

MEETING OF JUNE 14, 2017

WARD 6 (ds)

ITEM NUMBER _____

\$ IMPACT _____

ISSUE:

Application for change of agent for GI Bakery II, Inc. dba Atlanta Bread Company for privilege licenses for beer, wine, and liquor (retail pouring). Kerry Nichols is the new applicant. Previous agent was Maria C. Ramos.

SUMMARY:

Kerry Nichols as the registered agent for GI Bakery II, Inc. dba Atlanta Bread Company requests privilege licenses for the sale of beer, wine, and liquor (retail pouring) at 4490 S Cobb Dr. STE B, Smyrna, GA.

BACKGROUND:

Kerry Nichols will be the registered agent, responsible for the sale of alcohol at the referenced location. Ms. Nichols 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. Kerry Nichols 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) GI Bakery II, Inc. dba Atlanta Bread Company with Kerry Nichols as the registered agent.



IA170058

APPLICATION FOR ALCOHOLIC BEVERAGE
AGENT CHANGE ONLY
Phone (678) 631-5321 Fax (770) 431-2808
Web site: 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 (x)
Restaurant ()
Package Store ()

BEER:

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

WINE:

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

1. Legal Name of Business GI Bakery II, Inc. *dha Atlanta Bread*
Operating name of the Business Atlanta Bread Company International, Inc.
Occupation Tax License Number 671
Is the Business a proprietorship () partnership (x) corporation () foreign ()
2. Location 4490 B South Cobb Drive, Smyrna, GA 30080 Phone 770-438-6800
3. Full name of Owner Jerry Couvaras
Has owner ever had an alcoholic beverage license revoked in Smyrna or other jurisdiction? Yes () No (x)
If yes, attach full details.
5. Full name of Agent Kerry Nichols
Social Security Number [REDACTED] Date of Birth 10/03/1969
Are you a Citizen of the United States? Yes (x) No () Birthplace Columbus, OH
Current Address 3170 Moss Creek Dr City/State Marietta, GA Zip 30062
Home Telephone [REDACTED] Number of years at present address 6 months
Do you reside in Cobb County? Yes (x) No () If yes, how long _____
Previous address 100 Sentinel Walk Carrollton, GA
Number of years at previous address 2 yr Drivers License Number and State 029777023 GA
What has been your occupation for the past five (5) years? Give detailed list Senior Director of
Franchisee Operations

Agent's employment date with owner 11/2007

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 (x)
- (b) Been discharged from any military service under dishonorable conditions? Yes () No (x)
- (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 (x) 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 (x) (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 (x) (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 (x)

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 (x)
- (h) Been revoked within six months of the date that the application is filed? Yes () No (x)

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 (x) If so, state the number of stores and where each stores is located.

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

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

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 (x) No ()

11. Are you aware you are required to apply for a State license? Yes (x) 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, Kerry Nichols, 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.

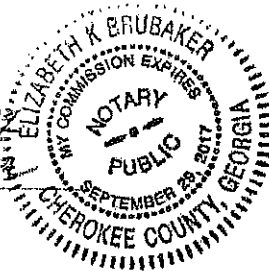
Kerry Nichols
Signature of Managing Applicant (type name before signing)

Signature and title of person other than Applicant completing this application

Phone Number: Work 770-438-6800 Home 678-994-6342

Sworn to and subscribed before me
this 25 day of January, 2017

Elizabeth K. Brubaker
Notary Public



FINGERPRINTED AT SMYRNA POLICE DEPARTMENT:

[Signature]

Date

3/27/17

RECEIVED IN CITY OF SMYRNA BUSINESS LICENSE DEPARTMENT BY:

[Signature]

Date

3/27/17

Training Institute for Responsible Vendors, Inc.

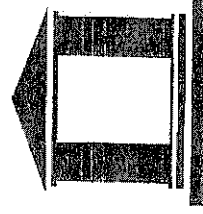
certifies that

Kerry Nichols

has successfully completed training in our RASS Workshop thus
entitling them to all the rights and privileges appertaining thereto .

In witness thereof the undersigned have affixed their names
this 23rd day of March, 2017

Seal




President

CITY OF SMYRNA

PRIVILEGE LICENSE APPLICATION SUMMARY

DATE: 05/30/17 LICENSE/VARIANCE: 06/14/213

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

NEW APPLICATION: NO OWNERSHIP NO AGENT YES

NAME OF BUSINESS: GI BAKERY II, INC.
dba ATLANTA BREAD COMPANY

PLACE OF BUSINESS: 4490 S. COBB DR STE B
SMYRNA, GEORGIA 30080

AGENT: KERRY NICHOLS

HOME ADDRESS: 3170 MOSS CREEK DR.
MARIETTA, GA 30062

CITIZENSHIP YES

POLICE REPORT: DATE REQUESTED 3/21/17 RECEIVED 4/06/17

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

TYPE OF BUILDING MASONRY

DISTANCE MET: SCHOOL NA CHURCH NA LIBRARY NA PARK NA

MAP FURNISHED: N/A

ADVERTISED: 06/02/17 & 06/09/17

COMMENTS: NONE



"Policing with a Purpose"

Smyrna Police Department

Chief of Police
David Lee

2646 Atlanta Road SE
Smyrna, GA 30080-2118
Phone: 770-434-9481
Fax: 678-651-5005

Deputy Chief
Robert L. Harvey



Date: April 6, 2017

To: Michael Jones, City Administrator

From: David Lee, Chief of Police

Lt. Rick James, Office of Professional Standards

Subject: Application for Alcohol License, Agent Name Change Only

Applicant: Kerrie Marie Nichols

This applicant, Ms. Kerrie M. Nichols, 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 change only, issued to 4490 South Cobb Drive Ste. B, Smyrna, GA 30082.

The business name is GI Bakery II, Inc. DBA Atlanta Bread Company.

The business is incorporated under the name Atlanta Bread Company International, Inc.

A background check was conducted on this applicant, and she was arrested and convicted for possession of marijuana (less than one ounce / misdemeanor) and furnishing, purchasing, and possession of alcoholic beverages by persons below the age of a minor (misdemeanor) in Houston County, GA in April 1989.

There was nothing else in her background that would prohibit her from holding the license as long as she meets all the other requirements of the ordinances that regulate this type of business.

CC: Terri Graham, City Clerk

Jim Cox, Business License

File



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 x 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.

Kerry Nichols
Signature

1/25/17
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 Kerry Nichols 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 27 day of January, 2017



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.

APPLICATION FOR PRIVILEGE LICENSE

I have made application at the Business License Office of the City of Smyrna, Georgia for GI BAKERY II, INC. dba ATLANTA BREAD COMPANY located at 4490 S COBB DR STE B, SMYRNA, Georgia, requesting privilege licenses for the sale of beer, wine, & liquor (retail pouring). This application will be heard before the License and Variance Board for the City of Smyrna, 2800 King Street, Smyrna, Georgia on June 14, 2017 at 10:00 a.m. All concerned persons are hereby notified.

Kerrie M Nichols
Licensee

GI BAKERY II, INC.
ATLANTA BREAD COMPANY
4490 S Cobb Dr. STE B
Smyrna, GA 30082

Ads to Run Jun 02, 2017 and Jun 09, 2017