



The Metropolitan Government of Nashville and Davidson County...

***Metro Beer Board
Minutes
February 14, 2019***

Meeting Date:	Wednesday – February 14, 2019
Place:	Nashville room 800 2 nd Avenue South
Time:	12:00

BOARD MEMBERS	STAFF PRESENT	MEMBER ATTENDANCE	OTHERS PRESENT
Mr. Brian Taylor, Chairperson Ms. Telisha Cobb, Vice Chairperson Mr. Jack Davis Ms. Kia Jarmon Mr. Terry Clements Mr. Justin Marsh, Attorney Mr. Christopher M. Blevins	Benton McDonough, Director Terrence Darby, Inspector III Douglas James Jr, Inspector I Jesus Coreno, Inspector I Amanda Webb, Office Specialist		

APPEAL OF DECISIONS

If you are not satisfied with a decision of the Metropolitan Beer Permit Board regarding your application or your hearing, you may appeal the decision to the Davidson County Chancery or Circuit Court pursuant to the requirements set forth in T.C.A. 57-5-108. The decisions of the Metropolitan Beer Permit Board take effect on a date to be determined by the board. However, you may file an appeal within 60 days of the date of entry of the board's decision. We advise that you seek your own independent legal advice to ensure that your appeal is filed in a timely manner and that all procedural requirements have been met.

Approval of January 23, 2019 minutes

Motion: To Approve

First: Ms. Jarmon

Second: Ms. Cobb

Opposed: Unanimous

I. Grant in Order

- (1) *Abram Gerges*, 600 W Trinity Lane, **Brothers Market**
OFF-SALE (CHANGE IN OWNERSHIP) (Dist. 2)
- (2) *Pepperfire Hot Chicken, Inc.*, 1000 Gallatin Avenue, Ste. C, **Pepperfire Hot Chicken, Inc.**
ON-SALE (CHANGE IN OWNERSHIP) (Dist. 5)
- (3) *The Candle Bar Stores, LLC*, 9 S 9th Street, **The Candle Bar**
ON-SALE (NEW LOCATION) (Dist. 6)
(Address Amended)
- (4) *Storming Crab III, Inc.*, 2125 Gallatin Pike North, **Storming Crab III**
ON-SALE (NEW LOCATION) (Dist. 10)
- (5) *Pinnacle Music Valley, LLC*, 2500 Music Valley Drive, **Residence Inn**
ON-SALE (NEW LOCATION) (Dist. 15)
(Applicant/Business Name Amended)
- (6) *The Candle Bar Stores, LLC*, 2934 Sidco Drive, Suite 140, **The Candle Bar**
ON-SALE (NEW LOCATION) (Dist. 16)
- (7) *AHTRST Concessions, LLC*, 305 Korean Veterans Boulevard, **Hilton Garden Inn Nashville
Downtown/Convention Center**
ON-SALE (CHANGE IN OWNERSHIP) (Dist. 19)
- (8) *NP 5th, LLC*, 410 5th Avenue South, **NP 5th, LLC**
ON-SALE (NEW LOCATION) (Dist. 19)
- (10) *Pinnacle 4th and Peabody, LLC*, 415 4th Avenue South, **Holiday Inn 4th & Peabody**
ON-SALE (NEW LOCATION) (Dist. 19)
- (11) *Eighth So Bro, Inc.*, 114 8th Avenue South, **Nash House**
ON-SALE (NEW LOCATION) (Dist. 19)

- (12) *Niharika, LLC*, 1524 Demonbreun Street, Suite B, **The Old Line**
ON-SALE (CHANGE OF OWNERSHIP) (Dist. 19)
- (13) *Harding House Brewing Company, LLC*, 904 51st Avenue North, **Harding House Brewing Company**
MANUFACTURING (NEW LOCATION) (Dist. 20)
(Council Resolution Received)
- (14) *Sage Client 238, LLC*, 1808 West End Ave, **Hutton Hotel**
ON-SALE (CHANGE OF OWNERSHIP) (Dist. 21)
- (16) *JAM Restaurants, LLC*, 2035 Richard Jones Dr., **Brixx**
ON-SALE (NEW LOCATION) (Dist. 25)
- (17) *Bria Bistro, Inc.*, 8128 Highway 100, **Bria Bistro**
ON-SALE (CHANGE OF OWNERSHIP) (Dist. 35)
- (19) *Three Guys, LLC*, 1003 Russell St., **Boombozz Craft Pizza & Taphouse**
ON-SALE (NEW LOCATION) (Dist. 06)
- (20) *Special Olympics Tennessee*, 1 Titans Way, **Special Olympics Tennessee-2019 Music City Polar Plunge**
ON-SALE (SPECIAL EVENT) (Dist. 06)
(February 15-16 2019)
- (25) *El Toro Loco 1, LLC*, 3915 Lebanon Pike, **El Toro Loco**
ON-SALE (NEW LOCATION) (Dist. 14)
- (29) *Belcourt Theatre, Inc.*, 2102 Belcourt Ave, **A Red Carpet Evening 2019**
ON-SALE (SPECIAL EVENT) (Dist. 18)
(2/22, 2/23 and 2/24/19)
- (31) *GB LL Holdings, LLC*, 801 Vine St., **GoPuff Nashville Sobro**
ON-SALE (NEW LOCATION) (Dist. 19)
- (33) *Hardy & Kelly, LLC*, 317 Broadway, **Broadway Brewhouse & the Mojo Grill**
ON-SALE (CHANGE OF OWNERSHIP) (Dist. 19)
- (34) *Live Oak, LLC*, 1530 Demonbreun St., **Live Oak**
ON-SALE (CHANGE OF OWNERSHIP) (Dist. 19)
- (35) *Govrik Hospitality, LLC*, 234 5th Ave N, **Kitchen Downtown**
ON-SALE (NEW LOCATION) (Dist. 19)
- (37) *Nashville Public Library Foundation*, 615 Church St, **Picnic with the Library**
ON-SALE (SPECIAL EVENT) (Dist. 19)
(4/26, 4/27 and 4/28/19)

(38) <i>Grand Ole Opry, LLC</i> , 116 Opry Place, Café Lula at Ryman Auditorium ON-SALE (CATERER) (Dist. 19)		
(45) <i>Bria Bistro, Inc.</i> , 8128 Highway 100, Bria Bistro ON-SALE (CHANGE OF OWNERSHIP) (Dist. 35)		
	Motion: To Approve First: Ms. Cobb Second: Ms. Jarmon	Opposed or Abstained: Unanimous

II. Deferred Indefinitely

(18) <i>Jammers Market LLC</i> , 1519 Jones Ave., Jammers Market OFF-SALE (CHANGE OF OWNERSHIP) (Dist. 05) (Incomplete File)		
(21) <i>Thornton's, LLC</i> , 317 Myatt Dr., Thorntons #604 OFF-SALE (CHANGE OF OWNERSHIP) (Dist. 09) (Incomplete File)		
(22) <i>Thornton's, LLC</i> , 4145 Lebanon Pike, Thorntons #603 OFF-SALE (CHANGE OF OWNERSHIP) (Dist. 11) (Incomplete File)		
(23) <i>NE Nashville Urban Air, LLC</i> , 4331 Old Hickory Blvd., Urban Air ON-SALE (NEW LOCATION) (Dist. 11) (Incomplete File)		
(24) <i>Thornton's, LLC</i> , 714 Stewarts Ferry Pike, Thorntons #602 OFF-SALE (CHANGE OF OWNERSHIP) (Dist. 13) (Incomplete File)		
(26) <i>Thornton's, LLC</i> , 2815 Lebanon Pike, Thorntons #611 OFF-SALE (CHANGE OF OWNERSHIP) (Dist. 15) (Incomplete File)		
(27) <i>Handkov Enterprise, LLC</i> , 2416 Music Valley Drive, Suite 161, Music City Bar and Grill ON-SALE (CHANGE OF OWNERSHIP) (Dist. 15) (Incomplete File)		
(28) <i>Flying Axes Nashville, LLC</i> , 2018 B Lindell Ave., Flying Axes ON-SALE (NEW LOCATION) (Dist. 17) (Incomplete File)		

(30) *Pinnacle 4th and Peabody, LLC, 415 4th Ave. South, Holiday Inn 4th & Peabody*
ON-SALE (NEW LOCATION) (Dist. 19)
(Incomplete File)

(32) *The Local Distro, LLC, 614 Garfield St., The Local Distro*
ON-SALE (NEW LOCATION) (Dist. 19)
(Incomplete File)

(39) *51st Deli, LLC, 5511 Centennial Blvd., The Nations Market*
OFF-SALE (CHANGE OF OWNERSHIP) (Dist. 20)
(Incomplete File)

(40) *Daddy's Dogs Catering, LLC, 4711 Charlotte Ave, The Sylvan Park Puppy Play Day*
ON-SALE (SPECIAL EVENT) (Dist. 24)
(April 14, 2019)
(Incomplete File)

(41) *Thornton's, LLC, 1400 Eagle View Blvd, Thorntons #609*
OFF-SALE (CHANGE OF OWNERSHIP) (Dist. 32)
(Incomplete File)

(42) *Ramkul Diner, LLC, 5385 Mt View Rd, Exo-Tikka Indian Cuisine*
ON-SALE (NEW LOCATION) (Dist. 32)
(Incomplete File)

(43) *Thornton's, LLC, 13010 Old Hickory Blvd, Thorntons #607*
OFF-SALE (CHANGE OF OWNERSHIP) (Dist. 33)
(Incomplete File)

(44) *Thornton's, LLC, 7102 Charlotte Pike, Thorntons #608*
OFF-SALE (CHANGE OF OWNERSHIP) (Dist. 35)
(Incomplete File)

Notes:

	Motion: To Defer First: Ms. Jarmon Second: Mr. Bellamy	Opposed or Abstained: Unanimous
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III. Request to Withdraw

(9) *JCJ Productions, LLC*, 1530 Demonbreun Street, **Frisky Frog's Nashville**
CATERER (NEW LOCATION) (Dist. 19)
(Request To Withdraw)

(36) *Make-A-Wish Middle Tennessee*, 222 5th Ave S, **Stars for Wishes**
ON-SALE (SPECIAL EVENT) (Dist. 19)
(1/19/19)
(Request To Withdraw)

Notes:

	Motion: To Withdraw First: Ms. Jarmon Second: Mr. Bellamy	Opposed or Abstained: Unanimous
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IV. Applications for Discussion

15) *Westminster School for Young Children*, 4710 Charlotte Avenue, **Westminster School For Young Children - Child at Heart**
ON-SALE (SPECIAL EVENT) (Dist. 24)
(March 1, 2019)
(Possible Distance Issue)

Mr. Jamie Hollin represented the establishment in question. He argued that the church involved only met three times each month instead of each week as the ordinance contemplates. Mr. Bellamy then opined that he did not necessarily read the ordinance in the same way and thought that it may contemplate whether or not the location in question was used primarily by the church for those purposes instead of renting a small space within an event center. Mr. Bellamy then questioned whether the board had previously discussed how a "place of worship" was defined. Director McDonough then stated that he believed the board had not encountered such an application before during his tenure. Mr. Jarmon then stated that she felt the application involving a distance issue with a mosque was similar in nature. Chairman Taylor then stated that a better definition of "church" was necessary.

Ms. Jarmon then moved to approve the application, seconded by Ms. Cobb. This motion failed, as Mr. Bellamy asked for further discussion. Legal opined that the board should include the definition of church should be addressed in the motion. Mr. Bellamy then made a motion to approve, as church should not be considered a church. This was then seconded by Ms. Cobb. The motion failed. Ms. Jarmon then made a motion for approval due to the fact that the church, Grace Pointe, did not meet the definition of a church under M.C. L. 7.08.010. Ms. Cobb seconded the motion. The board then unanimously approved the application.

Notes:		
	Motion: To Approve First: Ms. Jarmon Second: Ms. Cobb	Opposed or Abstained: Unanimous

Complaints

(46) *Nashvegas Bar And Grill, LLC*, 3424 Lebanon Road, **NashVegas Bar & Grill**
 ON-SALE (Dist. 14)

(Alleged violation of M.C.L. Section 7.08.070C The permit holder shall display all permits issued pursuant to this article in a conspicuous place, together with all other permits, licenses and stamps required by law on or about 12/12/18 and ongoing.)

COMPLAINANT: Metro Beer Permit Inspector I Douglas James Jr
STAFF RECOMMENDATIONS: \$500 Civil Penalty

(47) *Raceway 960, LLC*, 577 Donelson Pike, **Race 960**
 OFF-SALE (Dist. 15)

(Alleged violation of M.C.L. Section 7.08.070C The permit holder shall display all permits issued pursuant to this article in a conspicuous place, together with all other permits, licenses and stamps required by law on or about 11/29/18 and ongoing.)

COMPLAINANT: Metro Beer Permit Inspector I Douglas James Jr
STAFF RECOMMENDATIONS: \$500 Civil Penalty

(48) *Tara of Nashville, LLC*, 583 Donelson Pike, **Hampton Inn & Suites Nashville Airport**
 ON-SALE (Dist. 15)

(Alleged violation of M.C.L. Section 7.08.040G an applicant or permit holder shall amend or supplement the information provided in its application promptly if a change in circumstances affects the responses in its application on or about 11/29/18 and ongoing.)

COMPLAINANT: Metro Beer Permit Inspector I Douglas James Jr.
STAFF RECOMMENDATIONS: \$500 Civil Penalty

(49) *Walgreen Co.*, 2421 Lebanon Pike, **Walgreens #42688**
 OFF-SALE (Dist. 15)

(Alleged violation of M.C.L. Section 7.08.040G an applicant or permit holder shall amend or supplement the information provided in its application promptly if a change in circumstances affects the responses in its

application on or about 11/13/18 and ongoing.)

COMPLAINANT: Metro Beer Permit Inspector I Douglas James Jr.

STAFF RECOMMENDATIONS: \$500 Civil Penalty

(50) *Walgreen Co.*, 2421 Lebanon Pike, **Walgreens #42688**

OFF-SALE

(Dist. 15)

(Alleged violation of M.C.L. Section 7.08.070C The permit holder shall display all permits issued pursuant to this article in a conspicuous place, together with all other permits, licenses and stamps required by law on or about 11/13/18 and ongoing.)

COMPLAINANT: Metro Beer Permit Inspector I Douglas James Jr

STAFF RECOMMENDATIONS: \$500 Civil Penalty

(51) *Dolgenercorp, LLC*, 2403 Lebanon Pike, **Dollar General Store #6680**

OFF-SALE

(Dist. 15)

(Alleged violation of M.C.L. Section 7.08.070C The permit holder shall display all permits issued pursuant to this article in a conspicuous place, together with all other permits, licenses and stamps required by law on or about 11/13/18 and ongoing.)

COMPLAINANT: Metro Beer Permit Inspector I Douglas James Jr

STAFF RECOMMENDATIONS: \$750 Civil Penalty

(52) *John A's Little Palace, LLC*, 2421 Music Valley Drive, **John A's Little Palace**

ON-SALE

(Dist. 15)

(Alleged violation of M.C.L. Section 7.08.070C The permit holder shall display all permits issued pursuant to this article in a conspicuous place, together with all other permits, licenses and stamps required by law on or about 11/5/18 and ongoing.)

COMPLAINANT: Metro Beer Permit Inspector I Douglas James Jr

STAFF RECOMMENDATIONS: \$500 Civil Penalty

(53) *Chili's Inc.*, 451 Opry Mills Drive, **Chili's Grill & Bar #1536**

ON-SALE

(Dist. 15)

(Alleged violation of M.C.L. Section 7.08.070C The permit holder shall display all permits issued pursuant to this article in a conspicuous place, together with all other permits, licenses and stamps required by law on or about 11/30/18 and ongoing.)

COMPLAINANT: Metro Beer Permit Inspector I Douglas James Jr

STAFF RECOMMENDATIONS: Civil Penalty \$500

(54) *BJH, Inc.*, 2408 Music Valley Drive, **Scoreboard Bar and Grill**

ON-SALE

(Dist. 15)

(Alleged violation of M.C.L. Section 7.08.070C The permit holder shall display all permits issued pursuant to this article in a conspicuous place, together with all other permits, licenses and stamps required by law on or about 1/19/18 and ongoing.)

COMPLAINANT: Metro Beer Permit Inspector I Douglas James Jr

STAFF RECOMMENDATIONS: \$500 Civil Penalty

(55) *Kroger Limited Partnership I*, 61 East Thompson Lane, **Kroger L-542**

OFF-SALE

(Dist. 16)

(Alleged violation of M.C.L. Section 7.08.070C The permit holder shall display all permits issued pursuant to this article in a conspicuous place, together with all other permits, licenses and stamps required by law on or about 11/30/18 and ongoing.)

COMPLAINANT: Metro Beer Permit Inspector I Douglas James Jr

STAFF RECOMMENDATIONS: \$500 Civil Penalty

(56) *Wal-Mart Stores East LP*, 2421 Powell Avenue, **Wal-Mart Store #5616**

OFF-SALE

(Dist. 16)

(Alleged violation of M.C.L. Section 7.08.070C The permit holder shall display all permits issued pursuant to this article in a conspicuous place, together with all other permits, licenses and stamps required by law on or about 2/5/18 and ongoing.)

COMPLAINANT: Metro Beer Permit Inspector I Douglas James Jr

STAFF RECOMMENDATIONS: \$500 Civil Penalty

(57) *TUJ #6 – Hillsboro LLC*, 1622 21st Avenue South, **The Urban Juicer**

ON-SALE

(Dist. 17)

(Alleged violation of M.C.L. Section 7.08.070C The permit holder shall display all permits issued pursuant to this article in a conspicuous place, together with all other permits, licenses and stamps required by law on or about 11/15/18 and ongoing.)

COMPLAINANT: Metro Beer Permit Inspector I Jesus Coreño

STAFF RECOMMENDATIONS: \$500 Civil Penalty

(58) *Fork & Knife Hospitality, LLC – Midtown Series*, 1907 Broadway, **Urban Cookhouse**

ON-SALE

(Dist. 19)

(Alleged violation of M.C.L. Section 7.08.070C The permit holder shall display all permits issued pursuant to this article in a conspicuous place, together with all other permits, licenses and stamps required by law on or about 5/11/18 and ongoing.)

COMPLAINANT: Metro Beer Permit Inspector I Jesus Coreño

STAFF RECOMMENDATIONS: \$500 Civil Penalty

(59) *Cost Plus, Inc./Corporation*, 6728 Charlotte Pike, **World Market**

OFF-SALE

(Dist. 20)

(Alleged violation of M.C.L. Section 7.08.070C The permit holder shall display all permits issued pursuant to this article in a conspicuous place, together with all other permits, licenses and stamps required by law on or about 2/12/18 and ongoing.)

COMPLAINANT: Metro Beer Permit Inspector I Jesus Coreño

STAFF RECOMMENDATIONS: \$500 Civil Penalty

(60) *Al – Pasha Inc.*, 6012 Charlotte Pike, **Charlotte Pike Shell #8221**

OFF-SALE

(Dist. 20)

(Alleged violation of M.C.L. Section 7.08.070C The permit holder shall display all permits issued pursuant to

this article in a conspicuous place, together with all other permits, licenses and stamps required by law on or about 2/26/18 and ongoing.)

COMPLAINANT: Metro Beer Permit Inspector I Jesus Coreño

STAFF RECOMMENDATIONS: \$500 Civil Penalty

	Motion: To Uphold First: Ms. Jarmon Second: Ms. Cobb	Opposed or Abstained: Unanimous
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Executive Director's Report

BL2018-1456 – Mr. McDonough updated the board on a bill that attempts to define “nightclub”. He stated that the matter would be deferred indefinitely while the Director works with the sponsors to address the current language.

Buena Vista Market – Mr. McDonough reported on the board’s victory in the circuit court, upholding the board’s decision to deny a permit for a distance violation involving a mosque. Mr. McDonough also stated that the board has historically little success in this type of appeal. He was pleased with the court’s decision and his team’s work leading up to the successful court decision.

State Legislation – bill attempting to increase application fees and annual privilege taxes is still proceeding through the necessary committees.

Privilege Taxes – The board will be provided with a list of outstanding privilege tax payments at the February 27th meeting.

ANY OTHER ISSUES: There being no further discussion, the meeting was adjourned 1:36 p.m. until the next scheduled meeting set for 2/27/2019

Date

Executive Director

Date

Chairperson