

MEMORANDUM

TO: Dublin City Council
Marsha Grigsby, City Manager
Anne Clarke, Clerk of Council

FROM: Stephen J. Smith
Jennifer Readler
Chris W. Michael

DATE: April 4, 2013

RE: Roca Mar LLC DBA Alegrias Seafood & Mexican Grill
Applications for D1, D2, and D3 Liquor Permits

I. INTRODUCTION:

The City of Dublin recently received a Notice to Legislative Authority (“Notice”) from the Ohio Division of Liquor Control concerning Roca Mar LLC’s (“Roca Mar”) transfer application for a class D1, D2, and D3 liquor permit. Dublin has received this Notice pursuant to R.C. 4303.26 because Roca Mar’s proposed location for the permit premises will be located within the corporate limits of Dublin. As such, Dublin may request a hearing regarding the advisability of the issuance, transfer of ownership, or transfer of location of the permit.

II. BACKGROUND:

Roca Mar is a domestic limited liability company that is actively registered with the Ohio Secretary of State and is doing business as (“DBA”) Alegrias Seafood and Mexican Grill. The address designated for the permits premises is 6549 Perimeter Drive, Dublin, Ohio 43016, which is located just west of Avery-Muirfield Drive off of the 33/161 Exit. Roca Mar is seeking to obtain a D1, D2, and D3 liquor permit from Calimira LLC DBA Rusty Bucket Corner Tavern (“Calimira”), also a domestic limited liability company actively registered with the Ohio Secretary of State to conduct business in Ohio, which presently holds the permits at a nearby location (6726 Perimeter Loop Road). This transfer application for all three permits is currently pending before the Ohio Division of Liquor Control (“Division”).

According to the Division’s records, Roca Mar is in good standing and does not have any history of violating Ohio liquor permit laws. If approved, Roca Mar will inherit the same D1, D2, and D3 liquor permits that are currently held by Calimira at its former Rusty Bucket location.

III. RECOMMENDATION:

It would appear that it is unnecessary to request a hearing in this matter. The permits will simply transfer from one restaurant business to another located within the same business area. Regardless of whether Dublin desires to request a hearing, the Notice must be signed and returned to the Ohio Division of Liquor Control by April 26, 2013.

**NOTICE TO LEGISLATIVE
AUTHORITY**

OHIO DIVISION OF LIQUOR CONTROL
6606 TUSSING ROAD, P.O. BOX 4005
REYNOLDSBURG, OHIO 43068-9005
(614)644-2360 FAX(614)644-3166

TO

7454052 <small>PERMIT NUMBER</small>			TFOL <small>TYPE</small>	ROCA MAR LLC DBA ALEGRIAS SEAFOOD & MEXICAN GRILL 6549 PERIMETER DR DUBLIN OH 43016
02	01	2013 <small>ISSUE DATE</small>		
02	13	2013 <small>FILING DATE</small>		
D1	D2	D3 <small>PERMIT CLASSES</small>		
25	066	B	F09217 <small>RECEIPT NO.</small>	

FROM 03/26/2013

11924580021 <small>PERMIT NUMBER</small>				CALIMIRA LLC DBA RUSTY BUCKET CORNER TAVERN 6726 PERIMETER LOOP RD DUBLIN OH 43017
02	01	2013 <small>ISSUE DATE</small>		
02	13	2013 <small>FILING DATE</small>		
D1	D2	D3 <small>PERMIT CLASSES</small>		
25	066			



MAILED 03/26/2013

RESPONSES MUST BE POSTMARKED NO LATER THAN. 04/26/2013

IMPORTANT NOTICE

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL
WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.

REFER TO THIS NUMBER IN ALL INQUIRIES **B TFOL 7454052**

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT
THE HEARING BE HELD IN OUR COUNTY SEAT. IN COLUMBUS.

WE DO NOT REQUEST A HEARING.

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature)

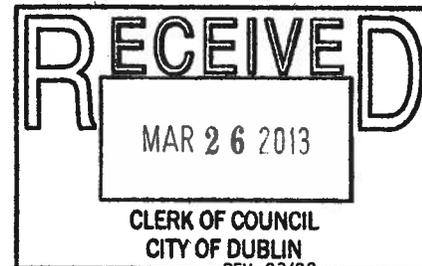
(Title)- Clerk of County Commissioner

(Date)

Clerk of City Council

Township Fiscal Officer

CLERK OF DUBLIN CITY COUNCIL
5200 EMERALD PARKWAY
DUBLIN OHIO 43017



FOR OFFICE USE ONLY
 NEW TRANSFER
 PERMIT # 7454052

OHIO DEPARTMENT OF COMMERCE - DIVISION OF LIQUOR CONTROL

6606 Tussing Road, P.O. Box 4005, Reynoldsburg, Ohio 43068-9005
 Telephone: (614) 644-2431 - http://www.com.ohio.gov/liq

OHIO DIV. LIQUOR CONTROL
 FRONT DESK-3

LIMITED LIABILITY COMPANY DISCLOSURE FORM

(This form must accompany all applications of an LLC business)

FEB 13 PM 1:06

SECTION A.

Name of Limited Liability Company Roca Mar LLC	DBA Name Alegrias Seafood & Mexican Grill	
Permit Premises Address 6549 Perimeter Loop Road	City, State Dublin, Ohio	Zip Code 43016
Township, if in Unincorporated Area	Tax Identification No (TIN) 45-4585016	

Limited Liability Company ("LLC") - Chapter 1705 Ohio Revised Code. Indicate below the managing members, LLC Officers, and all persons with a 5% or greater membership or voting interest, and attach a copy of the Articles of Organization filed with the Ohio Secretary of State.

Please be advised that any social security numbers provided to the Division of Liquor Control in this application may be released to the Ohio Department of Public Safety, the Ohio Department of Taxation, the Ohio Attorney General, or to any other state or local law enforcement agency if the agency requests the social security number to conduct an investigation, implement an enforcement action, or collect taxes.

SECTION B. List the top five (5) officers of the captioned business. If an office is NOT held, please indicate by writing NONE.

EACH OFFICER LISTED BELOW MUST HAVE A BACKGROUND CHECK PERFORMED BY BCI&I AND SUBMIT A PERSONAL HISTORY BACKGROUND FORM. PLEASE READ "BACKGROUND CHECK INFORMATION" DLC4191.

NAME OF OFFICER	SOCIAL SECURITY NUMBER	DATE OF BIRTH
1) CEO none		
2) President none		
3) Vice-President none		
4) Secretary none		
5) Treasurer none		

SECTION C. List the managing members and all persons with a 5% or greater membership or voting interest in the LLC.

THE INDIVIDUALS LISTED BELOW MUST HAVE A BACKGROUND CHECK PERFORMED BY BCI&I AND SUBMIT A PERSONAL HISTORY BACKGROUND FORM. PLEASE READ "BACKGROUND CHECK INFORMATION" DLC4191.

1) Name Juan Ramirez	Social Security No (if individual)	<input checked="" type="checkbox"/> Managing Member <input type="checkbox"/> 5% or greater voting interest <input type="checkbox"/> 5% or greater membership interest
Residence Address 3957 S. Rockwell Street	Tax Identification No (if applicable)	
City and State Chicago, IL	Zip Code 60632	
Telephone No 773-250-4878	Date of Birth 2/2/1981	
2) Name	Social Security No (if individual)	<input type="checkbox"/> Managing Member <input type="checkbox"/> 5% or greater voting interest <input type="checkbox"/> 5% or greater membership interest
Residence Address	Tax Identification No (if applicable)	
City and State	Zip Code	
Telephone No	Date of Birth	

(PLEASE SEE REVERSE SIDE SHOULD YOU NEED ADDITIONAL SPACE)

STATE OF OHIO, FRANKLIN COUNTY ss,

I, Juan Ramirez being first duly sworn, according to law, deposes and says that he/she is (Title) Managing Mbr

of the Roca Mar, LLC, a business duly authorized by law to do business in the State of Ohio, and that the statements made in the forgoing affidavit are true

(Signature) [Signature] (Print Name and Title) JUAN RAMIREZ, CEO

Sworn to and subscribed in my presence this 5th day of FEBRUARY

[Signature]
 (Notary Public) MARK M. NESBIT, ATTORNEY AT LAW

D8 \$500 ORC 4303.184 Sale of tasting samples of beer, wine, and mixed beverages, but not spirituous liquor, at retail, for consumption on premises.

Restaurant / Night Club

Permit Class	Permit Fee	Description
D1	\$376	<u>ORC 4303.13</u> Beer only for on premises consumption or in original sealed containers for carry out only until 1:00am.
D2	\$564	<u>ORC 4303.14</u> Wine and mixed beverages for on premises consumption or in original sealed containers for carryout only until 1:00am.
D2X	\$376	<u>ORC 4303.141</u> (Grandfathered Permit) Beer only for on premises consumption or in original sealed containers for carryout only until 1:00am.
D3	\$750	<u>ORC 4303.15</u> Spirituous liquor for on premises consumption only until 1:00am.
D3X	\$300	<u>ORC 4303.151</u> (Grandfathered Permit) Wine only for on premises consumption or in original sealed containers for carryout only until 1:00am.
D3A	\$938	<u>ORC 4303.16</u> Extend issued permit privileges until 2:30am.
D5	\$2,344	<u>ORC 4303.18</u> Spirituous liquor for on premises consumption only, beer, wine and mixed beverages for on premises, or off premises in original sealed containers, until 2:30am.
D5I	\$2,344	<u>ORC 4303.181</u> (Same as D5). Restaurant meeting certain criteria.
D7	\$469	<u>ORC 4303.183</u> (Same as D5). RESORT area only.

Club

Permit Class	Permit Fee	Description
D4	\$469	<u>ORC 4303.17</u> Beer and any intoxicating liquor to members only, for on premises consumption only until 1:00am.
D4A	\$750	<u>ORC 4303.171</u> Airline club only - Beer and any intoxicating to members and guests until 2:00am.
D5C	\$1,563	<u>ORC 4303.181</u> (Same as D5.)(This class can no longer be applied for.)
D5D	\$2,344	<u>ORC 4303.181</u> (Same as D5) located at airport.

Hotel And Motel

Permit Class	Permit Fee	Description
D5A	\$2,344	<u>ORC 4303.181</u> (Same as D5) for hotel or motel with 50 or more rooms for transient guests.

Enclosed Shopping Mall