

MEETING OF MAY 7, 2018

WARD 3 (mb)

ITEM NUMBER _____

\$ IMPACT _____

ISSUE:

New application for privilege licenses for Big Daddy's International LLC dba Big Daddy's Burger Bar for the sale of beer, wine, and liquor (retail pouring). Big Daddy's International LLC is the owner and Clarence Lanard Taylor is the agent applicant.

SUMMARY:

Clarence Lanard Taylor as the registered agent for Big Daddy's International LLC dba Big Daddy's Burger Bar requests privilege licenses for the sale of beer, wine, and liquor (retail pouring) at 2995 Atlanta Road SE STE 300.

BACKGROUND:

Clarence Lanard Taylor. will be the registered agent, responsible for the sale of alcohol at the referenced location. Clarence Lanard Taylor 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. Clarence Lanard Taylor 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, wine, and liquor (retail pouring) for Big Daddy's International LLC dba Big Daddy's Burger Bar with Clarence Lanard Taylor 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 BAD DADDY'S INTERNATIONAL, LLC

Operating name of the Business BAD DADDY'S BURGER BAR

Is the Business a: proprietorship partnership corporation foreign

2. Location 2995 ATLANTA ROAD, BLDG A, SUITE 300 Phone (303) 384-1440

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 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 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 GOOD TIMES RESTAURANTS INC. (A PUBLIC COMPANY)

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

Social Security Number _____ Date of Birth _____

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

Current Address _____ City/State _____ Zip _____

Home Telephone _____ Number of years at present address _____

Drivers License Number and State _____

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

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 _____

141 UNION BLVD., SUITE 400, LAKEWOOD, CO. 80228 - GOOD TIMES RESTAURANTS INC. - 303.384.1440

Federal Tax ID # 45-2878600 State of Incorporation GEORGIA

Is this a new business in Smyrna? Yes No If yes, date business will begin in Smyrna 05/28/2018

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) CLARENCE LANARD TAYLOR

Social Security Number [REDACTED] Date of Birth 08/28/1972

Are you a Citizen of the United States? Yes No Birthplace WINSTON-SALEM, NC

Current Address 710 PEACHTREE ST. NE, #1235 City/State ATLANTA Zip 30308

Home Telephone [REDACTED] Number of years at present address 1

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

Previous address 8025 OHIO DRIVE, PLANO, TX 75024

Number of years at previous address 1 Drivers License Number and State [REDACTED]

What has been your occupation for the past five (5) years? Give detailed list TACO MAC (GM) 11/17 - 12/18, PDQ (OP DIR.) 1/16 - 11/17

SMOKE MODERN BBQ (GM) 4/15 - 1/16, OUTBACK STEAKHOUSE (MAN. PARTNER) 1/94 - 4/15

Manager's employment date with owner 02/18/2018

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 _____ 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.

STANDARD MONTHLY RENT - (1-2) \$10,557, (3-5) \$10,996.88, (6-10) \$12,096.56

LANDLORD - HALPERN JONQUIL, LLC - 5200 ROSWELL ROAD, ATLANTA, GA 30342

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

8. How is the proposed location zoned? COMMERCIAL

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).

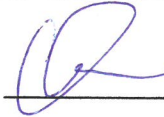
10. Do you, your spouse, any family members, or any of the other owners, partners, or stockholders have an interest in a retail liquor store(s)? Yes No If so, state the number of stores and where each store is located.

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.

N/A

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.

CERTIFICATE OF ATTENDANCE



EVI VINDI
INCORPORATED

This certificate is awarded to

Taylor, Clarence
BD of Colorado, LLC
141 Union Blvd., #400
Lakewood, CO 80228

For satisfactory completion of Evindi, Inc.'s

Responsible Alcohol Sales & Service Workshop (3 hrs.)

A handwritten signature in black ink, appearing to read "M. Stumpe".

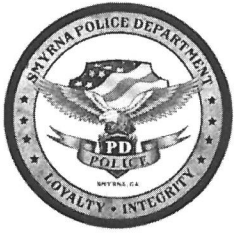
Michele L. Stumpe, President of Evindi, Inc.

3-7-18
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.

"Policing with a Purpose"



Smyrna Police Department

Chief of Police
David Lee

2646 Atlanta RD SE
Smyrna, GA 30080-2118

Deputy Chief
Robert L. Harvey



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

Date: 04-09-18
To: Tammi Jones, City Administrator
From: David Lee, Chief of Police
Lt. Mark Binicewicz, Office of Professional Standards
Subject: Application for Alcohol License
Applicant: Taylor, Clarence

This applicant, **Clarence Taylor**, 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, **Bad Daddy's Burger Bar, 2995 Atlanta Rd. Building A Suite 300 Smyrna, GA. 30080.**

The business name is **Bad Daddy's Burger Bar.**

The business is incorporated under the name **Big Daddy's Burger Bar.**

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

3180 Atlanta Road

Smyrna, Georgia 30080

(678) 431-5387 / Community Development

**City of Smyrna
Department of Community Development
Certification of Zoning**

This letter is to certify the following described property located in Land Lot 559 of the 17th District, 2nd Section of Cobb County is in the MU – Mixed Use Classification. The zoning of this property is recorded in the official records of the City of Smyrna Department of Community Development.

The property is more particularly described as follows:

See Exhibit “A”; Property Address – 2995 Atlanta Road, Suite 300

Property Identification – 17055900440

Additional Information:

Mixed Use Zoning Classification allows serving alcohol with permit, with no distance restrictions from schools, parks, or schools.

THIS CERTIFICATION IS NOT FOR OBTAINING A BUILDING PERMIT

Date: March 12, 2018

Joey Staubes, AICP
City of Smyrna, Planner II

Mayor - A. Max Bacon
City Council Ward 1 – Derek Norton / Ward 2 – Andrea Blustein / Ward 3 – Maryline Blackburn / Ward 4 – Charles Welch
Ward 5 – Susan Wilkinson / Ward 6 – Doug Stoner / Ward 7 – Ron Fennel

City Administrator – Tammi Sadler-Jones / City Clerk – Terri Graham / City Attorney – Scott Cochran
Municipal Court Judge – Phyllis Gingrey Collins

**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: BAD DADDY'S INTERNATIONAL, LLC

2. Location: 2995 ATLANTA ROAD, BLDG A, SUITE 300 Phone: (303) 384-1440

3. Name of Applicant: CLARENCE TAYLOR

CERTIFICATION BY BUILDING INSPECTOR

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

UNDER CONSTRUCTION #18002 Date 4/9/18
Chief Building Inspector

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 CONSTRUCTION Date 4/9/18
Fire Marshal

CERTIFICATION BY TAX CLERK

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

no taxes due Date 4/9/18
Tax Clerk

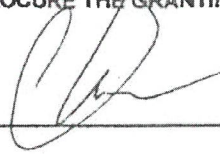
**CITY OF SMYRNA
BUSINESS LICENSE DEPARTMENT
APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE
Phone (678) 631-5321 Fax (770) 431-2814
Web site: www.smyrnacity.com**

GEORGIA, COBB COUNTY

I, CLARENCE TAYLOR, 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.

CLARENCE TAYLOR (REPRESENTATIVE)

Signature of Owner (type name before signing)



KERRY STUMPE - CONSULTANT

Signature and title of person other than Owner completing this application

Phone Number: Work: (704) 491-0250 Home: (704) 491-0250

CLARENCE TAYLOR

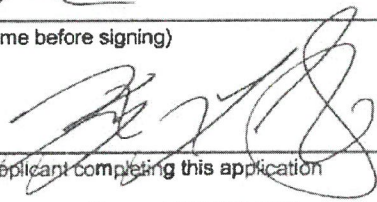
Signature of Managing Applicant (type name before signing)



KERRY STUMPE - CONSULTANT

Signature and title of person other than Applicant completing this application

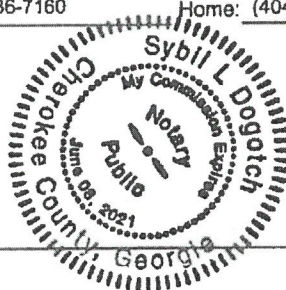
Phone Number: Work: (678) 336-7160 Home: (404) 840-4139



Sworn to and subscribed before me

This 15th day of March 2018

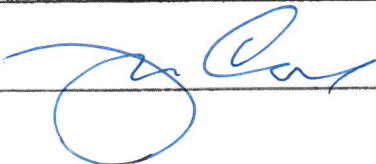

Notary Public



FINGERPRINTED AT SMYRNA POLICE DEPARTMENT:

Date _____

RECEIVED IN CITY OF SMYRNA BUSINESS LICENSE DEPARTMENT BY:



Date 4/8/18

CITY OF SMYRNA

PRIVILEGE LICENSE APPLICATION SUMMARY

DATE: 04/09/18 MAYOR AND COUNCIL: 05/07/18

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

NEW APPLICATION: YES OWNERSHIP YES AGENT YES

NAME OF BUSINESS: BIG DADDY'S INTERNATIONAL LLC
dba BIG DADDY'S BURGER BAR

PLACE OF BUSINESS: 2995 ATLANTA ROAD SE STE 300
SMYRNA, GA 30080

AGENT: CLARANCE LANARD TAYLOR

HOME ADDRESS: 710 PEACHTREE ST NE #1235
ATLANTA GA 30308

CITIZENSHIP YES

POLICE REPORT: DATE REQUESTED 04/06/18 RECEIVED 04/09/18

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

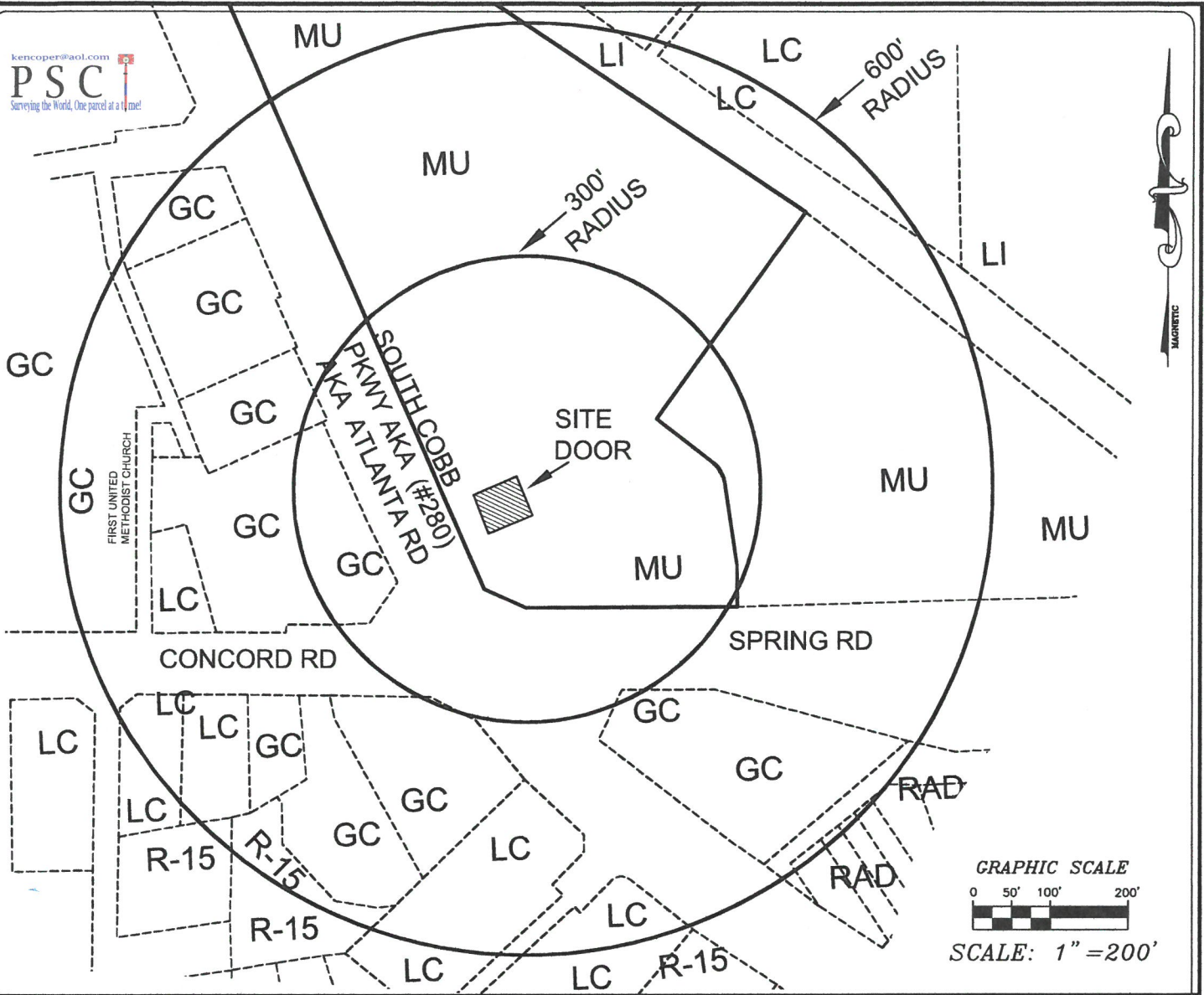
TYPE OF BUILDING MASONRY

DISTANCE MET: SCHOOL YES CHURCH YES LIBRARY YES PARK YES

MAP FURNISHED: YES

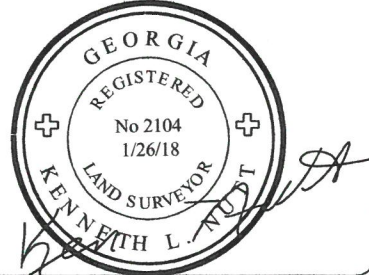
ADVERTISED: 04/27/18 & 05/04/18

COMMENTS: TAXES NOT DUE AT THIS TIME



Selling on the Premises - Wine and Malt Beverages

- Nearest Private Residence - 587.0' to property line of 1409 Montclair CT, Zoned RAD.
- Nearest Church Property Line - 466'+ First United Methodist Church @ 1315 Concord Rd.
- Nearest Public Library - 600'+ Smyrna Public Library @ 100 Village Green Cir SE.
- Nearest School Property Line - 600'+ to Covenant Christian School @ 3130 Atlanta Rd SE.
- Nearest School Bus Stop - 600'+
- Nearest Public Park - 600'+ Taylor Brawner Park, 3148 Atlanta Rd SE.



NOTE: THIS IS NOT A BOUNDARY SURVEY

Job #:001118 2995 Atlanta Rd Ste 300

TAX ID: 17055900370
 SUITE 300
 2995 Atlanta Road S.E.
 Land Lot 559, 17th District, 2nd Section
 City of Smyrna
 Cobb County, Ga 30080

Alcohol Permit Exhibit for:
Bad Daddy's International
 d/b/a
Bad Daddy's Burger Bar

Perimeter Surveying Co., Inc.
 1065 Sandtown Road, SW, Marietta, GA, 30008
 Phone: (770) 425-6824 | Fax: (770) 425-6768 | kencoper@aol.com
 Kenneth L. Nutt, Ga., R.L.S. #2104, COA# LSF001223

Party Chief: KN
 Date Surveyed: 01/24/18
 Date Drawn: 01/26/18

Computed by: JF
 Drawn by: JF
 Checked by: KN
 Deed Book 15320 Page 59

E-VERIFY AFFIDAVIT

Private Employer Affidavit Pursuant To O.C.G.A. § 36-60-6(d)

By executing this affidavit under oath, the undersigned private employer verifies one of the following with respect to its application for a business license, occupational tax certificate, or other document required to operate a business as referenced in O.C.G.A. § 36-60-6(d):

Section 1.

Please check only one:

- (A) On January 1st of the below-signed year, the individual, firm, or corporation employed more than ten (10) employees.
- (B) On January 1st of the below-signed year, the individual, firm, or corporation employed ten (10) or fewer employees.

*** If the employer selected Section 1(A), please fill out Section 2 below.

Section 2.

The employer has registered with and utilizes the federal work authorization program in accordance with the applicable provisions and deadlines established in O.C.G.A. § 36-60-6. The undersigned private employer also attests that its federal work authorization user identification number and date of authorization are as follows:

Bad Daddy's International, LLC

Name of Private Employer

Federal Work Authorization User Identification Number

(Also called E-verify#, usually 4-6 digits)

Date of Authorization

I hereby declare under penalty of perjury that the foregoing is true and correct.

Executed on March 15, 2018 in Atlanta (city), GA (state).

[Signature]

Signature of Authorized Officer or Agent

Clarence Taylor

Printed Name and Title of Authorized Officer or Agent

SUBSCRIBED AND SWORN BEFORE ME
ON THIS THE 15 DAY OF March, 2018.

[Signature]

NOTARY PUBLIC

My Commission Expires: June 8, 2021



License Year 2018



SAVE

**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. X
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.”

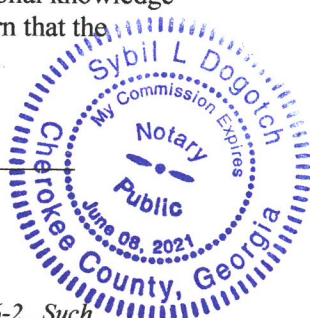
I declare, under penalty of law, that this affidavit has been completed by me and is true and correct.

Signature _____ Licensee _____ Title _____ Date 3/15/2018

(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 Clarence Taylor 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 15 day of March, 2018
Sybil L Dogatch
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.

USA
Georgia
Notar Seal

DRIVER'S LICENSE



DL NO [REDACTED] DOB **03/23/1972**
CLASS **C** EXP **04/21/2018**
CLARENCE LANARD
TAYLOR

710 PEACHTREE ST NE APT 1235
ATLANTA, GA 30308-1223
FULTON

Restrictions **A** End **NONE**
Iss **03/07/2018**

Sex **M** Eyes **BRO**
Hgt **5'-11"** Wgt **200 lb**

DD | 337621965940038416



APPLICATION FOR PRIVILEGE LICENSE

I have made application at the Business License Office of the City of Smyrna, Georgia for Big Daddy's International LLC dba Big Daddy's Burger Bar located at 2995 Atlanta Road STE 300, Smyrna, Georgia, requesting privilege licenses for the sale of beer, wine, and liquor (retail pouring). This application will be heard before the Mayor & Council for the City of Smyrna, 2800 King Street, Smyrna, Georgia on May 7, 2018 at 7:00 p.m. All concerned persons are hereby notified.

Clarence Lanard Taylor.
Licensee

Big Daddy's International LLC
Dba Big Daddy's Burger Bar
2995 Atlanta Road
STE 300
Smyrna, Georgia 30080

Ads to Run April 27, 2018 and May 4, 2018