



Meeting Minutes - Final License and Variance Board

Wednesday, April 10, 2019

10:00 AM

Council Chambers

1. Roll Call

Present: 3 - Roy Acree, Tammi Saddler Jones and Frank Martin

Also Present: 4 - Jim Cox, Joey Staubes, Elsa Thompson and Mary Arvin

2. Call to Order

The meeting of the License and Variance Board was called to order by Boardmember Tammi Saddler Jones at 10:00 am.

3. Business

A. [LIC2019-06](#)

Public Hearing - Privilege License Request LIC2019-06 - Beer and Wine Package - QuikTrip Corporation dba QuikTrip #732 - 2671 Spring Road with Joshua Stephen Gracek as agent.

Sponsors: Norton

Boardmember Tammi Saddler Jones called applicant, Mr. Joshua Stephen Gracek to come forward. Ms. Saddler Jones inquired if Mr. Gracek had received, read, and understood the City's Alcoholic Beverage Ordinance and whether he agreed to abide by the guidelines. Mr. Gracek confirmed that he read and understood the ordinance and that he agreed to abide by the guidelines as well as he had completed the class. Ms. Saddler Jones asked Mr. Gracek to explain what business practices were in place to ensure that the employees would not sell alcohol to minors. Mr. Gracek advised that all employees must card anyone that appeared to be under the age of 40, the company utilized internal secret shoppers, and participated in ongoing training throughout the year.

Boardmember Roy Acree inquired what Mr. Gracek's role was with the company. Mr. Gracek advised that he was an area supervisor that traveled to 20 stores; he spends an hour at each store and supports the managers. Mr. Acree inquired if Mr. Gracek had been a registered agent before. Mr. Gracek advised he was a registered agent to 20 – 30 stores in the metro atlanta area. Mr. Acree inquired how often Mr. Gracek was at the stores. Mr. Gracek advised he visited the stores every other week.

Ms. Saddler Jones asked the applicant if he was aware that the Smyrna Police Department conducted undercover sting operations to make sure that alcohol was not being sold to minors. Mr. Gracek advised that he was aware. Ms. Saddler Jones advised that Mr. Gracek's background check did not produce any results that would impede him from receiving the Privilege License.

Ms. Saddler Jones announced the public hearing. No one came forward.

After no further discussions or comments, Ms. Saddler Jones called for a motion.

A motion was made by Boardmember Frank Martin to approve Privilege License Request LIC2019-06 for Beer and Wine Package – QuikTrip Corporation dba QuikTrip #732 – 2671 Spring Road with Joshua Stephen Gracek as agent; seconded by Boardmember Roy Acree.

The motion to approve carried by the following vote:

Aye: 3 - Roy Acree, Tammi Saddler Jones and Frank Martin

B. [LIC2019-07](#)

Public Hearing - Privilege License Request LIC2019-07 - Beer and Wine Package - 4495 South Cobb Drive - Quiktrip Corporation dba QuikTrip #1702 with Joshua Stephen Gracek as agent.

Sponsors: Gould

Mr. Joshua Stephen Gracek was also the applicant for item 4B. Ms. Saddler Jones reconfirmed that Mr. Gracek received, read, and understood the City's Alcoholic Beverage Ordinance, as well his awareness about Smyrna Police Department conducting undercover sting operations to ensure that alcohol was not being sold to minors.

Ms. Saddler Jones advised that Mr. Gracek's background check did not produce any results that would impede him from receiving the Privilege License.

Ms. Saddler Jones announced the public hearing. No one came forward. Ms. Saddler Jones wanted the record to reflect that only staff and the applicant were present.

After no further discussions or comments, Ms. Saddler Jones called for a motion.

A motion was made by Boardmember Roy Acree to approve Privilege License Request LIC2019-07 for Beer and Wine Package – 4495 South Cobb Drive - QuikTrip Corporation dba QuikTrip #1702 with Joshua Stephen Gracek as agent; seconded by Boardmember Frank Martin.

The motion to approve carried by the following vote:

Aye: 3 - Roy Acree, Tammi Saddler Jones and Frank Martin

C. [LIC2019-08](#)

Public Hearing - Privilege License Request LIC2019-08 - Beer and Wine Package - 2180 Windy Hill Road - QuikTrip Corporation dba QuikTrip #768 with Joshua Stephen Gracek as agent.

Sponsors: Blustein

Mr. Joshua Stephen Gracek was also the applicant for item 4B; he advised that he did not have any additional comments. Ms. Saddler Jones reconfirmed that Mr. Gracek received, read, and understood the City's Alcoholic Beverage Ordinance, as well his awareness about Smyrna Police Department conducting undercover sting operations to ensure that alcohol was not being sold to minors.

Ms. Saddler Jones advised that Mr. Gracek's background check did not produce any results that would impede him from receiving the Privilege License.

Ms. Saddler Jones announced the public hearing. No one came forward.

After no further discussions or comments, Ms. Saddler Jones called for a motion.

A motion was made by Boardmember Frank Martin to approve Privilege License Request LIC2019-08 for Beer and Wine Package – 2180 Windy Hill Road - QuikTrip Corporation dba QuikTrip #768 with Joshua Stephen Gracek as agent; seconded by Boardmember Roy Acree

The motion to approve carried by the following vote:

Aye: 3 - Roy Acree, Tammi Saddler Jones and Frank Martin

D. [V19-017](#)

Public Hearing - Variance Request - V19-017 - Allow encroachment into City 75 foot Impervious Surface Setback - 0.77 acres - Land Lot 489 - 2685 Brown Circle - James Mackinder

Please let the record reflect only staff was present.

Community Development Planner I Joey Staubes advised that after the application was submitted the City Engineer noted that there would be no encroachment therefore, no variance request was needed. Staff requested for the item to be withdrawn.

After no further discussions or comments, Ms. Saddler Jones called for a motion.

A motion was made by Boardmember Roy Acree to withdraw without prejudice, Variance Request V19-017 to allow encroachment into City 75 foot Impervious Surface Setback on 0.77 acres in Land Lot 489 located at 2685 Brown Circle by applicant James Mackinder; seconded by Boardmember Frank Martin.

The motion to withdraw without prejudice carried by the following vote:

Aye: 3 - Roy Acree, Tammi Saddler Jones and Frank Martin

4. Approval of Minutes:

A. [2019-142](#)

Approval of the March 27, 2019 License and Variance Board Meeting Minutes

A motion was made by Boardmember Frank Martin to approve the March 27, 2019 License and Variance Board Meeting Minutes; seconded by Boardmember Roy Acree.

The motion to approve carried by the following vote:

Aye: 3 - Roy Acree, Tammi Saddler Jones and Frank Martin

5. Adjournment

Boardmember Tammi Saddler Jones adjourned the meeting of the License and Variance Board at 10:11 am.