

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: September 3, 2015

Re: MK Asian Group LLC DBA Sesame Sea Asian Bistro
Change of LLC Membership – D1 & D2 Liquor Permits

I. INTRODUCTION

The City of Dublin recently received a Notice to Legislative Authority (“Notice”) from the Ohio Division of Liquor Control regarding MK Asian Group LLC DBA Sesame Sea Asian Bistro (“Sesame Sea”). The Ohio Division of Liquor Control requires that liquor permit holders notify the Division when there is a change of LLC membership interests. Sesame Sea currently holds a D1 and D2 liquor permit, and submitted an application for a change of LLC membership interests. Dublin has received this Notice pursuant to R.C. 4303.26 because the 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

Sesame Sea is a domestic limited liability company that is actively registered with the Ohio Secretary of State. The address designated for the permit premises is 7106 Muirfield Drive, Dublin, Ohio 43017, which is located just north of Post Road. Sesame Sea currently holds two liquor permits at this location: a D1 permit, which permits beer for on premises consumption or in original sealed containers for carry out until 1:00am; and a D2 permit, which permits wine and mixed beverages for on premises consumption or in original sealed containers for carryout until 1:00am. Sesame Sea submitted an application for a change in LLC membership interest. This change in membership interest likely has no direct effect on Sesame Sea’s liquor permits, but notification of such change is required by the Ohio Division of Liquor Control (“Division”). The change in LLC membership interest application is currently pending before the Division.

Memo re. MK Asian Group LLC DBA Sesame Sea Asian Bistro
September 3, 2015
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According to the Division's records, Sesame Sea does not have a history of violating Ohio liquor laws. The change in LLC membership should have no impact on Sesame Sea's clean history with the Division.

RECOMMENDATION

It would appear that it is unnecessary to request a hearing in this matter. Sea Sesame does not have a history of violating Ohio liquor laws and the change in LLC membership will not change that. Regardless of whether Dublin desires to request a hearing, the Notice must be signed and returned to the Ohio Division of Liquor Control by September 18, 2015.

**NOTICE TO LEGISLATIVE
AUTHORITY**

OHIO DIVISION OF LIQUOR CONTROL
6806 TUSSING ROAD, P.O. BOX 4005
REYNOLDSBURG, OHIO 43068-9005
(614)844-2360 FAX(614)644-3166

TO

5388050 PERMIT NUMBER		STCK TYPE	MK ASIAN GROUP LLC DBA SESAME SEA ASIAN BISTRO 7106 MUIRFIELD DR DUBLIN OH 43017
ISSUE DATE			
01 20 2015 FILING DATE			
D1 D2 PERMIT CLASSES			
25 TAX DISTRICT	066 B	F14645 RECEIPT NO.	

FROM **08/18/2015**

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



MAILED **08/18/2015**

RESPONSES MUST BE POSTMARKED NO LATER THAN. **09/18/2015**

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 STCK 5388050**

(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**

LLC / PARTNERSHIP CROSS REFERENCE
DISPLAY

PGECC

5388050 PERMIT NBR
MK ASIAN GROUP LLC
DBA SESAME SEA ASIAN BISTRO
7106 MUIRFIELD DR
DUBLIN OH 43017

_____	WAI KWAN SHEK	12/22/2011 ACTIVE	MNMB5&V5&M
	KEN J CHEN	08/23/2011 ACTIVE	MNMB5&V5&M
8*	' ARTHUR CHAN	04/22/2014 ACTIVE	

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

4303.13 D-1 permit.

Permit D-1 may be issued to the owner or operator of a hotel, of a retail food establishment or a food service operation licensed pursuant to Chapter 3717. of the Revised Code that operates as a restaurant for purposes of this chapter, or of a club, amusement park, drugstore, lunch stand, boat, or vessel, to sell beer at retail either in glass or container, for consumption on the premises where sold; and to sell beer at retail in other receptacles or in original containers having a capacity of not more than five and one-sixth gallons not for consumption on the premises where sold. The fee for this permit is three hundred seventy-six dollars for each location, boat, or vessel.

Effective Date: 2003 HB95 09-26-2003

4303.14 D-2 permit.

Permit D-2 may be issued to the owner or operator of a hotel, of a retail food establishment or a food service operation licensed pursuant to Chapter 3717. of the Revised Code that operates as a restaurant for purposes of this chapter, or of a club, boat, or vessel, to sell wine and prepared and bottled cocktails, cordials, and other mixed beverages manufactured and distributed by holders of A-4 and B-4 permits at retail, either in glass or container, for consumption on the premises where sold. The holder of this permit may also sell wine and prepared and bottled cocktails, cordials, and other mixed beverages in original packages and not for consumption on the premises where sold or for resale. The fee for this permit is five hundred sixty-four dollars for each location, boat, or vessel.

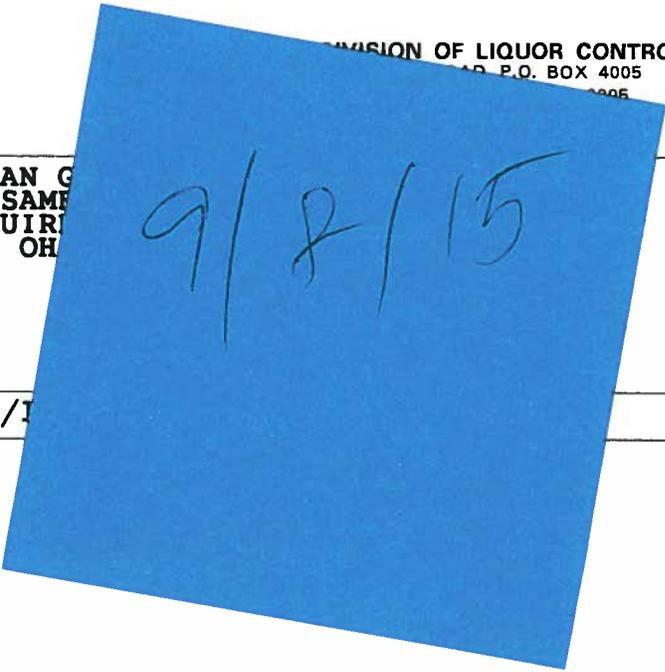
Effective Date: 2003 HB95 09-26-2003

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