

MEETING OF 1/2/2018

WARD 3 (mb)

ITEM NUMBER _____
\$ IMPACT _____

ISSUE:

Application for privilege licenses for 773 Liquors LLC dba as R & L Package Store for the sale of beer, wine and liquor (retail package). 773 Liquors LLC is the new corporate name (no change in in DBA) and Willie Tyler is the agent applicant. Former owner and agent was Sameer Samnani.

SUMMARY:

Willie Tyler as the registered agent for 773 Liquors LLC dba as R & L Package Store requests privilege licenses for the sale of beer, wine, and liquor (retail package) at 1651 Roswell St.

BACKGROUND:

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

STAFF RECOMMENDATION:

A background investigation was conducted by the Smyrna Police Department. The information revealed has prompted Mr. Tyler to request a review by Mayor and Council (Police letter attached). Additional review was held by Director of Community Development, City Attorney, and Business License Officer.

REQUESTED ACTION:

Approval of privilege licenses for the sale of beer, wine, and liquor (retail package) for 773 Liquors LLC dba as R & L Package Store with Willie Tyler 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.smyrnacity.com

PLEASE TYPE APPLICATION AND ANSWER ALL QUESTIONS.

TYPE OF LICENSE: [CHECK APPROPRIATE SPACES]

LIQUOR:

NEW
RENEWAL
TRANSFER
MANUFACTURER
WHOLESALE
PKG. BEER/WINE
PKG. DIST. SPIRITS
RETAIL POURING
 Restaurant
 Package Store
 Dancing/Live Ent
 Private
 Other

BEER:

NEW
RENEWAL
TRANSFER
MANUFACTURER
WHOLESALE
PKG. BEER/WINE
PKG. DIST. SPIRITS
RETAIL POURING
 Restaurant
 Package Store
 Dancing/Live Ent.
 Private
 Other

WINE:

NEW
RENEWAL
TRANSFER
MANUFACTURER
WHOLESALE
PKG. BEER/WINE
PKG. DIST. SPIRITS
RETAIL POURING
 Restaurant
 Package Store
 Dancing/Live Ent.
 Private
 Other

1. Legal Name of Business 773 Liquors, LLC DBA R&L Package Store

Operating name of the Business DBA R&L Package Store

Is the Business a: proprietorship partnership corporation foreign

2. Location 1651 Roswell Rd, Ste E, Smyrna, GA 30080

Phone (404) 354-1445

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

PACKAGE DISTILLED SPIRITS

| | | YES | NO |
|---|----------|-----------------------|----------------------------------|
| SCHOOL | 600 FEET | <input type="radio"/> | <input checked="" type="radio"/> |
| CHURCH/PARK/PUBLIC BUILDING/ LIBRARY/RESIDENCE | 300 FEET | <input type="radio"/> | <input checked="" type="radio"/> |

POURING DISTILLED SPIRITS

| | | | |
|---|----------|-----------------------|----------------------------------|
| SCHOOL | 600 FEET | <input type="radio"/> | <input checked="" type="radio"/> |
| CHURCH/PARK/PUBLIC BUILDING/ LIBRARY/RESIDENCE | 200 FEET | <input type="radio"/> | <input checked="" type="radio"/> |

[BUILDING NO CLOSER THAN 75 FEET FROM PROPERTY LINE]

PACKAGE WINE, MALT BEVERAGE

| | | | |
|---|----------|-----------------------|----------------------------------|
| SCHOOL | 600 FEET | <input type="radio"/> | <input checked="" type="radio"/> |
| CHURCH/PARK/PUBLIC BUILDING/ LIBRARY | 300 FEET | <input type="radio"/> | <input checked="" 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/RESIDENCE | 200 FEET | <input type="radio"/> | <input checked="" type="radio"/> |

[BUILDING NO CLOSER THAN 75 FEET FROM PROPERTY LINE]

4. Full name of Owner Willie Tyler

If a sole proprietor, will you manage the business full time on the premises? Yes No

Social Security Number [REDACTED] Date of Birth 11/15/1960

Are you a Citizen of the United States? Yes No Birthplace Chicago

Current Address 795 Hammond Drive #907 City/State Atlanta, GA Zip 30328

Home Telephone (404) 354-1445 Number of years at present address 0

Drivers License Number and State [REDACTED]

What has been your occupation for the past five (5) years? Give detailed list Banker

If a partnership, attach list showing each partner owning 10% or more, with address, telephone number, date of birth, and social security number.

If a corporation, provide corporate address, phone number & name of Chief Executive Officer 795 Hammond Drive, Atlanta, GA 30328

Phone: 404-354-1445 Owner: Willie Tyler

Federal Tax ID # 86-1085805 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 08/30/2017

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) Willie Tyler

Social Security Number [REDACTED] Date of Birth 11/15/1960

Are you a Citizen of the United States? Yes No Birthplace Chicago

Current Address 795 Hammond Dr #907 City/State Atlanta Zip 30328

Home Telephone (404) 354-1445 Number of years at present address 0

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

Previous address 16 West Encanto Blvd, Phoenix, AZ 85003

Number of years at previous address 3 Drivers License Number and State [REDACTED]

What has been your occupation for the past five (5) years? Give detailed list Banker

Manager's employment date with owner 08/30/2017

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 charges still pending? Yes No

(d) Within a five-year period preceding the date of application, been convicted for any felony charged under any of the laws of the several states or of the United States? 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 charges are still pending? Yes No

(e) Within a three-year period preceding the 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 charges still pending? Yes No

(f) Been 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 08/30/2017 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.

5 year lease monthly

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

8. How is the proposed location zoned? GC

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

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

10. Do you, your spouse, any family members, or any of the 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 previous (12) months and state the dates used in computing the gross sales. Indicate gross sales for beer, wine and liquor separately.

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

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

15. Are you aware you are required to apply for a State license? Yes No
Contact the Georgia Department of Revenue Alcohol Division at 404-417-4900.

**CITY OF SMYRNA
BUSINESS LICENSE DEPARTMENT
APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE
Phone (678) 631-5321 Fax (770) 431-2814
Web site: www.smyrnacity.com**

GEORGIA, COBB COUNTY

I, Willie Tyler, BEING DULY SWORN TO LAW, DO SWEAR THAT 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.

Willie Tyler

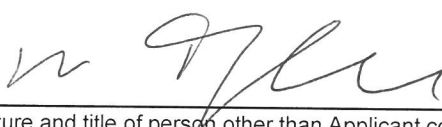
Signature of Owner (type name before signing)

Signature and title of person other than Owner completing this application

Phone Number: Work: (404) 354-1445 Home: (404) 354-1445

Willie Tyler

Signature of Managing Applicant (type name before signing)


Signature and title of person other than Applicant completing this application

Phone Number: Work: (404) 354-1445 Home: (404) 354-1445

Sworn to and subscribed before me

This 8 day of Dec 2017.


Notary Public

FINGERPRINTED AT SMYRNA POLICE DEPARTMENT:

Date _____

RECEIVED IN CITY OF SMYRNA BUSINESS LICENSE DEPARTMENT BY:



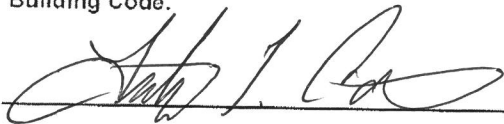
Date 12/8/17

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

1. Legal Name of Business: 773 Liquors LLC DBA R.E.L Package Store
2. Location: 1651 Roswell St Phone: 404 354 1445
3. Name of Applicant: WILLIE TYLER

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 12/20/2017

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.

under separate cover

Fire Marshal

Date 12/20/17

CERTIFICATION BY TAX CLERK

I certify the ad valorem taxes for the above referenced property have been paid and there are no outstanding liens.

pd 11/17/17 pe Clavin

Tax Clerk

Date 12/20/17

CERTIFICATE OF ATTENDANCE

This certificate is awarded to

Tyler, Willie

773 Liquors LLC

1651 Roswell Street Ste. E

Smyrna, Ga 30080



EVINDI

INCORPORATED

For satisfactory completion of Evindi, Inc.'s

Responsible Alcohol Sales & Service Workshop (3 hrs.)

A handwritten signature in black ink, appearing to read 'Michele L. Stumpe', is written over a horizontal line.

Michele L. Stumpe, President of Evindi, Inc.

11-1-17
Date

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.

CITY OF SMYRNA

PRIVILEGE LICENSE APPLICATION SUMMARY

DATE 12/19/2017

MAYOR/COUNCIL MEETING 01/02/2017

TYPE OF LICENSE REQUESTED: PRIVILEGE LICENSE BEER/WINE/LIQUOR PACKAGE

NEW APPLICATION: NO OWNERSHIP YES AGENT YES

NAME OF BUSINESS: 773 LIQUORS LLC
DBA R&L PACKAGE STORE
PLACE OF BUSINESS: 1651 ROSWELL ST
STE E
SMYRNA, GA 30080

AGENT: WILLIE TYLER
795 HAMMOND DR APT 907
ATLANTA, GA 30328

CITIZENSHIP YES

POLICE REPORT: DATE REQUESTED 12/08/17 DATE RECEIVED 12/12/2017

RESULTS: INVESTIGATION REVEALED INFORMATION REQUIRING REVIEW BY
MAYOR AND COUNCIL.

TYPE OF BUILDING MASONRY

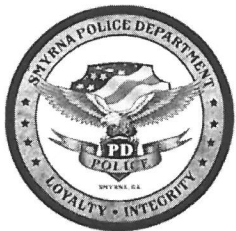
DISTANCE MET: SCHOOL YES CHURCH YES LIBRARY YES PARK YES

MAP FURNISHED: _____

ADVERTISED: 12/22/17 & 12/29/17

COMMENTS: ALL TAXES PAID

"Policing with a Purpose"



Smyrna Police Department

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: December 12, 2017

To: Tammi Jones, City Administrator

From: David Lee, Chief of Police
Sgt. Doug Copeland, Office of Professional Standards

Subject: Application for Alcohol License

Applicant: Willie Tyler

This applicant, **Willie Tyler**, 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, **1651 Roswell St. Ste E, Smyrna, Ga 30080.**

The business name is **DBA R&L Package Store.**

The business is incorporated under the name **773 Liquors, LLC DBA R&L Package Store.**

A background check was conducted on this applicant. During the search, it was discovered that the applicant was arrested at this address on September 6, 2017 by the Smyrna Police Department for Sale of Alcohol to a Minor. Beyond this arrest, there was nothing in his background within the criminal history requirements of City of Smyrna Ordinance 6-51 that would prohibit his from holding the license as long as he meets all the other requirements of the ordinances that regulate this type of business.

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

THE OCCUPATION TAX CERTIFICATE WILL NOT BE ISSUED OR RENEWED WITHOUT COMPLETION AND NOTARIZATION OF THIS FORM!

Affidavit of Compliance with O.C.G.A. 50-36-1 "Verification of Lawful Presence within the United States."

O.C.G.A. 50-36-1 requires that applicants applying for such things as licenses for public benefits complete a signed and sworn affidavit verifying the applicant's lawful presence in the United States. Therefore, the applicant must answer the following questions:

The applicant is a United States citizen or legal permanent resident at least eighteen (18) years old.

YES

NO

IF NOT:

The applicant is a qualified alien or nonimmigrant under the federal Immigration and Nationality Act, Title 8 U.S.C., as amended, at least eighteen (18) years old, and is lawfully present in the United States. *A photo static copy of the applicant's alien card issued by the Department of Homeland Security or other federal immigration agency must be included with this document.*

O.C.G.A. 50-36-1 states that "Any person who knowingly and willfully makes a false, fictitious, or fraudulent statement of representation in an affidavit executed pursuant to this Code section shall be guilty of a violation of Code Section 16-10-20."

I declare, under penalty of law, that this affidavit has been completed by me and is true and correct.

W. Dyer 12/25/17
Signature Title Date

(Must be signed by applicant. If the applicant is a corporation, must be signed by an officer of the corporation. **A STAMPED SIGNATURE IS NOT ACCEPTABLE.**)

I hereby certify that _____ is personally known, or verified by me, that the applicant signed this application after stating to me his or her personal knowledge and understanding of all statements and, under oath actually administered by me, has sworn that the statements and answers contained in this affidavit are true.

This 25 day of Dec, 2017

[Signature]
Notary Public

AFFIX SEAL

All applicants must attach a copy of a secure and verifiable document as defined in O.C.G.A. 50-36-2. Such documents include a valid Georgia issued Driver's License or ID Card, a valid Driver's license issued by another State or an identification document issued by the United States Government.

Retail Distilled Spirits Advertisement
(Package Stores Only)

Notice is given that _773 Liquors LLC dba R & L Package Store located at
(Trade Name)

_1651 Roswell Street, STE E, Smyrna, GA 30080 through
(Location Address)

____Willie Tyler, 795 Hammond Dr #907 , Atlanta, GA 30328
(Name & address of the owner of the business and, if owner is a corporation, the names and titles of all corporate officers)

(has) applied for a license to sell (Beer) (Wine) & (Liquor) at retail.

Refer to:
O.C.G.A. 3-4-27

*Each Ads were published
12/22/12/29*

APPLICATION FOR PRIVILEGE LICENSE

I have made application at the Business License Office of the City of Smyrna, Georgia for 773 Liquors LLC dba R & L Package Store located at 1651 Roswell St., Smyrna, Georgia, requesting privilege licenses for the sale of beer, wine, and liquor (retail package). This application will be heard before the Mayor and Council for the City of Smyrna, 2800 King Street, Smyrna, Georgia on January 2, 2018 at 7:00 p.m. All concerned persons are hereby notified.

Willie Tyler
Licensee

773 Liquors, LLC
dba as R & L Package Store
1651 Roswell St.
Smyrna, Georgia 30080

Ads to Run Dec 22, 2017 and December 29, 2017