

MEETING OF JULY 16, 2018

WARD 3 (mb)

ITEM NUMBER _____

\$ IMPACT _____

ISSUE:

New application for privilege licenses for ML Holding Group LLC dba Hot Dog Factory for the sale of beer and wine (retail pouring). ML Holding Group LLC is the owner and Dennis McKinley is the agent applicant.

SUMMARY:

Dennis McKinley as the registered agent for ML Holding Group LLC dba Hot Dog Factory requests privilege licenses for the sale of beer and wine (retail pouring) at 1529 Spring Road STE E.

BACKGROUND:

Dennis McKinley will be the registered agent responsible for the sale of alcohol at the referenced location. Mr. McKinley has been given a copy of the Alcoholic Beverage Ordinance and attended the mandatory alcohol awareness workshop. (Certificate attached)

STAFF RECOMMENDATION:

A background investigation conducted by the Smyrna Police Department failed to reveal information that would preclude issuance of this license. Dennis McKinley has agreed to abide by the guidelines set forth by the City of Smyrna ordinance governing the sale of alcohol.

REQUESTED ACTION:

Approval of privilege licenses for the sale of beer and wine (retail pouring) for ML Holding Group LLC dba Hot Dog Factory with Dennis McKinley as the registered agent.

CITY OF SMYRNA
BUSINESS LICENSE DEPARTMENT
APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE
 Phone (678) 631-5321 Fax (770) 431-2814
 Web site: www.ci.Smyrna.ga.us

PLEASE TYPE APPLICATION AND ANSWER ALL QUESTIONS.

TYPE OF LICENSE: [CHECK APPROPRIATE SPACES]

LIQUOR: NEW <input type="radio"/> RENEWAL <input type="radio"/> TRANSFER <input type="radio"/> MANUFACTURER <input type="checkbox"/> WHOLESALER <input type="checkbox"/> PKG. BEER/WINE <input type="checkbox"/> PKG. DIS. SPIRITS <input type="checkbox"/> RETAIL POURING <input type="checkbox"/> Restaurant <input type="checkbox"/> Package Store <input type="checkbox"/> Dancing/Live Ent <input type="checkbox"/> Private <input type="checkbox"/> Other <input type="checkbox"/>	BEER: NEW <input checked="" type="radio"/> RENEWAL <input type="radio"/> TRANSFER <input type="radio"/> MANUFACTURER <input type="checkbox"/> WHOLESALER <input type="checkbox"/> PKG. BEER/WINE <input type="checkbox"/> PKG. DIS. SPIRITS <input type="checkbox"/> RETAIL POURING <input checked="" type="checkbox"/> Restaurant <input checked="" type="checkbox"/> Package Store <input type="checkbox"/> Dancing Live/Ent <input type="checkbox"/> Private <input type="checkbox"/> Other <input type="checkbox"/>	WINE: NEW <input checked="" type="radio"/> RENEWAL <input type="radio"/> TRANSFER <input type="radio"/> MANUFACTURER <input type="checkbox"/> WHOLESALER <input type="checkbox"/> PKG. BEER/WINE <input type="checkbox"/> PKG. DIS. SPIRITS <input type="checkbox"/> RETAIL POURING <input checked="" type="checkbox"/> Restaurant <input checked="" type="checkbox"/> Package Store <input type="checkbox"/> Dancing Live Ent <input type="checkbox"/> Private <input type="checkbox"/> Other <input type="checkbox"/>
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1. Legal Name of Business ML Holding Group, LLC

Operating Name of Business Hot Dog Factory

Is the Business a: proprietorship partnership corporation foreign Limited Liability Company

2. Location 1529 Spring Road, Suite E, Smyrna, Georgia 30080 Phone: (678) 293-6099

3. Is business within the designated distance of any of the following?

		YES	NO
PACKAGED DISTILLED SPIRITS			
SCHOOL 600 FEET		<input type="radio"/>	<input type="radio"/>
CHURCH/ PARK/ PUBLIC BUILDING			
LIBRARY/ REIDENCE 300 FEET		<input type="radio"/>	<input type="radio"/>
POURING DISTILLED SPIRITS			
SCHOOL 600 FEET		<input type="radio"/>	<input type="radio"/>
CHURCH/ PARK/ PUBLIC BUILDING			
LIBRARY/ REIDENCE 200 FEET		<input type="radio"/>	<input type="radio"/>
[BUILDING NO CLOSING THAN 75 FEET FROM PROPERTY LINE]			
PACKAGED WINE, MALT BEVERAGE			
SCHOOL 600 FEET		<input type="radio"/>	<input type="radio"/>
CHURCH/ PARK/ PUBLIC BUILDING			
LIBRARY/ REIDENCE 300 FEET		<input type="radio"/>	<input type="radio"/>
[EXCEPT GROCERY STORES AS DEFINED BY ORDINANCE]			
POURING WINE, MALT BEVERAGE			
SCHOOL 600 FEET		<input type="radio"/>	<input checked="" type="radio"/>
CHURCH/ PARK/ PUBLIC BUILDING			
LIBRARY/ REIDENCE 200 FEET		<input type="radio"/>	<input checked="" type="radio"/>
[BUILDING NO CLOSE THAN 75 FEET FROM PROPERTY LINE]			

4. Full name of Owner ML Holding Group, LLC, Dennis McKinley, Sole Member.

If a sole proprietor, will you manage the business full time on the premises? Yes No Not Applicable

Social Security Number 378-90-9948 Date of Birth July 25, 1980

Are you a citizen of the United States? Yes No Birthplace Detroit, Michigan

Current Address 320 Peters Street #4 City/ State Atlanta, GA Zip 30313

Home Telephone (313) 286-1204 Number of years at present address 1 year

Drivers License Number and State 056862014, Georgia

What has been your occupation for the past five (5) years? Give detailed list Owner- Queen Virgin Remy; Owner – Hot Dog Factory, Owner, Cru Urban Lounge

If a partnership, attached list showing each partner owning 10% or more, with address, telephone number, date of birth, and social security number. Not Applicable

If a corporation, provide corporate address, phone number & name of Chief Executive Officer Dennis McKinley, 400 West Peachtree Street, NW, Suite 4-112, Atlanta, Georgia 30308; Dennis McKinley, Managing Member

Federal Tax ID # 81-3129641 State of Incorporation Georgia

Is this a new business in Smyrna? Yes No If yes, date business will begin in Smyrna _____

Is this a transfer or change of ownership? Yes No Effective date _____

If yes, enclose a copy of the sales contract, closing statement.

Has owner ever had an alcoholic beverage license revoked in Smyrna or other jurisdiction?

Yes No If yes, attach full details

5. Full name of Manager (as Applicant) Dennis McKinley

Social Security Number 378-90-9948 Date of Birth July 25, 1980

Are you a citizen of the United States? Yes No Birthplace Detroit, Michigan

Current Address 320 Peters Street #4 City/State Atlanta, Georgia Zip 30313

Home Telephone (313) 286-1204 Number of years at present address 1

Do you reside in Cobb County? Yes No If yes, how long _____

Previous Address 361 17th Street #113, Atlanta, Georgia 30363

Number of years a previous address 8 Drivers License Number and State 056862014

What has been your occupation for the past five (5) years? Give detailed list Owner- Queen Virgin Remy; Owner – Hot Dog Factory, Owner, Cru Urban Lounge

Manager's employment date with owner August 1, 2016

Has the manager (as applicant):

(a) Been adjudicated as incompetent or insane, or been deemed to have insufficient mental capacity to conduct the business for which the application is made? Yes No

(b) Been discharged from any military service under dishonorable conditions? Yes No

(c) Within a five-year period immediately preceding the date of application, been arrested or convicted of violating any laws, ordinances or regulations regulating such business? (The term "conviction" shall include an adjudication of guilt, a plea of guilty or nolo contendere or the forfeiture of bond when charged with a crime.) Yes No

If there was an arrest, are the charges still pending? Yes No

(d) Within a five-year period preceding the date of application, been convicted of more than one misdemeanor, including traffic violations, involving the use or abuse of any alcoholic beverage, opiate or drug? Yes No (The term "conviction" shall include an adjudication of guilt, a plea of guilty or nolo contendere or the forfeiture of bond when charged with a crime.) If there was an arrest, are the charges still pending? Yes No

(f) Ben currently placed on parole from any governing authority? Yes No

Has any license authorizing the sale of alcoholic beverages at the location for which the present license is sought:

(g) Been declared to be under suspension, at the date the application is filed? Yes No

(h) Been revoked within six months of the date that the application is filed? Yes No

If yes to any of the above questions, please attach full detail.

7. Do you own the land and building on which this business is to operate? Yes No

Date Purchased _____ Amount Paid _____

If not, list the terms of the lease, including the manner in which the rent is determined, to whom and at what intervals it is paid.

Tenant pays monthly rent to landlord, Moon Soon Corporation, at a monthly rental rate of \$1,350.00

Attach a copy of the lease and any other pertinent documents.

8. How is the proposed location zoned? General Commercial

Attached a copy of the zoning certification from the City of Smyrna (Community Development 770-319-5387).

9. If this is an application for an original license, attached proof of adequate parking facilities per the City of Smyrna zoning requirements (Community Development 770-319-5387).

10. Do you, your spouse, any family members, or any other owners, partners, or stockholders have an interest in a retail liquor store(s)?
 Yes No If so, state the number of stores and where each store is located.

11. Have you, your spouse, partner or stockholder any financial interest in the wholesale liquor business? Yes No If yes, give details

12. If this is a previously licensed location, give the amount of alcohol sales for the pervious (12) months and state te dates used in computing the gross sales. Indicate gross sales for beer, wine and liquor separately. Not applicable.

13. Please initial here that you have received a copy of the City of Smyrna Alcoholic Beverage Ordinance *JW*

14. Are you familiar with the City of Smyrna ordinances and state the federal laws and regulations governing the operate of this type of business? Yes No


15. Are you aware you are required to apply for State license? Yes No

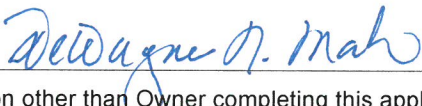
Contact the Georgia Department of Revenue Alcohol Division at 404-417-4900.


**CITY OF SMYRNA
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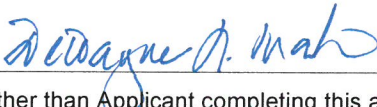
GEORGIA COBB COUNTY

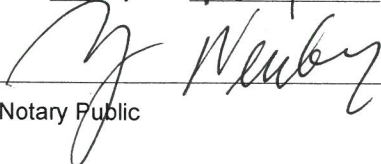
I, Dennis McKinley, BEING DULY SWORN TO LAW, DO SWEAR THT THE STATEMENTS MADE BY ME IN THE ABOVE AND FOREGOING APPLICATION ARE TRUE, AND NO FALSE, OR FRAUDULENT STATEMENT IS MADE HEREIN AND SUCH STATEMENTS WERE MADE IN ORDER TO PROCURE THE GRANTING OF A LICENSE.

Dennis McKinley 
Signature of Owner (type name before signing)

DeWayne Martin, Attorney 
Signature and title of person other than Owner completing this application
Phone Number: Work: (404) 477-1282 Home: (404) 542-0332

Dennis McKinley 
Signature of Managing Applicant (type name before signing)

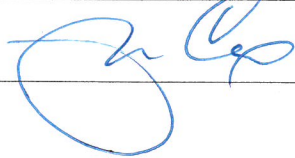
DeWayne N. Martin, Attorney 
Signature and title of person other than Applicant completing this application
Phone Number: Work: (404) 477-1282 Home: (404) 542-0332

Sworn and subscribed before me
This 16th day of May 2017.

Notary Public

**Yris Y. Newby
Notary Public
Cobb County, Georgia
My Commission Expires
09/10/2020**

FINGERPRINTED AT SMYRNA POLICE DEPARTMENT:

RECEIVED IN CITY OF SMYRNA BUSINESS LICENSE DEPARTMENT BY:



Date: _____

Date: 6/15/18

CITY OF SMYRNA
BUSINESS LICENSE DEPARTMENT
APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE
Phone (678) 631-5321 Fax (770) 431-2814
Web site: [www.ci. Smyrna.ga.us](http://www.ci.Smyrna.ga.us)

1. Legal Name of Business: ML Holding Group, LLC
2. Location: 1529 Spring Road, Suite E, Smyrna, Georgia 30080 Phone: (678) 293-6099
3. Name of Applicant: Dennis McKinley

CERTIFICATION BY BUILDING INSPECTOR

I have inspected the premises referenced above and certify the location meets all minimum requirements of the Smyrna Building Code.




Chief Building Inspector

Date 6/27/2018

CERTIFICATION BY FIRE MARSHAL

I have inspected the premises referenced above and certify the location meets all minimum requirements of the City of Smyrna Fire Prevention Code.



Fire Marshal

Date 6/27/18

CERTIFICATION BY TAX CLERK

I certify that ad valorem taxes for the above referenced property have been paid and there are not outstanding liens.

Paia per M. Hosenbath Date 6/26/18

Tax Clerk

CERTIFICATE OF ATTENDANCE

This certificate is awarded to

McKinley, Dennis
The Original Hot Dog Factory
1529 Spring Road, SE, Unit E
Smyrna, GA 30080

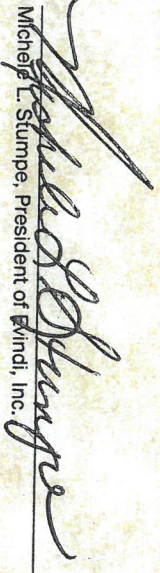


EVINDI

INCORPORATED

For satisfactory completion of EvinDi, Inc.'s

Responsible Alcohol Sales & Service Workshop (3 hrs.)



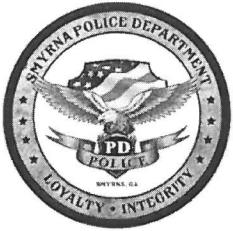
Date 5-8-18

Michele L. Stumpe, President of EvinDi, Inc.

This workshop has been approved to satisfy the following alcohol ordinance requirements:
Cobb County; City of Kennesaw; City of Roswell; Cherokee County; City of Powder Springs;
Douglas County; City of Holly Springs; City of Sandy Springs; City of Johns Creek; Forsyth
County; City of Smyrna; Fayette County; Rockdale County and Spalding County

Certificate to be posted in conspicuous location at licensed premises.

"Policing with a Purpose"



Chief of Police
David Lee

2646 Atlanta RD SE
Smyrna, GA 30080-2118

Phone: 770-434-9481
Fax: 678-631-5005

Deputy Chief
Robert L. Harvey



Date: 06-15-18
To: Tammi Jones, City Administrator
From: David Lee, Chief of Police
Lt. Mark Binicewicz, Office of Professional Standards
Subject: Application for Alcohol License
Applicant: Dennis McKinley

This applicant, **Dennis McKinley**, is the manager of the business listed below and has submitted an application with the business license office to obtain an alcohol beverage license, issued to, **1529 Spring Rd. Suite E, Smyrna, GA. 30080.**

The business name is **Hot Dog Factory.**

The business is incorporated under the name **Hot Dog Factory.**

A background check was conducted on this applicant. There was nothing in her background within the criminal history requirements of City of Smyrna Ordinance 6-51 that would prohibit her from holding the license as long as she meets all the other requirements of the ordinances that regulate this type of business.

CC: Terri Graham, City Clerk
Jim Cox, Business License
File

CITY OF SMYRNA

PRIVILEGE LICENSE APPLICATION SUMMARY

DATE: 06/26/18 MAYOR AND COUNCIL: 07/16/18

TYPE OF LICENSES REQUESTED: BEER AND WINE (RETAIL POURING)

NEW APPLICATION: YES OWNERSHIP NO AGENT YES

NAME OF BUSINESS: ML HOLDING GROUP LLC

dba HOT DOG FACTORY

PLACE OF BUSINESS: 1529 SPRING ROAD STE E

SMYRNA, GA 30080

AGENT: DENNIS MCKINLEY

HOME ADDRESS: 320 PETERS STREET #4

ATLANTA, GA 30313

CITIZENSHIP YES

POLICE REPORT: DATE REQUESTED 5/16/18 RECEIVED 6/15/18

RESULTS: INVESTIGATION FAILED TO REVEAL INFORMATION THAT WOULD
PRECLUDE ISSUANCE OF THIS LICENSE

TYPE OF BUILDING MASONRY

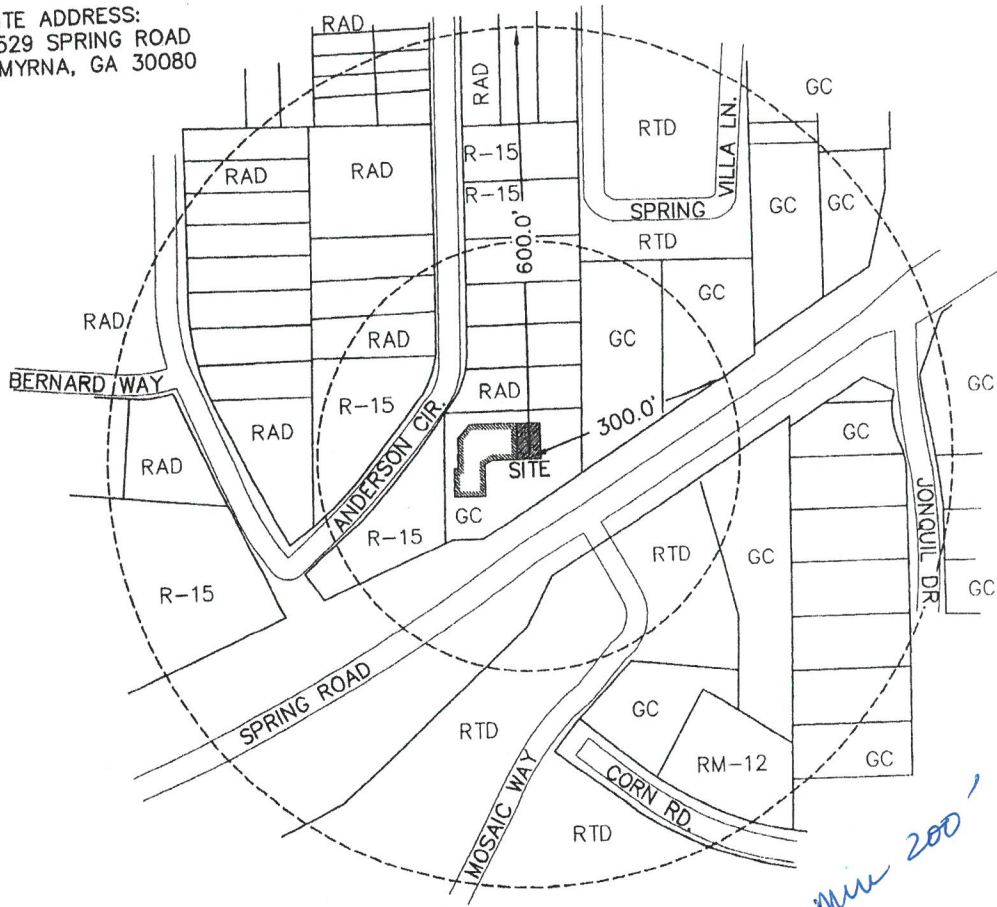
DISTANCE MET: SCHOOL YES CHURCH YES LIBRARY YES PARK YES

MAP FURNISHED: YES

ADVERTISED: JULY 6, 2018 & JULY 13, 2018

COMMENTS: ALL TAXES PAID

SITE ADDRESS:
1529 SPRING ROAD
SMYRNA, GA 30080



NEAREST SCHOOL: ± 3696'
COVENANT CHRISTIAN SCHOOL
3130 ATLANTA ROAD
SMYRNA, GA 30080

NEAREST CHURCH: ± 2640'
SMYRNA FIRST UNITED METHODIST
1315 CONCORD ROAD
SMYRNA, GA 30080

NEAREST LIBRARY: ± 4752'
SMYRNA PUBLIC LIBRARY
100 VILLAGE GREEN CIR
SMYRNA, GA 30080

NEAREST RESIDENCE: ± 237'
1551 MOSAIC WAY
SMYRNA, GA 30080

NEAREST PUBLIC BUILDING: ± 5808'
SMYRNA POLICE DEPARTMENT
2646 ATLANTA ROAD
SMYRNA, GA 30080

NEAREST PARK: ± 4752'
TAYLOR-BRAWNER PARK
3180 ATLANTA ROAD
SMYRNA, GA 30080

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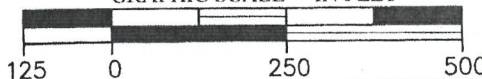
BUFORD
4185 SOUTH LEE STREET, SUITE 1
BUFORD, GEORGIA 30518

ATLANTA
235 PEACHTREE STREET NE, SUITE 400
ATLANTA, GEORGIA 30303

MARIETTA
1870 THE EXCHANGE, SUITE 100
MARIETTA, GA 30039

RALEIGH
2205-C CANDUN DRIVE, APEX
NORTH CAROLINA 27523

GRAPHIC SCALE - IN FEET

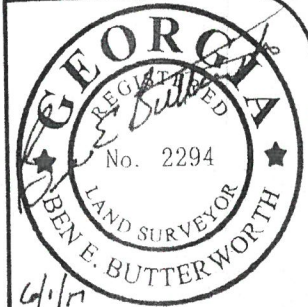


MAGNETIC
NORTH

SCALE: 1"=250'

ALCOHOL SURVEY

PREPARED FOR:
ML HOLDING GROUP, LLC-DBA, HOT DOG FACTORY
LAND LOT 594, 17TH DISTRICT, 2ND SECTION
CITY OF SMYRNA
COBB COUNTY, GEORGIA - 06/01/2017



FOR THE FIRM
BOUNDARY ZONE, INC.
LSF #839
NOT VALID WITHOUT
ORIGINAL SIGNATURE

PROJECT
1849901

SHEET
1 OF 1

APPLICATION FOR PRIVILEGE LICENSE

I have made application at the Business License Office of the City of Smyrna, Georgia, for ML Holding Group LLC dba Hot Dog Factory located at 1529 Spring Road STE E, Smyrna, Georgia, requesting privilege licenses for the sale of beer and wine (retail pouring). This application will be heard before the Mayor & Council for the City of Smyrna, 2800 King Street, Smyrna, Georgia on July 16, 2018 at 7:00 p.m. All concerned persons are hereby notified.

Dennis McKinley
Licensee

ML Holding Group LLC
Dba Hot Dog Factory
1529 Spring Road STE E
Smyrna, GA 30080

Ads to Run July 06, 2018 and July 13, 2018