

## MEMORANDUM

To: Dublin City Council  
Dana McDaniel, City Manager  
Anne Clarke, Clerk of Council

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

Date: June 26, 2015

Re: LSREF4 Skyline Tenant Col LLC – Transfer Application for D5A & D6 Liquor Permits & Application for New D5A permit

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### **I. INTRODUCTION**

The City of Dublin recently received two Notices to Legislative Authority (“Notices”) from the Ohio Division of Liquor Control regarding LSREF4 Skyline Tenant Col LLC DBA Columbus Marriott Northwest (“Columbus Marriott”). Columbus Marriott submitted an application to transfer a class D5A and D6 liquor permit, and submitted an application for a new D5A liquor permit. Dublin has received these Notices pursuant to R.C. 4303.26 because the 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 permits.

### **II. BACKGROUND**

Marriott Columbus is a foreign limited liability company that is actively registered with the Ohio Secretary of State. The address designated for the permit premises is 5605 Blazer Parkway, Dublin, Ohio 43017, which is located north of Tuttle Crossing Blvd. Marriott Columbus is seeking to transfer a D5A and D6 liquor permit from the current holder of those permits (Dublin Hotel Co. DBA Marriot Columbus NW) at the same location. The transfer application is currently pending before the Ohio Division of Liquor Control (“Division”). Also pending before the Division is Marriott Columbus’ application for a *new* D5A permit. It is common for a company to apply for a transfer of permits and new permits simultaneously so as to obtain the permits as soon as possible.

According to the Division’s records, neither Marriott Columbus nor Marriott Columbus NW have a history of violating Ohio liquor laws. If approved, Marriott Columbus will either inherit the D5A and D6 liquor permits from the current holders of those permits, or obtain a new D5A permit, which such permit is already present on the premises.

Memo re. Marriott Northwest Liquor Permit Notification

June 26, 2015

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**RECOMMENDATION**

It would appear that it is unnecessary to request a hearing on either of these matters; Columbus Marriott does not have a history of violating Ohio liquor laws. Regardless of whether Dublin desires to request a hearing, the Notices must be signed and returned to the Ohio Division of Liquor Control by July 20, 2015.

**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

|                |            |             |               |   |
|----------------|------------|-------------|---------------|---|
| <b>5326135</b> |            | <b>TRFO</b> |               | <b>LSREF4 SKYLINE TENANT COL LLC<br/>DBA COLUMBUS MARRIOTT NORTHWEST<br/>5605 PAUL G BLAZER MEMORIAL PKWY<br/>DUBLIN OHIO 43017</b> |
| PERMIT NUMBER  |            |             |               |   |
| <b>02</b>      | <b>01</b>  | <b>2015</b> |               |   |
| ISSUE DATE     |            |             |               |   |
| <b>06</b>      | <b>16</b>  | <b>2015</b> |               |   |
| FILING DATE    |            |             |               |   |
| <b>D5A D6</b>  |            |             |               |   |
| PERMIT CLASSES |            |             |               |   |
| <b>25</b>      | <b>066</b> | <b>B</b>    | <b>F14278</b> |   |
| TAX DISTRICT   |            | RECEIPT NO. |               |   |

FROM **06/19/2015**

|                |            |             |  |  |
|----------------|------------|-------------|--|--|
| <b>2322520</b> |            |             |  | <b>DUBLIN HOTEL CO<br/>DBA MARRIOTT COLUMBUS NW<br/>5605 PAUL G BLAZER MEMORIAL PKWY<br/>DUBLIN OHIO 43017</b> |
| PERMIT NUMBER  |            |             |  |  |
| <b>02</b>      | <b>01</b>  | <b>2015</b> |  |  |
| ISSUE DATE     |            |             |  |  |
| <b>06</b>      | <b>16</b>  | <b>2015</b> |  |  |
| FILING DATE    |            |             |  |  |
| <b>D5A D6</b>  |            |             |  |  |
| PERMIT CLASSES |            |             |  |  |
| <b>25</b>      | <b>066</b> |             |  |  |
| TAX DISTRICT   |            | RECEIPT NO. |  |  |



MAILED **06/19/2015**

RESPONSES MUST BE POSTMARKED NO LATER THAN. **07/20/2015**

**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 5326135**

(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**

5326135 PERMIT NBR  
LSREF4 SKYLINE TENANT COL LLC  
DBA COLUMBUS MARRIOTT NORTHWEST  
5605 PAUL G BLAZER MEMORIAL PKWY  
DUBLIN OHIO 43017

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|                           |            |        |            |            |
|---------------------------|------------|--------|------------|------------|
| LSREF4 SKYLINE TENANT MEZ | 06/16/2015 | ACTIVE |            | 5% MEMSHIP |
| MARC L LIPSHY             | 06/16/2015 | ACTIVE | PRESIDENT  |            |
| SUMMER TREJO              | 06/16/2015 | ACTIVE | VICE PRES. |            |
| MONICA KNAKE              | 06/16/2015 | ACTIVE | VICE PRES. |            |

PA2-KEY = END SESSION, CLEAR-KEY = END OPTION, ENTER-KEY = TO CONTINUE

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<br>\$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. |