



STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
LIQUOR CONTROL COMMISSION

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In the matter of the request of )  
**GLOW DANCE & ENTERTAINMENT INC.** )  
22-24 W. Adams & ) Request ID No. 630667  
18-24 W. Adams, 2<sup>nd</sup> Floor )  
Detroit, Michigan 48226 )  
)  
Wayne County )  
\_\_\_\_\_ )

At the October 18, 2012 hearing of the Michigan Liquor Control Commission  
(Commission) in Southfield, Michigan.

PRESENT: Andrew J. Deloney, Chairman  
Teri L. Quimby, Commissioner  
Dennis Olshove, Commissioner

**LICENSING APPEAL ORDER**

On December 22, 2011, Glow Dance & Entertainment Inc. (applicant) filed a request to transfer location of a 2011 Class C license with Sunday Sales Permit (P.M.), Specific Purpose Permit (Food), and one (1) Direct Connection to the unlicensed premises, from 211 W. Congress, Suite 340, Detroit, Wayne County, to the above-noted location. The applicant also requested to cancel the existing one (1) Direct Connection, and requested permission to maintain two (2) Additional Bars (for a total of 3 Bars). The subject license and permits were renewed for the 2012-2013 licensing year on April 6, 2012.

At a meeting held on June 5, 2012, the Commission denied this request under MCL 436.1503 because Central United Methodist Church is located within 500 feet of the proposed location. The Church timely objected to the issuance of the license, and the applicant did not show by competent, material and substantial evidence that a waiver of MCL 436.1503 would not adversely affect the operation of the Church.

Further, the request was denied under administrative rule R 436.1105(2)(d) after considering the numerous opinions of the local residents in opposition to the request.

David Draper, legal counsel on behalf of the applicant, submitted a timely request for an appeal in this matter, and represented the applicant at the October 18, 2012 hearing held at the Commission's Southfield office.

Under Article IV, Section 40, of the Constitution of Michigan (1963), the Commission shall exercise complete control of the alcoholic beverage traffic within this state, including the retail sales thereof, subject to statutory limitations. Further, the Commission shall have the sole right, power, and duty to control the alcoholic beverage traffic and traffic in other alcoholic liquor within this state, including the manufacture, importation, possession, transportation and sale thereof under MCL 436.1201(2).

After hearing arguments, reviewing the MLCC file, and discussion of the issue on the record, the Commission does not find error with the application of the MLCC Code or MLCC Administrative Rules. For the reasons stated on the record, the previous order is affirmed.

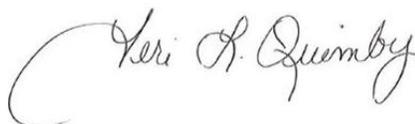
THEREFORE, IT IS ORDERED that:

The denial order of June 5, 2012 issued in this matter is AFFIRMED.



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Andrew J. Deloney, Chairman



Teri L. Quimby, Commissioner



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Dennis Olshove, Commissioner



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Prepared by:  
Terri Chase, Commission Aide  
Date Mailed: \_\_\_\_\_



STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
LIQUOR CONTROL COMMISSION

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In the matter of the request of )  
**NADAS, INC.** )  
30990 Dequindre ) Request ID No. 654121  
Warren, Michigan 48092 )  
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Macomb County )  
\_\_\_\_\_ )

At the October 18, 2012 hearing of the Michigan Liquor Control Commission  
(Commission) in Southfield, Michigan.

PRESENT: Andrew J. Deloney, Chairman  
Teri L. Quimby, Commissioner  
Dennis Olshove, Commissioner

**LICENSING APPEAL ORDER**

On March 13, 2012, Nadas, Inc. (applicant) filed a request to transfer ownership of a 2011 SDD license with Sunday Sales Permit (P.M.) from King Cellars Enterprises, Inc.; and requested to change the nature of the SDD license to include permission for motor vehicle fuel pumps under MCL 436.1541(1). The applicant also requested to transfer location of the license and permit from 28756 Ryan, Warren, Macomb County, to the above-noted address, to be held in conjunction with an existing 2011 SDM license with permission for motor vehicle fuel pumps under MCL 436.1541(1) and Sunday Sales Permit (A.M.). The licenses and permits have been renewed for the 2012-2013 licensing year.

At a meeting held on June 13, 2012, the Commission denied this request under

administrative rule R 436.1133 because there is an existing SDD licensee located within 2,640 feet of the proposed location (Kenny's Deli & Liquor, Inc.) and the applicant does not qualify for a waiver under administrative rule R 436.1133 relative to that licensed outlet.

Joseph Garcia, legal counsel on behalf of the applicant, submitted a timely request for an appeal in this matter and represented the applicant at the August 9, 2012 hearing held at the Commission's Southfield office. After hearing arguments, reviewing the MLCC file and Exhibits presented, and discussion of the issue on the record, the Commission tabled this matter to its October 18, 2012 meeting agenda held at the Commission's Southfield office.

Under Article IV, Section 40, of the Constitution of Michigan (1963), the Commission shall exercise complete control of the alcoholic beverage traffic within this state, including the retail sales thereof, subject to statutory limitations. Further, the Commission shall have the sole right, power, and duty to control the alcoholic beverage traffic and traffic in other alcoholic liquor within this state, including the manufacture, importation, possession, transportation and sale thereof under MCL 436.1201(2).

After hearing arguments, reviewing the MLCC file, and discussion of the issue on the record, the Commission does not find error with the application of the MLCC Code or MLCC Administrative Rules. Specifically, the applicant does not qualify for a waiver under administrative rule R 436.1133. For the reasons stated on the record, the previous order is affirmed.

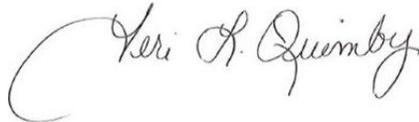
THEREFORE, IT IS ORDERED that:

The denial order of June 13, 2012, issued in this matter is AFFIRMED.



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Andrew J. Deloney, Chairman



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Teri L. Quimby, Commissioner



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Dennis Olshove, Commissioner



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Prepared by:  
Terri Chase, Commission Aide

Date Mailed: \_\_\_\_\_