

MEMORANDUM

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

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

Date: February 5, 2016

Re: Tamarkin Co. DBA Giant Eagle 6520 – Application for New D1 Liquor Permit

I. INTRODUCTION

The City of Dublin recently received a Notice to Legislative Authority (“Notice”) from the Ohio Division of Liquor Control concerning Tamarkin Co. DBA Giant Eagle 6520 (“Giant Eagle”). Dublin has received this Notice pursuant to R.C. 4303.26 because Giant Eagle has applied for a new liquor permit and 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 permit.

II. BACKGROUND

Giant Eagle is a for-profit corporation that is actively registered with the Ohio Secretary of State. The address designated for the permit premises is 6700 Perimeter Loop Road, Dublin, Ohio 43017, which is just east of Avery-Muirfield Drive. Giant Eagle is seeking to obtain a D1 license, which permits sale of beer only for on premises consumption or in original sealed containers for carry out until 1:00am. Giant Eagle’s application is currently pending before the Ohio Division of Liquor Control (the “Division”).

According to the Division’s records, Giant Eagle does not have a history of violating Ohio liquor permit laws.

III. RECOMMENDATION

It would appear that it is unnecessary to request a hearing in this matter. Giant Eagle does not have a history of liquor law violations. Regardless whether Dublin desires to request a hearing, the Notice must be signed and returned to the Ohio Division of Liquor Control by February 16, 2016.

**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

87906900425 <small>PERMIT NUMBER</small>		N <small>TYPE</small>	TAMARKIN CO DBA GIANT EAGLE 6520 6700 PERIMETER LOOP ROAD DUBLIN OHIO 43017	
<small>ISSUE DATE</small>				
10 04 2012 <small>FILING DATE</small>				
D1 <small>PERMIT CLASSES</small>				
25 <small>TAX DISTRICT</small>	066	B	290981 <small>RECEIPT NO.</small>	

FROM 01/15/2016

<small>PERMIT NUMBER</small>		<small>TYPE</small>		
<small>ISSUE DATE</small>				
<small>FILING DATE</small>				
<small>PERMIT CLASSES</small>				
<small>TAX DISTRICT</small>			<small>RECEIPT NO.</small>	



MAILED 01/15/2016

RESPONSES MUST BE POSTMARKED NO LATER THAN. 02/16/2016

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 N 8790690-0425**

(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 NUMBER (CORPORATION) 8790690

TAMARKIN CO

ATTN: TAX DEPARTMENT

101 KAPPA DR RIDC PARK

PITTSBURGH PA 15238

F.T.I. NUMBER 52-1236050

STATUS (ACTIVE OR INACTIVE) ACTIVE

SHARES OUTSTANDING 100.00

ACTIVE DATE 07/12/82

INACTIVE DATE

EXCEPTION CODE TEXT - LARGE CORPORATION

STOCK TRANSFER CODE TEXT AND DATE

JACK FLANAGAN	.00	08/30/05	INACTIVE	
M MICHELE SPONHOLZ	.00		ACTIVE	VICE PRES
RAY BURGO	.00	08/30/05	INACTIVE	
JOHN R LUCOT	.00	10/04/05	ACTIVE	PRESIDENT
DAVID SHAPIRA	.00	12/19/12	INACTIVE	
MARK MINNAUGH	.00		ACTIVE	SECRETARY
WILLIAM LICHTENFELS	.00	09/03/13	ACTIVE	TREASURER
GIANT EAGLE INC	100.00	07/12/82	ACTIVE	
PHILLIP OLIVERI	.00		INACTIVE	

Manufacturer

Permit Class	Permit Fee	Description
A1	\$3,906 (per plant)	ORC 4303.02 Manufacturer of Beer – producing more than 31 million gallons per year, wherever produced, and sell beer products to wholesale permit holders.
A1A	\$3,906	ORC 4303.021 Beer, and any intoxicating liquor by the glass or container on A-1 or A-2 permit premises only until 2:30am.
A1c	\$1,000 (per plant)	ORC 4303.022 Manufacturer of Beer - producing up to 31 million gallons per year wherever produced, for sale on premises at retail for on premises consumption, and sell beer products to retail and wholesale permit holders.
A2	\$76	ORC 4303.03 Manufacturer of wine.
A3	\$2 to \$3,906	ORC 4303.04 Manufacture, import and sell alcohol and spirituous liquor
A3A	\$2 to \$400	ORC 4303.041 Manufacturer of less than 10,000 gallons of spirituous liquor and sale to a personal consumer.
A4	\$3,906	ORC 4303.05 Manufacture and sell certain prepared and bottled drinks, import for blended purposes
B2A	\$25	ORC 4303.07 Sale of wine to retail permit holder.
S	\$25	ORC 4303.232 Sale of wine to personal consumer via mail order.
W	\$1,563	ORC 4303.231 To operate a warehouse for the storage of beer or intoxicating liquor within the state and to sell such products from the warehouse to a B permit holder with Consent to Import on file or to other customers outside this state.

Distributor

Permit Class	Permit Fee	Description
B1	\$3,125	ORC 4303.06 Distributor of beer, ale, stout, other malt liquor.
B2	\$500	ORC 4303.07 Distributor of bottled wine.
B3	\$124	ORC 4303.08 Distributor of sacramental wine.
B4	\$500	ORC 4303.09 Distributor of mixed beverages.
B5	\$1,563	ORC 4303.10 Distributor and importer and bottler of wine.

Retail Store Carryout

Permit Class	Permit Fee	Description
C1	\$252	ORC 4303.11 Beer only in original sealed container for carry out only.
C2	\$376	ORC 4303.12 Wine and mixed beverages in sealed containers for carry out.
C2X	\$252	ORC 4303.121 Beer in original sealed containers for carry out.
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	ORC 4303.13 Beer only for on premises consumption or in original sealed containers for carry out only until 1:00am.
D2	\$564	ORC 4303.14 Wine and mixed beverages for on premises consumption or in original sealed containers for carryout only until 1:00am.
D2X	\$376	ORC 4303.141 (Grandfathered Permit) Beer only for on premises consumption or in original sealed containers for carryout only until 1:00am.
D3	\$750	ORC 4303.15 Spirituous liquor for on premises consumption only until 1:00am.
D3X	\$300	ORC 4303.151 (Grandfathered Permit) Wine only for on premises consumption or in original sealed containers for carryout 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, wine and mixed beverages for on premises, or off premises in original sealed containers, until 2:30am.
D5I	\$2,344	ORC 4303.181 (Same as D5). Restaurant meeting certain criteria.
D7	\$469	ORC 4303.183 (Same as D5). RESORT area only.

>Club

Permit Permit