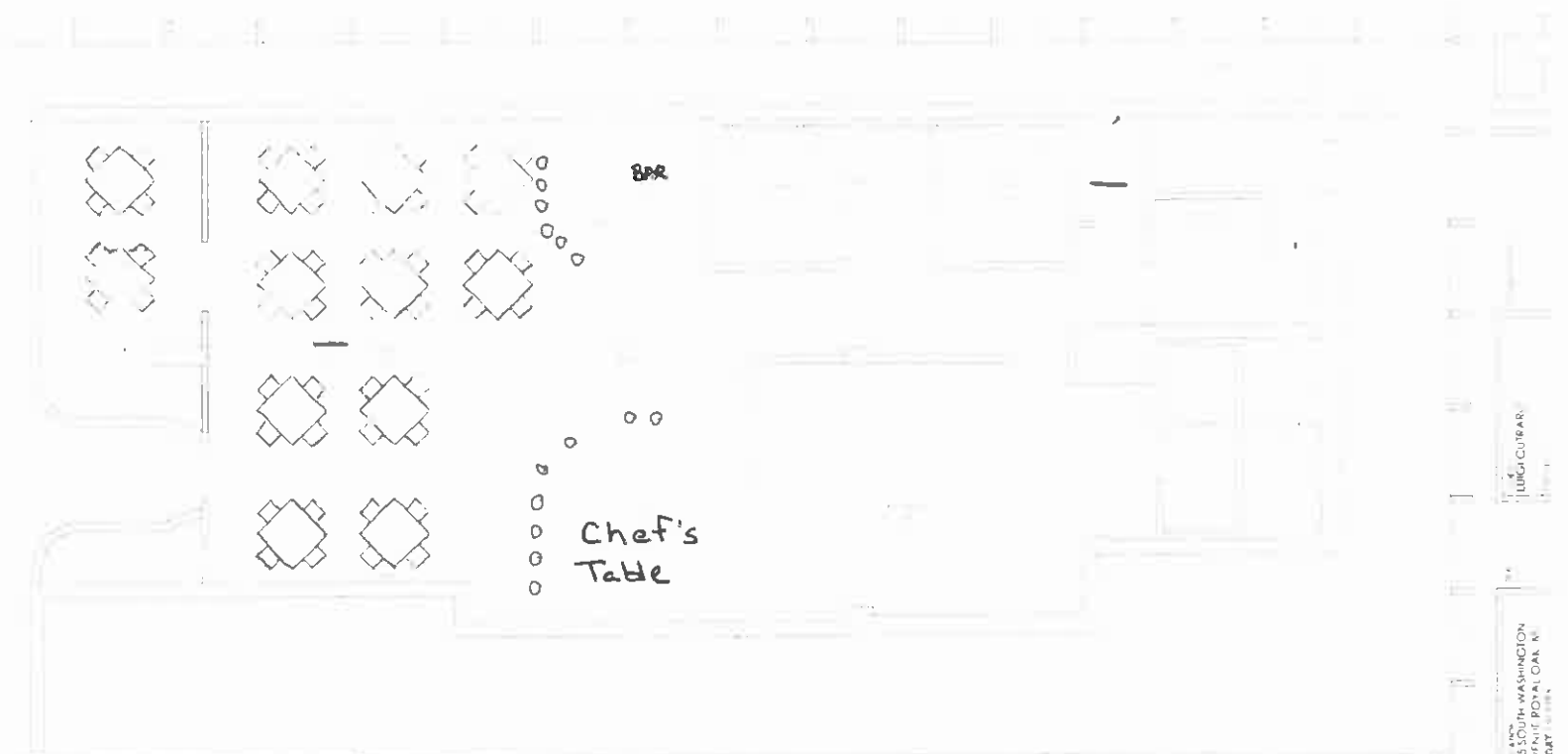
All necessary forms will be completed, including the Business Responsibility Agreement, and Royal Oak Police Business Information Card.

The application is subject to the approval or denial of the Royal Oak City Commission.

Respectfully,

A handwritten signature in blue ink, appearing to read 'Gordon Young', with a stylized flourish extending to the right.

Gordon Young
Deputy Chief of Police
Royal Oak Police Department



4 FLOOR PLAN

CONSTRUCTION NOTES

WATER AL SCHEDULE

FIRST FLOOR PLAN

ALLSOUTH WASHINGTON
 1400 14TH ST NW
 WASHINGTON DC 20004

Trattoria Pizzeria Luigi
PLAN OF OPERATION
415 S. Washington, Royal Oak, 48067

As of
March 20, 2013

PREAMBLE: We received a copy of the 2001-06 City of Royal Oak ordinance regulating liquor licenses. 3 Sons, Inc. is requesting a "Bistro" Redevelopment Quota Class C Liquor Licenses with Sunday Sales Permit and Official Permit (Food) to be located at 415 S. Washington, Royal Oak, Michigan, Oakland County, Michigan to be Issued Pursuant to MCL 436.1521a(1)(b). The following Plan of Operation is developed in keeping with the spirit and intent of the City's Ordinance. 3 Sons, Inc. will do business as Trattoria Pizzeria Luigi.

HOURS OF OPERATION: Hours of operation will be Monday through Sunday 11:30 A.M. to Midnight. Last call will be 30 minutes before closing, last service will be 20 minutes before closing.

FORMAT/BISTRO CONCEPT: Trattoria Pizzeria Luigi will operate as a Bistro in strict accordance with §2001-6(E), commonly known as the "Bistro Ordinance" as follows: Food service shall be Trattoria Pizzeria Luigi's primary purpose. It is anticipated that the food to alcohol ratio will be 80% food sales to 20% alcohol sales (primarily wine and craft beers). On occasions there will be a one-person strolling musician serenading the customers with musical instruments. The total square footage of the establishment is 2,500.

Trattoria Pizzeria Luigi will specialize in high quality specialty Italian dishes for the full course meals.

Trattoria Pizzeria Luigi will be a Bistro with a full service kitchen with interior seating, which meets all of the following criteria:

- a. Trattoria Pizzeria Luigi will apply redevelopment district license, as defined in the Michigan Liquor Control Code, MCLA §436.1101 et. seq., and comply with the provisions of the redevelopment district license requirements.
- b. The interior seating, including bar seating, is 64 seats, including 8 seats at the bar.
- c. There is no dance permit.
- d. Trattoria Pizzeria Luigi closes nightly at 12:00 midnight.
- e. There will not be any gaming devices of any kind on the premises.
- f. Alcohol shall only be sold to seated patrons.

- g. The interior seating area is approximately 1,600 square feet.
- h. Trattoria Pizzeria Luigi will never request a direct connection bar permit.
- i. Trattoria Pizzeria Luigi will otherwise comply with all requirements of the Royal Oak City Code.

Trattoria Pizzeria Luigi understands that it must enter into a written agreement with the City setting forth all the operating requirements set forth in (a) through (i) above; and that failure to comply with the terms and conditions of the agreement shall be grounds for the City to recommend revocation of the license to the Michigan Liquor Control Commission.

CODE COMPLIANCE: The premises, when remodeled/completed, will fully comply with all applicable health, safety, building, sanitation, electrical, plumbing, and fire codes, as well as zoning requirements.

PLAN OF OPERATION: It is acknowledged that Trattoria Pizzeria Luigi shall be operated in accordance with an approved Plan of Operation. We acknowledge that changing the operation of this 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, and that any changes 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 will have the highest priority, and we will undertake whatever measures are necessary to maintain and supervise the expected level.

PARKING: There is no on-site parking required as the business is located in the Central Business District of Royal Oak. Employees will park in city parking structures.

ALCOHOL MANAGEMENT: Trattoria Pizzeria Luigi will strictly obey all rules and regulations promulgated 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 alcohol will be sold, or permitted to be sold, on a commission basis by any person.

The following policies will be strictly enforced at the establishment:

- a. No alcoholic beverages will be allowed on the premises, other than what is dispensed by the establishment.
- b. 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.
- c. All staff will be alert to potential problems at their respective areas at the facility.

- d. 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.
- e. 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 will be required to produce proper identification.
- f. 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.
 - i. All patrons under age of 21, service will be refused
 - ii. We will check state seal and other markings. We will check for damages or alterations to identification card
- g. If a patron shows signs of intoxication, we will refuse service, politely explain policy, suggest non-alcohol purchase, and/or call management, if necessary.
- h. If a patron is purchasing on behalf of someone else who appears to be less than 30 years old, our staff will request to see identification of recipient or contact supervisory personnel who will seek patron 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.
- i. Alcohol dispensing will be restricted to any of the following practices or any combination thereof:
 - i. No sales to intoxicated persons
 - ii. No sales without proper identification
 - iii. Limited alcoholic choices, if necessary
 - iv. When in doubt, do not serve, call supervisor
- j. No patrons may leave the property with opened alcoholic beverages.
- k. Our staff will approach any person appearing to be impaired and leaving the event to determine if they are driving. If so, staff will attempt to persuade them not to drive and request a non-impaired companion to drive. If unable, staff will refer patron to bus or taxi service.
- l. Supervisory and management personnel will complete documentation of any alcohol-related incidents at the end of any event. Information will be disseminated accordingly.
- m. We shall provide non-alcoholic beverages to all designated drivers for free.
- n. The establishment full 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 cards for all employees shall be available for inspection by the Police Department 35 days after the date of hire.

REFUSE DISPOSAL: The establishment will dispose of refuse in enclosed dumpsters, with locked lids. Pickup will be a minimum of once a week. 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, as well as cooperation with all City departments. Every effort will be made to solve any problems which may arise.

EMERGENCY CONTACTS: Luigi Cutraro— (248) 343-2255

Corporate Name: **3 Sons, Inc.**

Signed:

Luigi Cutraro