

MEETING OF June 19, 2017

WARD 3 (ta)

ITEM NUMBER _____

\$ IMPACT _____

ISSUE:

New application for privilege licenses for Wade Concord LLC dba Wade's for the sale of beer, wine, and liquor (retail pouring). Wade Concord LLC is the owner and Jason McClure is the agent applicant.

SUMMARY:

Jason McClure as the registered agent for Wade Concord LLC dba Wade's requests privilege licenses for the sale of beer, wine, and liquor (retail pouring) at 1061 Concord Road.

BACKGROUND:

Jason McClure will be the registered agent, responsible for the sale of alcohol at the referenced location. Jason McClure 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. Jason McClure 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 Wade Concord LLC dba Wade's with Jason McClure 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:

MANUFACTURER
WHOLESALE
PKG. BEER/WINE
PKG. DIST. SPIRITS
RETAIL POURING

Restaurant
Package Store
Dancing/Live Ent
Private
Other

☒
☐
☐
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BEER:

MANUFACTURER
WHOLESALE
PKG. BEER/WINE
PKG. DIST. SPIRITS
RETAIL POURING

Restaurant
Package Store
Dancing/Live Ent.
Private
Other

☒
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WINE:

MANUFACTURER
WHOLESALE
PKG. BEER/WINE
PKG. DIST. SPIRITS
RETAIL POURING

Restaurant
Package Store
Dancing/Live Ent.
Private
Other

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1. Legal Name of Business Wades Concord, LLC

Operating name of the Business Wade's

Is the Business a: ☐ proprietorship ☒ partnership ☐ corporation ☐ foreign

2. Location 1061 Concord Rd. Phone 7703785040

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

PACKAGE DISTILLED SPIRITS

SCHOOL 600 FEET

YES
☐

NO
☒

CHURCH/PARK/PUBLIC BUILDING/

LIBRARY/RESIDENCE 300 FEET

☒

☐

POURING DISTILLED SPIRITS

SCHOOL 600 FEET

☐

☒

CHURCH/PARK/PUBLIC BUILDING/

LIBRARY/RESIDENCE 200 FEET

☒

☐

[BUILDING NO CLOSER THAN 75 FEET FROM PROPERTY LINE]

PACKAGE WINE, MALT BEVERAGE

SCHOOL 600 FEET

☐

☒

CHURCH/PARK/PUBLIC BUILDING/

LIBRARY 300 FEET

☒

☐

[EXCEPT GROCERY STORES AS DEFINED BY ORDINANCE]

POURING WINE, MALT BEVERAGE

SCHOOL 600 FEET

☐

☒

CHURCH/PARK/PUBLIC BUILDING/

LIBRARY/RESIDENCE 200 FEET

☒

☐

[BUILDING NO CLOSER THAN 75 FEET FROM PROPERTY LINE]

4. Full name of Owner JASON WADE MCCLURE

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

Social Security Number [REDACTED] Date of Birth 03/04/1976

Are you a Citizen of the United States? ☐ Yes ☐ No Birthplace Charleston, WV

Current Address 1891 Cedar Cliff Dr. SE City/State Smyrna, GA Zip 30080

Home Telephone [REDACTED] Number of years at present address 13

Drivers License Number and State [REDACTED]

What has been your occupation for the past five (5) years? Give detailed list Chef/Restaranteur - Miso Izakaya 2012
Three Villains LLC 2013-2015 Minero - 2015 SRC, LLC 2015-present

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 # 81-2950533 State of Incorporation GA

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) Jason Wade McClure

Social Security Number [REDACTED] Date of Birth 03/04/1976

Are you a Citizen of the United States? ☒ Yes ☐ No Birthplace Charleston, WV

Current Address 1891 Cedar Cliff Dr. SE City/State Smyrna, GA Zip 30080

Home Telephone [REDACTED] Number of years at present address 13

Do you reside in Cobb County? ☒ Yes ☐ No If yes, how long 15 years

Previous address 1441 Montclair Ct. Smyrna, GA 30080

Number of years at previous address 2 Drivers License Number and State 049410912

What has been your occupation for the past five (5) years? Give detailed list Chef/Restaranteur - Miso Izakaya 2012
Three Villains LLC 2013-2015 Minero - 2015 SRC, LLC 2015-present

Manager's employment date with owner January 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

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 JWM

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.

(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.

Paid to SRC, LLC (owned by Jason McClure) to be considered as 5200 sq ft.

at initial rent rate of \$18.00 per sq ft. with five year term and five year option.

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

8. How is the proposed location zoned? MU-Conditional

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.

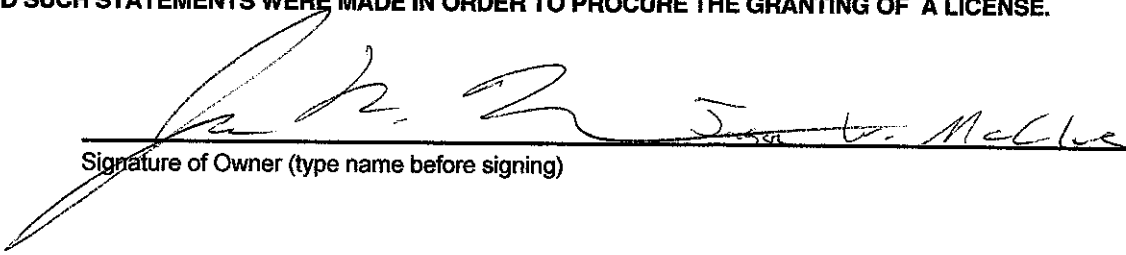
11. Have you, your spouse, partner or stockholder any financial interest in the wholesale liquor business? ☐ Yes ☒ No
If yes, give details.

**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, Jason Wade McClure

, 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 11 day of May 2017



Notary Public

FINGERPRINTED AT SMYRNA POLICE DEPARTMENT:

Date

RECEIVED IN CITY OF SMYRNA BUSINESS LICENSE DEPARTMENT BY:



Date 5/11/17



City of Smyrna

3180 Atlanta Road

Smyrna, Georgia 30080

(678) 431-5387 / Community Development

City of Smyrna Department of Community Development

Decision Letter for Rezoning

Dear Mr. McClure:

This letter is to certify that your application for rezoning was received on May 5, 2016. The request for rezoning was heard on July 18, 2016, at the Mayor and Council meeting. You, as the applicant, requested the following rezoning for the property located at Concord Road & Hollis Street:

Zoning Request: Z16-007 -- Rezoning from GC & LC to MU-Conditional for the construction of a new restaurant.

The Mayor and Council **approved** the requested rezoning by a vote of 6-0 with the following conditions:

Standard Conditions (items 1, 2, 3, 4, 5, 7, 8, 9, 10, 12, 16 and 17 from Section 1201 of the Zoning Ordinance are not applicable)

1. All utilities within the development shall be underground.
2. No debris may be buried on the subject parcel.
3. The developer will comply with the city's current tree ordinance. All required tree protection measures shall be adhered to by the developer during construction.
4. All landscape plans must be prepared, stamped, and signed by a Georgia Registered Landscape Architect for any common areas or entrances.
5. All common areas are to be sodded, and landscaped. Irrigate as appropriate.

Mayor - A. Max Bacon

City Council Ward 1 - Derek Norton / Ward 2 - Andrea Blustein / Ward 3 - Teri Anulewicz / Ward 4 - Charles Welch
Ward 5 - Susan Wilkinson / Ward 6 - Doug Stoner / Ward 7 - Ron Fennel

City Administrator - Michael L. Jones / City Clerk - Terri Graham / City Attorney - Scott Cochran
Municipal Court Judge - E. Alton Curtis, Jr.



City of Smyrna

3180 Atlanta Road

Smyrna, Georgia 30080

(678) 431-5387 / Community Development

Special Conditions

6. The development shall maintain the following setbacks:
 - Front – 0’
 - Side – 0’
 - Rear – 0’
7. There shall be no bells, whistles, or outdoor paging systems permitted on-site in conjunction with the restaurant. The restaurant use shall be permitted to have live music on-site.
8. Any proposed dumpsters shall be surrounded by a three-sided brick or stucco enclosure with an opaque gate in the front. The lid of the dumpster shall be made of rubber.
9. Any utility boxes, HVAC components, or accessory components to the commercial building shall be screened from the public right-of-ways and adjoining property owners.
10. Deliveries and trash pick-up shall only be permitted between the hours of 7:00 a.m. and 9:00 p.m.
11. The developer shall install directional sign that directs all delivery trucks to Concord Road.
12. The commercial building shall have entry doors along Concord Road.
13. The following uses shall be prohibited:
 - Automotive sales/repair
 - Automobile wash service
 - Boarding and breeding kennels
 - Dry cleaning plants
 - Adult Novelty Stores & Adult Entertainment
 - Pawnshops
 - Check Cashing Stores
 - Pool Hall or Arcade
 - Service stations
 - Coin Operated Laundry

Mayor - A. Max Bacon

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City of Smyrna

3180 Atlanta Road

Smyrna, Georgia 30080

(678) 431-5387 / Community Development

- Composting Facility
 - Funeral Homes
 - Group Homes
 - Shelter for the Homeless
 - Tattoo Parlor
14. Approval of the Subject Property for MU--Conditional shall be conditioned upon the development of the property in substantial compliance with the submitted site plan dated 5/13/2016.
15. The applicant shall be bound to the building material and architectural features illustrated on the elevations submitted and dated 5/13/2016. If there is any change to the elevations, it must be approved by the Director of Community Development.

If you have any questions regarding this zoning amendment, please contact Community Development at (678) 631-5354.

Date: July 20, 2016

Russell Martin, AICP
City of Smyrna, Senior Planner

Mayor - A. Max Bacon

City Council Ward 1 - Derek Norton / Ward 2 - Andrea Blustein / Ward 3 - Teri Anulewicz / Ward 4 - Charles Welch
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Municipal Court Judge - E. Alton Curtis, Jr.

Training Institute for Responsible Vendors, Inc.

certifies that

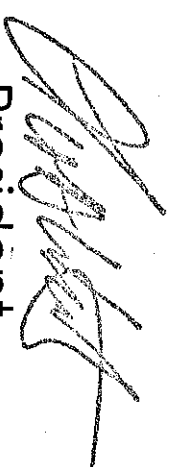
Jason McClure

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 20th day of April, 2017

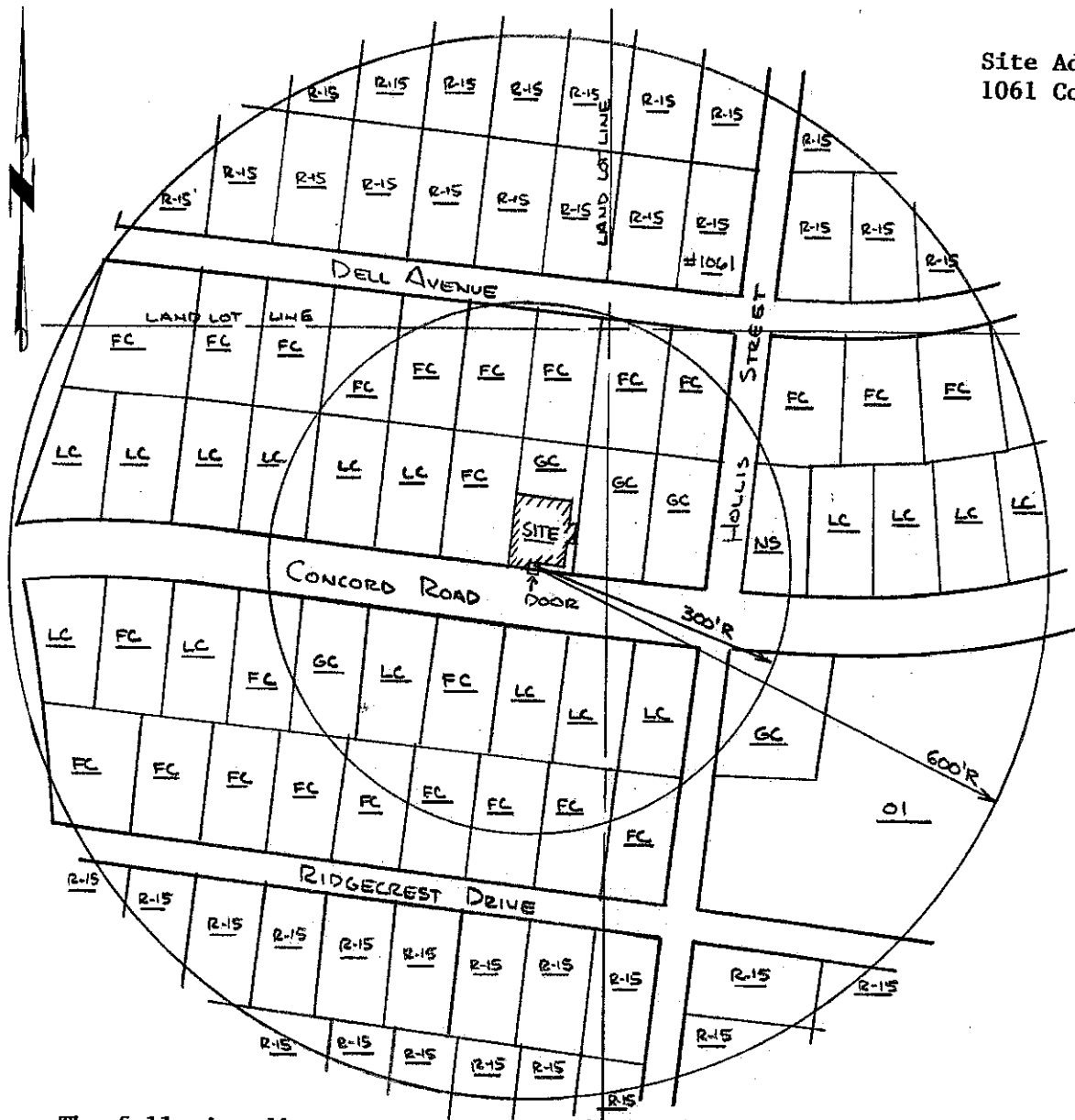
Seal




President

MAGNETIC

Site Address-
1061 Concord Road



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

CHURCH- 900' to Tillman United Methodist Church, @ 940 Concord Road.

SCHOOL- 1700' to King Springs Elementary School, @ 3265 Brown Road.

PARK- 1300' to Brinkley Park, @ 1270 Hunter Street.

LIBRARY- 4500' to Smyrna Library, @ 100 Village Green Circle.

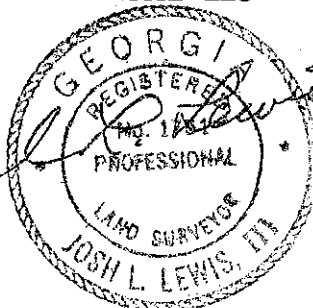
RESIDENCE- 470' to house @ 1061 Dell Avenue.

PUBLIC BUILDING- 3900' to Smyrna City Hall, @ 2800 King Street.

There are no alcohol treatment centers within 300' of this site.

City of Smyrna Wine, Malt and Distilled Spirits Pouring License Survey for:

WADE'S CONCORD LLC



DATE: 4-26-2017	SCALE: 1" = 200'	0 100 200 400
DRAWN BY: GD	GRAPHIC SCALE IN FEET	
LAND LOT 452	17 TH DISTRICT	2 ND SECTION
COBS	COUNTY	GEORGIA
GEORGIA LAND SURVEYING CO.		197517
155 CLIFTWOOD DRIVE, ATLANTA, GA 30328 PH (404)255-4671 FAX (404)255-6607 WWW.GLSURVEY.COM		

CITY OF SMYRNA

PRIVILEGE LICENSE APPLICATION SUMMARY

DATE: 06/07/2017 MAYOR AND COUNCIL: 06/19/2017

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

NEW APPLICATION: YES OWNERSHIP YES AGENT YES

NAME OF BUSINESS: WADE CONCORD LLC
dba WADE'S

PLACE OF BUSINESS: 1061 CONCORD ROAD
SMYRNA, GA 30080

AGENT: JASON MCCLURE

HOME ADDRESS: 1891 CEDAR CLIFF DRIVE SE

SMYRNA, GA 30080
CITIZENSHIP YES

POLICE REPORT: DATE REQUESTED 05/11/2017 RECEIVED 06/06/2017

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: JUNE 9, 2017 & JUNE 16, 2017

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: June 6, 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: Jason McClure

This applicant, **Mr. Jason McClure** 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, **1061 Concord Road Smyrna, GA 30080.**

The business name is **Wade's.**

The business is incorporated under the name **Wades Concord LLC.**

A background check was conducted on this applicant. There was nothing in his background 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

under construction

4/4/17

BK
4/11

DBA Wades

NOVA under construction BY NCM

CITY OF SMYRNA
3180 ATLANTA ROAD
P.O. BOX 1226
SMYRNA, GA 30081
(678) 631-5321 or FAX # (770) 431-2814

Name of Business: Wades Concord, LLC Phone: (770) 3785040

Business Address: 1061 Concord Rd
Number/Street Suite #
Smyrna GA 30080

Mailing Address: City 1891 Cedar Cliff Dr. SE State Zip

Number/Street Suite #
Smyrna GA 30080

Applicant/Owner: Jason McClure State Zip
Phone: (770) 3785040

Check One: ☒ Applicant ☒ Owner Number of Employees: 45

Residential Address of Applicant: 1891 Cedar Cliff DR. SE Smyrna GA 30080
Number/Street City State Zip

Federal Tax ID Number: 81-2950533 Social Security Number: 235-11-2895

Driver's License Number: 049410912 Date of Birth: 03/04/1976

Check One: ☒ Proprietorship ☒ Partnership ☒ Foreign ☒ Corp-Domestic

Full Description of Business: Full Service Restaurant- serving food, beer, wine, and distilled spirits.

President: Jason McClure Vice President: Jack Childress

Secretary: Treasurer:

DOLLAR AMOUNT OF TOTAL GROSS RECEIPTS: 1,500,000.00

Will there be renovations of any kind, inside or outside the structure? ☒ Yes ☐ No

If yes, describe renovations: Ground up construction.

Will the outside of the building be painted? ☒ Yes ☐ No If yes, colors must be muted earth tone.

I hereby affirm that I am a legal resident of the United States, and further acknowledge that periodically, the Smyrna Police Department will verify information contained in the license application. I further affirm that I will adhere to the provisions of the Immigration and Nationality Act, as amended, by verifying the identity and employment eligibility of all employees hired after November 6, 1986 and that I will complete and maintain Form I-9 for all employees as required by this act.

SIGNATURE OF APPLICANT

04/06/2017

DATE

FIRE MARSHAL

BUILDING INSPECTOR

SIGN MARSHAL

Sign Permits are required when changing copy area on existing signs, installing new signs, and for displaying banner or other temporary signs. Please check with the Community Development Department before installing any signs or displaying temporary signs at (770) 319-5387.

6C - GENERAL COMMERCIAL

**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.

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

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 Jasen McClure 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 11 day of April, 2017

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.

APPLICATION FOR PRIVILEGE LICENSE

I have made application at the Business License Office of the City of Smyrna, Georgia for Wades Concord LLC dba Wade's located at 1061 Concord Road requesting a privilege license for the sale of beer, wine, and liquor (retail pouring). The application will be heard by the Mayor and Council for the City of Smyrna, 2800 King Street, Smyrna, Georgia on June 19, 2017 at 7:00 p.m. All concerned persons are hereby notified.

Jason Wade McClure
Licensee

Wades Concord LLC
Dba Wade's
1061 Concord Road
Smyrna, GA 30080

Ads to Run Jun 9, 2017 and Jun 16, 2017