

MEMORANDUM

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

From: Jennifer D. Readler, Law Director
Jesse J. Shamp

Date: September 24, 2020

Re: Gardenia LLC DBA Gardenia Market Application
for New D5J Liquor Permit

I. INTRODUCTION

The City of Dublin recently received a Notice to Legislative Authority (“Notice”) from the Ohio Division of Liquor Control (“Division”) concerning Gardenia LLC DBA Gardenia Market (“Gardenia”). Dublin received this Notice pursuant to R.C. 4303.26 because Gardenia has applied for a new liquor permit and the proposed location for the permit premises is 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

A D5J permit is a liquor permit that is specific to Community Entertainment Districts (“CED”). A D5J permit is identical to a D5 permit but is CED-specific. It allows spiritous 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.

A CED is defined as a bounded area that includes or will include a combination of entertainment, retail, educational, sporting, social, cultural, or arts establishment within close proximity. This Council previously approved three CEDs in Dublin: (1) Scioto East CED; (2) Scioto West CED; and (3) Scioto North CED. The Division completed its process to create these CEDs and is now accepting D5J applications. Each CED has up to 15 available D5J permits.

Gardenia is a domestic limited liability corporation actively registered with the Ohio Secretary of State. The location designated for the permit premises is at 16 N. High Street, Dublin, Ohio 43017 which falls within the Scioto West CED. The chart and map on the following pages reflect the amended boundaries of the three CEDs as passed by Council in January 2020 and approved by the Ohio Division of Liquor Control in February 2020.

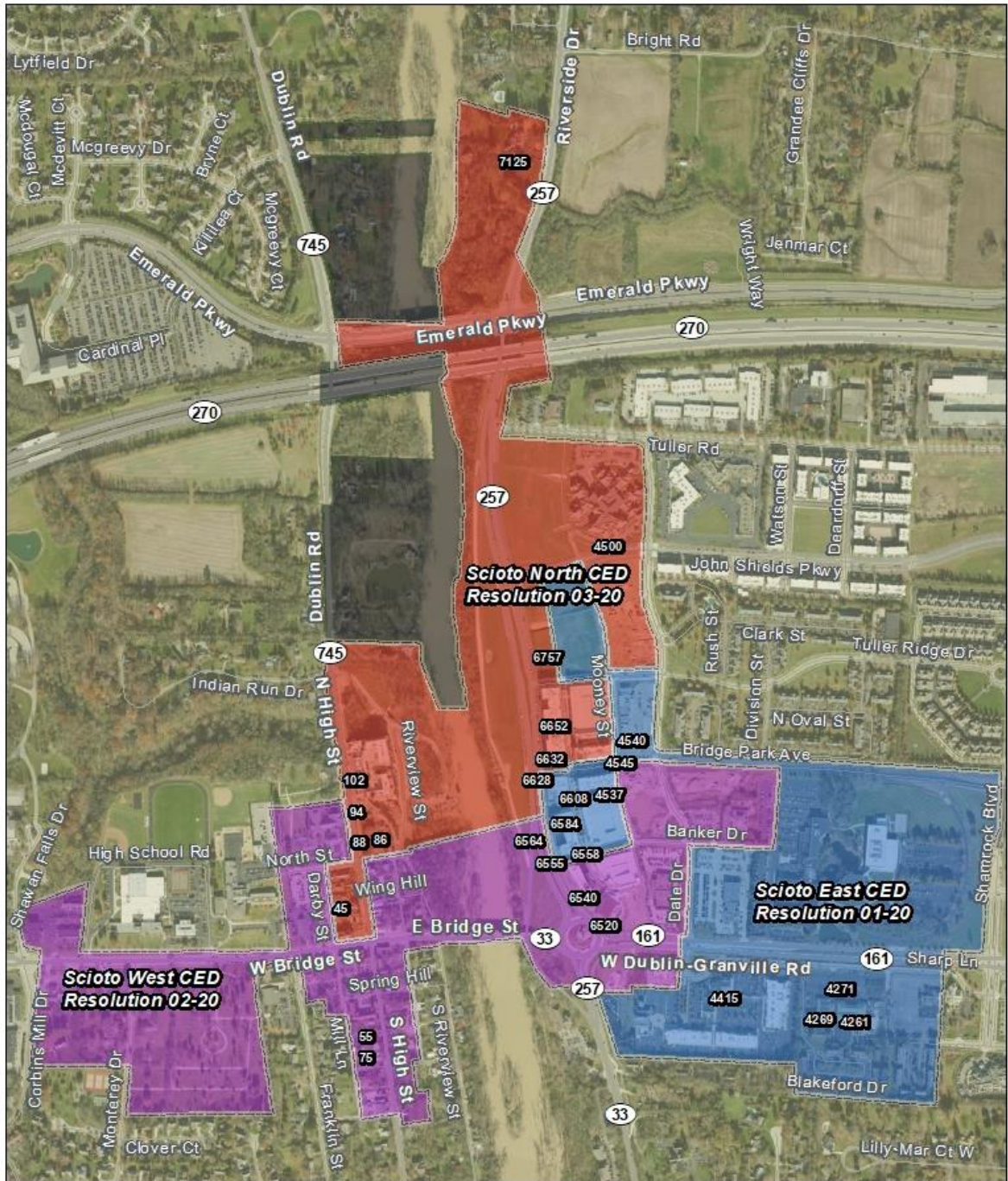
This chart tracks the D5J liquor permit applications that have been submitted for each CED. Gardenia’s application is currently pending before the Division. According to the Division’s records, Gardenia does not have a history of violating Ohio liquor permit laws.

Scioto North CED		Scioto West CED		Scioto East CED	
Address	Company	Address	Company	Address	Company
4540 Longshore Street	Fukuryu Ramen	6520 Longshore Street	The Exchange	4537 Bridge Park Avenue	Local Cantina
4500 John Shields Parkway	The Grand	6540 Longshore Street	AC Hotel	4545 Bridge Park Avenue	Anthony Vince Nail Spa
6757 Longshore Street	Kona Grill	55 S. High Street	Vine & Tap	6608 Longshore Street	Rebol
6632 Longshore Street	Urban Meyer's Pint House	75 S. High Street	Coast Wine House	6558 Longshore Street	Frank & Carls
45 N. High Street	Harvest Pizza	16 N. High Street	Gardenia Market (<i>pending</i>)	6555 Longshore Street	Pins Mechanical
86 N. High Street	No Soliciting			6564 Riverside Drive	16-Bit
88 N. High Street	The Pearl			6584 Riverside Drive	Z Cucina
94 N. High Street	The Avenue Steakhouse			6736 Longshore Street	Market Bar
102 N. High Street	Condado				
6628 Riverside Drive	Hen Quarter				
6652 Riverside Drive	Fado				
7125 Riverside Drive	Dublin Arts Council				

III. RECOMMENDATION

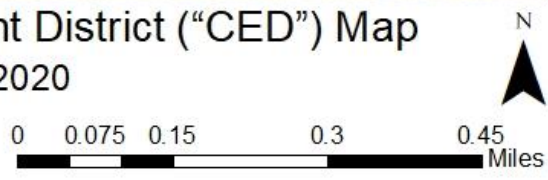
It appears unnecessary to request a hearing in this matter. Gardenia has no record of any liquor violations. Regardless of whether Dublin desires to request a hearing, the Notice must be signed and returned to the Ohio Division of Liquor Control by October 19, 2020.

Community Entertainment District (“CED”) Map



Community Entertainment District (“CED”) Map

March 2020



0127206.0607929 4828-2845-9980v1

**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

3043565 PERMIT NUMBER		NEW TYPE	GARDENIA LLC	
			DBA GARDENIA MARKET	
08 24 2020 ISSUE DATE		16 N HIGH ST		
		DUBLIN OH 43017		
D5J PERMIT CLASSES				
25 TAX DISTRICT	066	B	C72025 RECEIPT NO.	

FROM **09/18/2020**

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



MAILED **09/18/2020**

RESPONSES MUST BE POSTMARKED NO LATER THAN. **10/19/2020**

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 NEW 3043565**

(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

Commerce Division of Liquor Control : Web Database Search

OWNERSHIP DISCLOSURE INFORMATION

This online service will allow you to obtain ownership disclosure information for issued and pending retail liquor permit entities within the State of Ohio.

Searching Instructions

Enter the known information and click the "Search" button. For best results, search only ONE criteria at a time. If you try to put too much information and it does not match exactly, the search will return a message "No records to display".

The information is sorted based on the Permit Number in ascending order.

To do another search, click the "Reset" button.

	SEARCH CRITERIA
Permit Number	<input type="text" value="3043565"/>
Permit Name / DBA	<input type="text"/>
Member / Officer Name	<input type="text"/>

Search**Reset****Main Menu**

Member/Officer Name	Shares/Interest	Office Held
Permit Number: 3043565; Name: GARDENIA LLC; DBA: DBA GARDENIA MARKET; Address: 16 N HIGH ST DUBLIN 43017		
MARVIC TITUS	MANAGE MEM	CEO

- [Ohio.Gov](#)
- [Ohio Department of Commerce](#)

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D5J

\$2,344

[ORC 4303.181](#) (Same as D5). Community Entertainment District.