

MEETING OF SEPT 16, 2019

WARD 3 (mb)

ITEM NUMBER _____

\$ IMPACT _____

ISSUE:

New application for privilege licenses for Wyer Street Foods LLC dba Wyer Street Foods for the sale of beer and wine (retail pouring). Wyer Street Foods LLC is the owner and Farhan Rabbi is the agent applicant. Wyer Street Foods LLC desires a waiver of the distance requirement as listed in City Ordinance Sec 6-118 (600' from a school) as amended in City Ordinance 2015-09 which permits waiver of distance requirements for restaurants requesting a pouring license.

SUMMARY:

Farhan Rabbi as the registered agent for Wyer Street Foods LLC requests a privilege license for the sale of beer and wine (retail pouring) at 3315 South Cobb Dr. STE 300.

BACKGROUND:

Farhan Rabbi will be the registered agent, responsible for the sale of alcohol at the referenced location. Farhan Rabbi 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. Farhan Rabbi 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) Wyer Street Foods LLC with Farhan Rabbi 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
- WHOLESALER
- PKG. BEER/WINE
- PKG. DIST. SPIRITS
- RETAIL POURING
- Restaurant
- Package Store
- Dancing/Live Ent
- Private
- Other

BEER:

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

WINE:

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

1. Legal Name of Business Wyer Street Foods LLC

Operating name of the Business Wyer Street Foods

Is the Business a: proprietorship partnership corporation foreign

2. Location 3315 South Cobb Drive Suite 300 Phone 678-907-0023

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

PACKAGE DISTILLED SPIRITS

- | | | YES | NO |
|---|----------|-----------------------|-----------------------|
| SCHOOL | 600 FEET | <input type="radio"/> | <input type="radio"/> |
| CHURCH/PARK/PUBLIC BUILDING/
LIBRARY/RESIDENCE | 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/RESIDENCE | 200 FEET | <input type="radio"/> | <input type="radio"/> |
- [BUILDING NO CLOSER THAN 75 FEET FROM PROPERTY LINE]

PACKAGE WINE, MALT BEVERAGE

- | | | | |
|---|----------|-----------------------|-----------------------|
| SCHOOL | 600 FEET | <input type="radio"/> | <input type="radio"/> |
| CHURCH/PARK/PUBLIC BUILDING/
LIBRARY | 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/RESIDENCE | 200 FEET | <input type="radio"/> | <input checked="" type="radio"/> |
- [BUILDING NO CLOSER THAN 75 FEET FROM PROPERTY LINE]

4. Full name of Owner Farhan Rabbi

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

Social Security Number [redacted] Date of Birth 01/18/ [redacted]

Are you a Citizen of the United States? Yes No Birthplace Dhaka, Bangladesh

Current Address 3056 Nichols Street SE City/State Smyrna, GA Zip 30080

Home Telephone [redacted] Number of years at present address 7

Drivers License Number and State _____

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

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 _____

Federal Tax ID # _____ State of Incorporation _____

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) Farhan Rabbi

Social Security Number [redacted] Date of Birth 01/18/ [redacted]

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

Current Address 3056 Nichols Street City/State Smyrna Zip 30080

Home Telephone [redacted] Number of years at present address 7

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

Previous address 1241 Maritan Case Dr - Lawrenceville 30044

Number of years at previous address 7 Drivers License Number and State [redacted]

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

Manager's employment date with owner owner

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 no 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.

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

8. How is the proposed location zoned? GTC

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



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, Farhan Rabbi, 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.



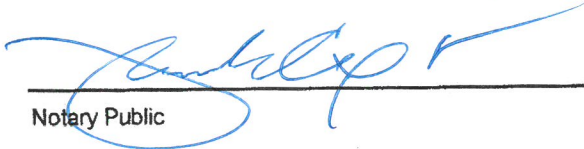
Signature of Owner (type name before signing)

Signature and title of person other than Owner completing this application
Phone Number: Work: _____ Home: _____

Signature of Managing Applicant (type name before signing)

Signature and title of person other than Applicant completing this application
Phone Number: Work: _____ Home: _____

Sworn to and subscribed before me
This 17 day of Jan 2015.



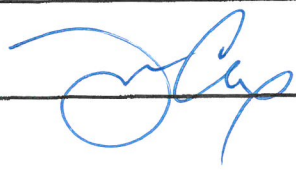
Notary Public



FINGERPRINTED AT SMYRNA POLICE DEPARTMENT:

Date _____

RECEIVED IN CITY OF SMYRNA BUSINESS LICENSE DEPARTMENT BY:



Date 17/Jan/15

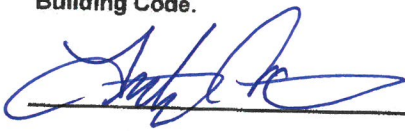
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Web site: www.ci.smyrna.ga.us

1. Legal Name of Business: Wyer Street Foods
2. Location: 3315 South Cobb Drive Suite 300 Phone: 678-907-0023
3. Name of Applicant: Farhan Rabbi

licensed issued 2018

CERTIFICATION BY BUILDING INSPECTOR

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

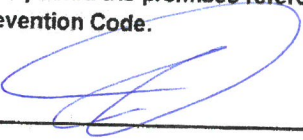


Chief Building Inspector

Date 6/18/2019

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 6/18/19

CERTIFICATION BY TAX CLERK

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

ex per Nere Hickenbotham

Tax Clerk

Date 6/18/19

JL 6/18

CERTIFICATE OF ATTENDANCE

This certificate is awarded to

Farhan, Rabbi
Wyer Street Foods
3315 South Cobb Drive, Suite 300
Smyrna, GA 30080



INCORPORATED

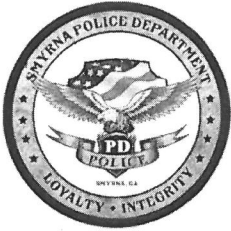
For satisfactory completion of EvinDI, Inc.'s
Responsible Alcohol Sales & Service Workshop (3 hrs.)

Michelle L. Stumpe
Michelle L. Stumpe, President of EvinDI, Inc. Date 8/7/19

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

Smyrna Police Department

2646 Atlanta RD SE
Smyrna, GA 30080-2118
Phone: 770-434-9481
Fax: 678-631-5005

Deputy Chief
Robert L. Harvey



Date: 08-28-19
To: Tammi Jones, City Administrator
From: David Lee, Chief of Police
Lt. Mark Binicewicz, Office of Professional Standards
Subject: Application for Alcohol License
Applicant: Farhan Rabbi

This applicant, **Farhan Rabbi**, 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, **3315 South Cobb Dr. Suite 300 Smyrna, GA. 30080.**

The business name is **Wyer Street Foods.**

The business is incorporated under the name **Wyer Street Foods.**

A background check was conducted on this applicant. There was nothing in his background within the criminal history requirements of City of Smyrna Ordinance 6-51 that would prohibit him 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

CITY OF SMYRNA

PRIVILEGE LICENSE APPLICATION SUMMARY

DATE: 8/29/19 LICENSE/VARIANCE: 09/16/19

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

NEW APPLICATION: YES OWNERSHIP YES AGENT YES

NAME OF BUSINESS: WYER STREET FOODS LLC

PLACE OF BUSINESS: 3315 SOUTH COBB DR STE 300
SMYRNA, GA 30080

AGENT: FARHAN RABBI

HOME ADDRESS: 3056 NICHOLS ST
SMYRNA, GA 30080

CITIZENSHIP YES

POLICE REPORT: DATE REQUESTED 6/18/19 RECEIVED 9/28/19

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

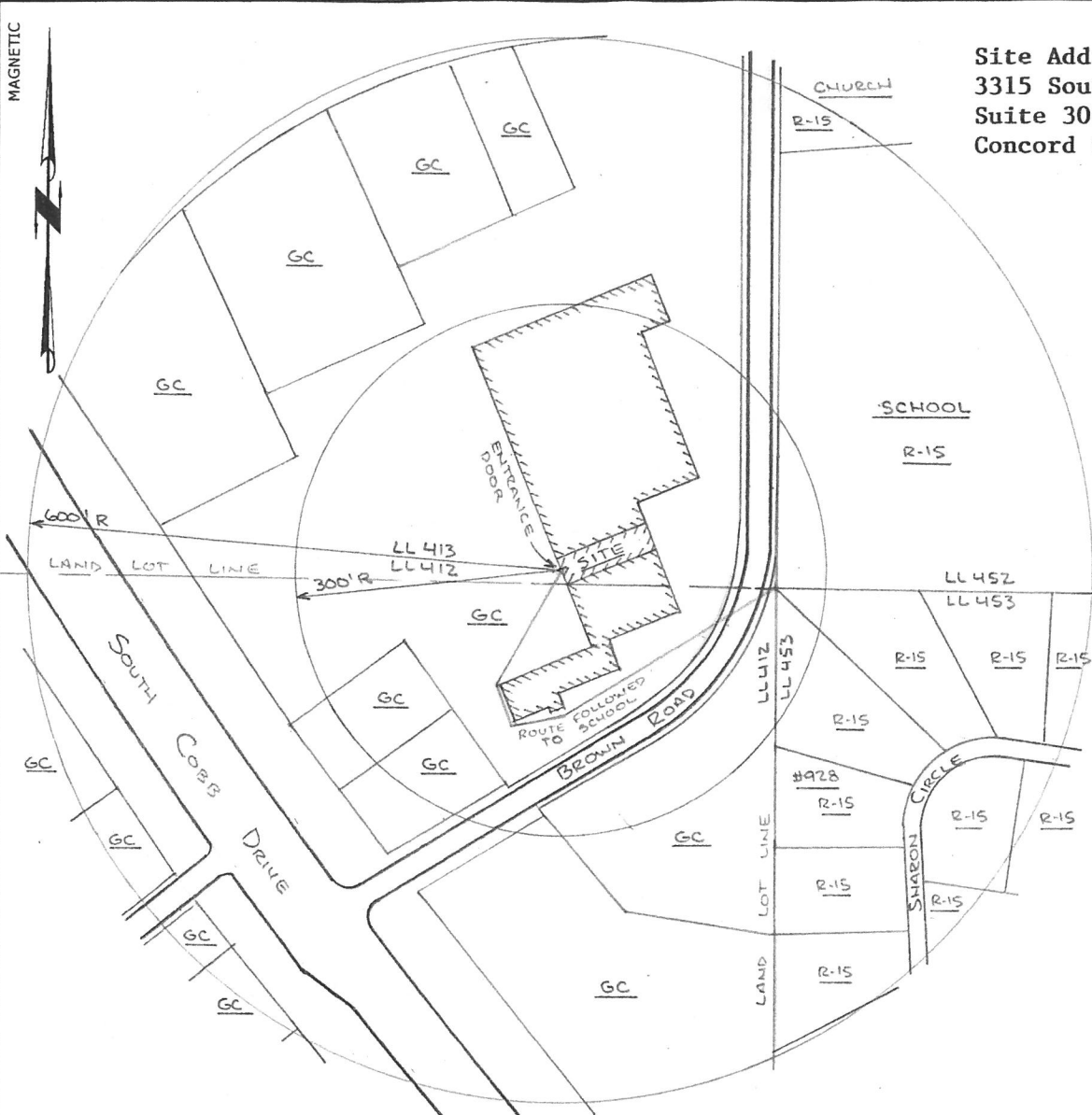
TYPE OF BUILDING MASONRY

DISTANCE MET: SCHOOL NO CHURCH YES LIBRARY YES PARK YES

MAP FURNISHED: YES

ADVERTISED: September 6 & September 13, 2019

COMMENTS: TAXES PAID _____



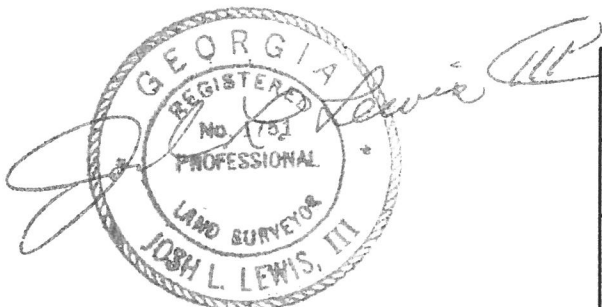
Site Address-
 3315 South Cobb Drive
 Suite 300
 Concord Square S/C

The following distances were measured according to City of Smyrna code:

- CHURCH- 1015' to Smyrna Christian Church, @ 910 Concord Road.
 - SCHOOL- 540' to King Springs K-1 Campus, @ 3265 Brown Road.
 - LIBRARY- 7200' to Smyrna Library, @ 100 Village Green Circle.
 - PARK- 1530' to Lake Court Park, @ 3500 Lake Drive.
 - RESIDENCE- 327' (radial), 510' (most direct route of travel) to property line of 928 Sharon Circle.
 - PUBLIC BUILDING- 2140' to Fire Station #2, @ 642 Concord Road.
- There are no alcohol treatment centers within 600' of this site.

City of Smyrna Beer & Wine Pouring License Survey for:

Farhan Rabbi



DATE: 7-17-2018	SCALE: 1" = 200'		
DRAWN BY: GD	GRAPHIC SCALE IN FEET		
LAND LOT 413	17 TH DISTRICT	2 ND SECTION	
COBB	COUNTY	GEORGIA	
GEORGIA LAND SURVEYING CO. 155 CLIFTWOOD DRIVE, ATLANTA, GA 30328 PH (404)255-4671 FAX (404)255-6607 WWW.GLSURVEY.COM			199285

APPLICATION FOR PRIVILEGE LICENSE

I have made application at the Business License Office of the City of Smyrna, Georgia for Wyer Street Foods LLC dba Wyer Street Foods located at 3315 South Cobb Dr. STE 300, Smyrna, Georgia, requesting privilege licenses for the sale of beer & wine (retail pouring). This application will be heard before the Mayor & Council for the City of Smyrna, 2800 King Street, Smyrna, Georgia on September 16, 2019 at 7:00 p.m. All concerned persons are hereby notified.

Farhan Rabbi
Licensee

Wyer Street Foods LLC
3315 South Cobb Dr.
Smyrna, Georgia 30080

Ads to Run SEP 6 and SEP 13