

MEMORANDUM

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

From: Stephen J. Smith
Jennifer D. Readler
Yazan S. Ashrawi

Date: December 5, 2013

Re: Interstate Management Company, LLC - Transfer Application for D5A and D6
Liquor Permits

I. INTRODUCTION

The City of Dublin recently received a Notice to Legislative Authority (“Notice”) from the Ohio Division of Liquor Control concerning Interstate Management Company, LLC’s (“Interstate Management”) transfer application for class D5A and D6 liquor permits. Dublin has received this Notice pursuant to R.C. 4303.26 because Interstate Management’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

Interstate Management is a foreign limited liability company that is actively registered with the Virginia Secretary of State. The address designated for the permit premises is 600 Metro Place North, Dublin, Ohio 43017, which is the Crowne Plaza Hotel located off of Frantz Road. Interstate Management is seeking to obtain the D5A and D6 liquor permits from Castrop Wolfe Development Co. (“Castrop”), which presently holds the permits at the same address. The transfer of ownership of both permits is currently pending before the Ohio Division of Liquor Control (“Division”).

Interstate Management has also filed applications for *new* D5A and D6 liquor permits, according to the Division of Liquor Control. Dublin was mailed a Notice to Legislative Authority regarding the new D5A permit on November 12, 2013. A memorandum regarding this application was considered at the November 18, 2013 City Council Meeting. The permits are identical; Interstate Management simply filed an application for transfer in order to keep serving alcohol in the hotel using Castrop’s permits while its application for the new

D5A and D6 permits is processed. Ultimately, Interstate Manage will operate using the new D5A and D6 permits if its application is accepted.

The D5A permit permits spirituous liquor for on premises consumption only; and beer, wine, and mixed beverages for on premises or off premises consumption in original sealed containers, until 2:30 a.m., for hotels or motels with fifty (50) or more rooms. The D6 permit permits the sale of intoxicating liquor on Sunday between the hours of 10:00 am and midnight.

According to the Ohio Division of Liquor Control's records, Interstate Management does not have any history of violating Ohio liquor permit laws. If the transfer is approved, Interstate Management will inherit the same D5A and D6 permits that are currently held by Castrop at the same location.

III. RECOMMENDATION

It would appear that it is unnecessary to request a hearing in this matter. The permits will simply transfer from one owner (Castrop) to the new owner (Interstate Management). If Dublin desires to request a hearing for Interstate Management, it should request a hearing for the *new* liquor permit application, which is Permit Number 41488190015. Regardless whether Dublin desires to request a hearing, the Notice of transfer must be signed and returned to the Ohio Division of Liquor Control by December 16, 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

41488190020		TRFO	INTERSTATE MANAGEMENT COMPANY LLC	
PERMIT NUMBER		TYPE	COURTYARD POOL DECK	
02	01	2013		
ISSUE DATE				
11	08	2013		
FILING DATE				
D5A D6				
PERMIT CLASSES				
25	066	B	F10888	
TAX DISTRICT			RECEIPT NO.	

FROM 11/13/2013

1327866			CASTROP WOLFE DEVELOPMENT CO	
PERMIT NUMBER		TYPE	COURTYARD POOL DECK	
02	01	2013		
ISSUE DATE				
11	08	2013		
FILING DATE				
D5A D6				
PERMIT CLASSES				
25	066			
TAX DISTRICT			RECEIPT NO.	



MAILED 11/13/2013

RESPONSES MUST BE POSTMARKED NO LATER THAN. 12/16/2013

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 TRFO 4148819-0020

(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 REN

PERMIT # **448819-0020**

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/liqr



LIMITED LIABILITY COMPANY DISCLOSURE FORM
 (This form must accompany all applications of an LLC business entity)

SECTION A.

Name of Limited Liability Company -Interstate Management Company, LLC		DBA Name Crowne Plaza Dublin	
Permit Premises Address 600 Metro Place North & Patio		City, State Dublin OH	Zip Code 43017
Township, if in Unincorporated Area		Tax Identification No. (TIN) 52-210817	
Email Address: <input type="text"/>			

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	BIRTHDATE
1) CEO	None		
2) President	None		Christopher L. Bennet
3) Vice-President	Christopher L. Bennett		
4) Secretary	Christopher L. Bennett		
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	Social Security No. (if individual)	INTEREST
Intersate Operating Comp	52-210816	<input type="checkbox"/> Managing Member
Residence Address	Tax Identification No. (if applicable)	<input checked="" type="checkbox"/> Voting interest 100 %
City and State	Telephone No.	<input checked="" type="checkbox"/> Membership interest 100 %
Zip Code	Birthdate	
2) Name	Social Security No. (if individual)	<input type="checkbox"/> Managing Member
Residence Address	Tax Identification No. (if applicable)	<input type="checkbox"/> Voting interest _____ %
City and State	Telephone No.	<input type="checkbox"/> Membership interest _____ %
Zip Code	Birthdate	

(PLEASE SEE REVERSE SIDE SHOULD YOU NEED ADDITIONAL SPACE)

STATE OF OHIO, Arlington COUNTY ss,

I, Christopher L. Bennett being first duly sworn, according to law, deposes and says that he/she is (Title) V.P.

of the Interstate Management Company, LLC a business duly authorized by law to do business in the State of Ohio, and that the statements made in the foregoing affidavit are true.

(Signature) [Signature] (Print Name and Title) Christopher Bennett, EVP + Sec.

Sworn to and subscribed in my presence this 10th day of October 2012



[Signature] (Notary Public) 9-30-16 (Notary Expiration)

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

Permit Class	Permit Fee	Description
D5B	\$2,344	<u>ORC 4303.181</u> (Same as D5) for enclosed shopping mall.

River Boats

Permit Class	Permit Fee	Description
D5E	\$1,219	<u>ORC 4303.181</u> (Same as D5). Historical river boat owned by charitable organization only.

Marinas

Permit Class	Permit Fee	Description
D5F	\$2,344	<u>ORC 4303.181</u> (Same as D5). Marina restaurant only.

Museums

Permit Class	Permit Fee	Description
D5G	\$1,875	<u>ORC 4303.181</u> (Same as D5 – except sales till one am). National sports museum only.
D5H	\$1,875	<u>ORC 4303.181</u> (Same as D5 – except sales till one am). Fine arts museum only.

Community Entertainment District/Revitalization

Permit Class	Permit Fee	Description
D5J	\$2,344	<u>ORC 4303.181</u> (Same as D5). Community entertainment district.
D5L	\$2,344	<u>ORC 4303.181</u> (Same as D5 – except sales till one am). Revitalization District.

Sunday Sales

Permit Class	Permit Fee	Description
D6	\$400-c \$500-d	<u>ORC 4303.182</u> Sale of intoxicating liquor on Sunday between the hours 10:00am or 11:00am and midnight.

Other

Permit Class	Permit Fee	Description
D5K	\$1,875	<u>ORC 4303.181</u> (Same as D5 – except sales till one am). Certain non profit organizations that own and operate a botanical garden.