

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: June 27, 2014

Re: Piada Avery Road, LLC DBA Piada - Application for D1, D2, 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 Piada Avery Road, LLC’s, which is doing business as Piada (“Piada”), application for class D1, D2, and D6 liquor permits. Dublin has received this Notice pursuant to R.C. 4303.26 because Piada’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

Piada is a domestic limited liability company that is actively registered with the Ohio Secretary of State. The address designated for the permit premises is 6335 Perimeter Drive, Dublin, Ohio 43017, which is just west of Avery-Muirfield Drive. Piada currently holds a D1, D2, and D6 liquor permit; however, there has been a change in the company’s membership interest, which requires a separate application and approval from the Division of Liquor Control pursuant to R.C. 4303.293. Attached to this memorandum is Piada’s Application for Change of LLC Membership Interests, which outlines the change.

The D1 permit permits beer for on premises consumption or for carry out in original sealed containers until 1:00 am, while the D2 permit permits wine and mixed beverages for on premises consumption or for carry out in original sealed containers until 1:00 am. The D6 permit permits the sale of intoxicating liquor on Sunday between the hours of 10:00 am (or 11:00 am) and midnight.

According to the Ohio Division of Liquor Control's records, Piada does not have any history of violating Ohio liquor permit laws. If the membership transfer is approved, Piada will simply maintain the same D1, D2, and D6 permits that it currently holds at the same location.

III. RECOMMENDATION

It would appear that it is unnecessary to request a hearing in this matter. The permits will simply remain with Piada at the same location; the only difference is the change of the company's membership interests. Regardless whether Dublin desires to request a hearing, the Notice must be signed and returned to the Ohio Division of Liquor Control by July 18, 2014.

**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

6894200 PERMIT NUMBER		STCK TYPE	PIADA AVERY ROAD LLC DBA PIADA 6335 PERIMETER DR DUBLIN OH 43017
ISSUE DATE			
01 16 2014 FILING DATE			
D1 D2 D6 PERMIT CLASSES			
25 TAX DISTRICT	066 RECEIPT NO.	B	

FROM **06/17/2014**

PERMIT NUMBER		TYPE
ISSUE DATE		
FILING DATE		
PERMIT CLASSES		
TAX DISTRICT	RECEIPT NO.	



MAILED **06/17/2014**

RESPONSES MUST BE POSTMARKED NO LATER THAN. **07/18/2014**

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 STCK 6894200**

(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**

Permit Class	Permit Fee	Description
D1	\$376	ORC 4303.13 Beer only for on premises consumption or in sealed containers for carry out.
D2	\$564	ORC 4303.14 Wine and certain prepackaged drinks for on premises consumption or in sealed containers for carry out.
D2X	\$376	ORC 4303.141 Beer only for on premises consumption or in sealed containers.
D3	\$750	ORC 4303.15 Spirituous liquor for on premises consumption only until 1:00am.
D3X	\$300	ORC 4303.151 Wine only for on premises consumption only until 1:00am.
D3A	\$938	ORC 4303.16 Extend issued permit privileges until 2:30am.
D5	\$2,344	ORC 4303.18 Spirituous liquor for on premises consumption only, beer and wine for on premises, or off premises in original sealed containers, until 2:30am.
D51	\$2,344	ORC 4303.181 Spirituous liquor for on premises consumption only, beer and wine for on premises, and off premises in original sealed containers, until 2:30 a.m. (restaurants meeting certain criteria)
D7	\$469	ORC 4303.183 Beer and any intoxicating liquor by the glass or container for consumption on the premises only until 2:30am. (RESORT area ONLY).

Club

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

Hotel And Motel

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

Enclosed Shopping Mall

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

River Boats

Permit Class	Permit Fee	Description
D5E	\$1,219	ORC 4303.181 Beer and intoxicating liquor for on premises consumption only, until 2:30am.

(historical river boat owned by charitable organization only)

Marinas

Permit Class	Permit Fee	Description
D5F	\$2,344	<u>ORC 4303.181</u> Beer and intoxicating liquor by the glass or container for on premises consumption only until 2:30am.(marina restaurant only)

Museums

Permit Class	Permit Fee	Description
D5G	\$1,875	<u>ORC 4303.181</u> Beer and intoxicating liquor by the glass or container for on premises consumption only until 1:00am.(national sports museum only)
D5H	\$1,875	<u>ORC 4303.181</u> Beer and intoxicating liquor by the glass or container for on premises consumption only until 1:00am.(fine arts museum only)

Community Entertainment District/Revitalization

Permit Class	Permit Fee	Description
D5J	\$2,344	<u>ORC 4303.181</u> Spirituous liquor for on premises consumption only, beer and wine for on premises and off premises in original sealed containers, until 2:30am. (for a community entertainment district)
D5L	\$2,344	<u>ORC 4303.181</u> Sale of beer and intoxicating liquor at retail by the glass or container for on premises consumption until 2:30 a.m. (retail food establishment or food service operation meeting certain criteria).

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> Sale of beer and intoxicating liquor for on premises consumption issued to certain non profit organizations that own and operate a botanical garden.
D5M	\$2,344	<u>ORC 4303.181</u> Sale of beer and intoxicating liquor at retail by the glass or container for on premises consumption only until one a.m. (restaurant affiliated with center for the preservation of wild animals).
E	\$500	<u>ORC 4303.19</u> Railroad car or airline to sell beer or any intoxicating liquor at retail in glass or from container for consumption in such car or aircraft.
G	\$100	<u>ORC 4303.21</u> Retail drug store (alcohol for medicinal, industrial, mechanical, chemical, or scientific purposes).