

MEETING OF MAR 13, 2019

WARD 6 (wl)

ITEM NUMBER \_\_\_\_\_

\$ IMPACT \_\_\_\_\_

**ISSUE:**

New application for QuikTrip Corporation dba QuikTrip #732 for the sale of beer and wine (retail package). QuikTrip Corporation is the new owner and Joshua Stephen Gracek is new agent applicant. The previous agent was Albert Dewey Wagner II.

**SUMMARY:**

Joshua Stephen Gracek as the registered agent for QuikTrip Corporation dba QuikTrip #1702 requests privilege licenses for the sale of beer and wine (retail package) at 2671 Spring Road..

**BACKGROUND:**

Joshua Stephen Gracek will be the registered agent, responsible for the sale of alcohol, at the referenced location. Mr. Gracek 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. Joshua Stephen Gracek has agreed to abide by the guidelines set forth by the City of Smyrna ordinance governing the sale of alcohol.

**REQUESTED ACTION:**

Approval of a privilege license for the sale of beer and wine (retail package) to QuikTrip Corporation dba QuikTrip #1702 with Joshua Stephen Gracek as the registered agent.

4107219-06



APPLICATION FOR ALCOHOLIC BEVERAGE  
AGENT CHANGE ONLY  
Phone (678) 631-5321 Fax (770) 431-2808  
Web site: [www.smyrnacity.com](http://www.smyrnacity.com)

PLEASE TYPE APPLICATION AND ANSWER ALL QUESTIONS.

TYPE OF LICENSE: [CHECK APPROPRIATE SPACES]

**LIQUOR:**

TRANSFER ( )  
PKG. BEER/WINE ( )  
PKG. DIST. SPIRITS ( )  
RETAIL POURING ( )  
Restaurant ( )  
Package Store ( )

**BEER:**

TRANSFER ☒  
PKG. BEER/WINE ☒  
PKG. DIST. SPIRITS ( )  
RETAIL POURING ( )  
Restaurant ( )  
Package Store ( )

**WINE:**

TRANSFER (✓)  
PKG. BEER/WINE (✓)  
PKG. DIST. SPIRITS ( )  
RETAIL POURING ( )  
Restaurant ( )  
Package Store ( )

- Legal Name of Business QuikTrip Corporation  
Operating name of the Business QuikTrip #732  
Occupation Tax License Number 001241  
Is the Business a proprietorship ( ) partnership ( ) corporation ☒ foreign ( )
- Location 2671 SPRING RD., Smyrna, GA 30080-3042 Phone 770-434-4726
- Full name of Owner QuikTrip Corporation  
  
Has owner ever had an alcoholic beverage license revoked in Smyrna or other jurisdiction? Yes ☒ No ( )  
If yes, attach full details. see attached list of company owned stores violations
- Full name of Agent Joshua Stephen Gracek  
  
Social Security Number [REDACTED] Date of Birth 3/2/1985  
  
Are you a Citizen of the United States? Yes ☒ No ( ) Birthplace Denver, CO  
  
Current Address 261 Sarah Lane City/State Lawrenceville, GA Zip 30046  
  
Home Telephone [REDACTED] Number of years at present address >10 years  
  
Do you reside in Cobb County? Yes ( ) No ☒ If yes, how long \_\_\_\_\_  
  
Previous address N/A  
  
Number of years at previous address N/A Drivers License Number and State [REDACTED], 03/02/2024  
  
What has been your occupation for the past five (5) years? Give detailed list \_\_\_\_\_  
QuikTrip Corporation 952 Old Peachtree Rd NW., Lawrenceville, GA 30043  
  
Agent's employment date with owner 12/31/2004

6. Has the 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, 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 stores is located.

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

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9. Please initial here that you have received a copy of the City of Smyrna Alcoholic Beverage Ordinance\_\_\_\_\_

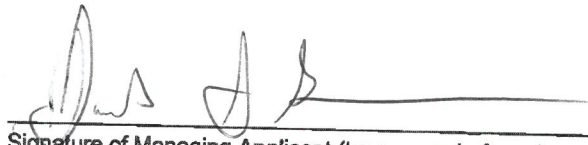
10. Are you familiar with the City of Smyrna ordinances and state and federal laws and regulations governing the operation of this type of business? Yes ☒ No ( )

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

**CITY OF SMYRNA  
BUSINESS LICENSE DEPARTMENT  
APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE  
Phone (678) 631-5321 Fax (770) 431-2808  
Web site: www.smyrnacity.com**

GEORGIA, COBB COUNTY

I, Joshua Stephen Gracek, 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 Managing Applicant (type name before signing)

\_\_\_\_\_  
Signature and title of person other than Applicant completing this application

Phone Number: Work 770-368-1616 Home 404-542-8346

Sworn to and subscribed before me  
this 14 day of January, 2019.

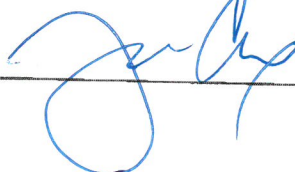
Kelly Conrad  
\_\_\_\_\_  
Notary Public

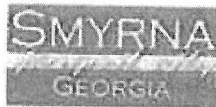
Kelly Conrad  
NOTARY PUBLIC  
Gwinnett County, GEORGIA  
My Commission Expires February 1, 2019

FINGERPRINTED AT SMYRNA POLICE DEPARTMENT:

\_\_\_\_\_  
Date

RECEIVED IN CITY OF SMYRNA BUSINESS LICENSE DEPARTMENT BY:

  
\_\_\_\_\_  
Date 1/14/19



**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 XXXX NO \_\_\_\_\_

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. The applicant's alien number issued by the Department of Homeland Security or other federal immigration agency must be provided.

YES \_\_\_\_\_ NO \_\_\_\_\_ Alien ID number \_\_\_\_\_

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 the 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]  
Signature

1/14/19  
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 Joshua Stephen Gracek 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 14 day of January, 2019

Kelly Conrad  
Notary Public

**AFFIX SEAL**

Kelly Conrad  
NOTARY PUBLIC  
Gwinnett County, GEORGIA  
My Commission Expires February 1, 2019

You 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.



# CERTIFICATE OF ATTENDANCE

This certificate is awarded to

Gracke, Josh  
QuikTrip  
952 Old Peachtree Road  
Lawrenceville, GA 30041



## EVINDI

INCORPORATED

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

Michele L. Stumpe, President of Evindi, Inc.

Date 9-6-17

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: 02/13/19 AGENDA: License/Variance Board 03/13/19

TYPE OF LICENSE REQUESTED: BEER AND WINE (RETAIL PACKAGE)

NEW APPLICATION: NO OWNERSHIP NO AGENT NEW

NAME OF BUSINESS: QUIKTRIP CORPORATION

dba QUIKTRIP #732

PLACE OF BUSINESS: 2671 SPRING ROAD  
SMYRNA, GEORGIA 30080

AGENT: JOSHUA STEPHEN GRACEK

HOME ADDRESS: 261 SARAH LANE

LAWRENCEVILLE GA 30046

CITIZENSHIP YES

POLICE REPORT: DATE REQUESTED 01/14/19 DATE RECEIVED 02/06/19

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

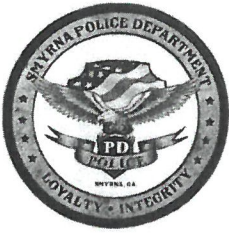
TYPE OF BUILDING MASONRY

DISTANCE MET: SCHOOL YES CHURCH YES LIBRARY YES PARK YES

MAP FURNISHED: N/A

ADVERTISED: 03/01/19 & 03/08/19

COMMENTS: NONE



"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: 02-06-19  
To: Tammi Jones, City Administrator  
From: David Lee, Chief of Police  
Lt. Mark Binicewicz, Office of Professional Standards  
Subject: Application for Alcohol License  
Applicant: Joshua Gracek

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This applicant, **Joshua Gracek**, is the manager of the business listed below and has submitted an application with the business license office to obtain an alcohol beverage license / agent name change only, issued to **2671 Spring Rd.** Smyrna, GA. 30080.

The business name is **QuikTrip Corporation**.

The business is incorporated under the name **QuikTrip # 732**

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



USA  
Georgia  
DRIVER'S LICENSE

CLASS: C  
JOSHUA STEPHEN  
GRACEK

DOB: 03/02/1985  
EXP: 03/02/2024

201 SARAH LN  
LAWRENCEVILLE, GA 30045-7488  
GWINNETT

Restrictions: A  
Iss: 02/29/2016  
End: N/A

Sex: M  
Hgt: 5'-08" Wgt: 200 lbs

Signature: [Signature]

Photo: [Main Photo] [Small Photo]



APPLICATION FOR PRIVILEGE LICENSE

I have made application at the Business License Office of the City of Smyrna, Georgia for QuikTrip Corporation dba Quiktrip #1702 located at 4495 S Cobb Dr., Quiktrip #768 located at 2180 Windy Hill Road, and Quiktrip #732 located at 2671 Spring Road, Smyrna Georgia, requesting privilege licenses for the sale of beer and wine (retail package). These applications will be heard before the License and Variance Board for the City of Smyrna, 2800 King Street, Smyrna, Georgia on March 13, 2019 at 10:00 a.m. All concerned persons are hereby notified.

Joshua Stephen Gracek  
Licensee

QuikTrip Corporation  
dba QuikTrip #1702, #768, & #732  
4495 S Cobb Dr.  
Smyrna, Georgia 30080

Ads to Run       MAR 01       and       MAR 08