

**MEETING OF AUG 21, 2017**

**WARD**

**1 (dn)**

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

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

**ISSUE:**

New application for privilege licenses for Chen Group Inc. dba The Juicy Crab for the sale of beer, wine, and liquor (retail pouring). Chen Group Inc. is the owner and Shuying Chen is the agent applicant.

**SUMMARY:**

Shuying Chen as the registered agent for Chen Group Inc. dba The Juicy Crab requests privilege licenses for the sale of beer, wine, and liquor (retail pouring) at 2524 Cobb Parkway..

**BACKGROUND:**

Shuying Chen will be the registered agent, responsible for the sale of alcohol at the referenced location. Ms. Chen 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. Shuying Chen 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 Chen Group Inc. dba The Juicy Crab with Shuying Chen 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 ☐  
WHOLESALE ☐  
PKG. BEER/WINE ☐  
PKG. DIST. SPIRITS ☐  
RETAIL POURING ☐  
Restaurant ☐  
Package Store ☐  
Dancing/Live Ent ☐  
Private ☐  
Other ☐

**BEER:**

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

**WINE:**

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

1. Legal Name of Business Chen Group Inc  
Operating name of the Business The Juicy Crab  
Is the Business a: ☐ proprietorship ☐ partnership ☒ corporation ☐ foreign  
2. Location 2524 Cobb Pkwy Smyrna GA 30080 Phone [REDACTED] (cell)  
3. Is business within the designated distance of any of the following?

**PACKAGE DISTILLED SPIRITS**

		YES	NO
SCHOOL	600 FEET	<input type="radio"/>	<input checked="" type="radio"/>
CHURCH/PARK/PUBLIC BUILDING/ LIBRARY/RESIDENCE	300 FEET	<input type="radio"/>	<input checked="" type="radio"/>

**POURING DISTILLED SPIRITS**

		YES	NO
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**

		YES	NO
SCHOOL	600 FEET	<input type="radio"/>	<input checked="" type="radio"/>
CHURCH/PARK/PUBLIC BUILDING/ LIBRARY	300 FEET	<input type="radio"/>	<input checked="" type="radio"/>

[EXCEPT GROCERY STORES AS DEFINED BY ORDINANCE]

**POURING WINE, MALT BEVERAGE**

		YES	NO
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 shuying chen

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

Social Security Number [REDACTED] Date of Birth 11/29/1976

Are you a Citizen of the United States? ☒ Yes ☐ No Birthplace china

Current Address 1398 Field creek TER City/State Lawrenceville GA Zip 30043

Home Telephone [REDACTED] Number of years at present address 3 years

Drivers License Number and State [REDACTED] GA

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

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 N/A

Federal Tax ID-# N/A 81-4685428 State of Incorporation N/A

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) SAME AS ABOVE

Social Security Number \_\_\_\_\_ Date of Birth \_\_\_\_\_

Are you a Citizen of the United States? ☒ Yes ☐ No Birthplace china

Current Address \_\_\_\_\_ City/State \_\_\_\_\_ Zip \_\_\_\_\_

Home Telephone \_\_\_\_\_ Number of years at present address \_\_\_\_\_

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

Previous address 1398 Field creek TER Lawrenceville GA 30043

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

What has been your occupation for the past five (5) years? Give detailed list HIBACHI Grill & Supreme Buffet Lawrenceville

Manager's employment date with owner 2012

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 N/A Amount Paid N/A

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.

Associates LLC

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

8. How is the proposed location zoned? G/C

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.

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

SYC

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](http://www.smyrnacity.com)

GEORGIA, COBB COUNTY

I, shuying chen, 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.

shuying chen  
Signature of Owner (type name before signing)

shuying chen  
Signature and title of person other than Owner completing this application

Phone Number: Work: \_\_\_\_\_ Home: 888-888-8888

\_\_\_\_\_  
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 25 day of May 2017.

[Signature]  
Notary Public

FINGERPRINTED AT SMYRNA POLICE DEPARTMENT:

MARLENE BASS Date MAY 25 2017

RECEIVED IN CITY OF SMYRNA BUSINESS LICENSE DEPARTMENT BY:

[Signature] Date 5/25/17



City of Smyrna

3180 Atlanta Road  
(678) 431-5387 / Community Development

Smyrna, Georgia 30080

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

This letter certifies that the property described below is located in Land Lot 849 of Land District 18, 2<sup>nd</sup> Section of Cobb County and in the GC – General Commercial zoning classification. The zoning of this property is recorded in the official records of the City of Smyrna Department of Community Development.


The property is further described as follows:

- Property Address – 2524 Cobb Parkway
- Assessor Parcel Number (APN) 17-0849-0010
- Current Zoning of Subject property: GC (General Commercial)

Community Development Department staff is unaware of any outstanding building or zoning violations on the subject property. The existing shopping center and subject restaurant are permitted uses in the GC district.

**THIS CERTIFICATION IS NOT FOR OBTAINING A BUILDING PERMIT**

Date: July 17, 2017

  
\_\_\_\_\_  
Bob Summerville, AICP  
Planner I

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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

Interim City Administrator – Mike Jones / City Clerk – Terri Graham / City Attorney – Scott Cochran  
Municipal Court Judge – E. Alton Curtis, Jr.

# Training Institute for Responsible Vendors, Inc.

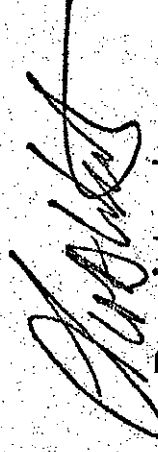
certifies that

Shuying Chen

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 13th day of July, 2017



  
President





CITY OF SMYRNA

PRIVILEGE LICENSE APPLICATION SUMMARY

DATE: 07/25/2017 MAYOR AND COUNCIL: 08/21/2017

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

NEW APPLICATION: YES OWNERSHIP YES AGENT YES

NAME OF BUSINESS: CHEN GROUP INC

PLACE OF BUSINESS: dba THE JUICY CRAB  
2524 COBB PARKWAY

SMYRNA, GA 30080

AGENT: SHUYING CHEN

HOME ADDRESS: 1398 FIELD CREEK TER

LAWRENCEVILLE, GA 30043

CITIZENSHIP YES

POLICE REPORT: DATE REQUESTED 5/25/17 RECEIVED 6/14/17

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: AUG 11, 2017 & AUGUST 18, 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 14, 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: Shuying Chen

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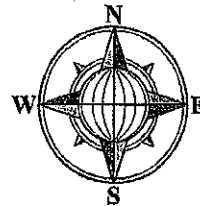
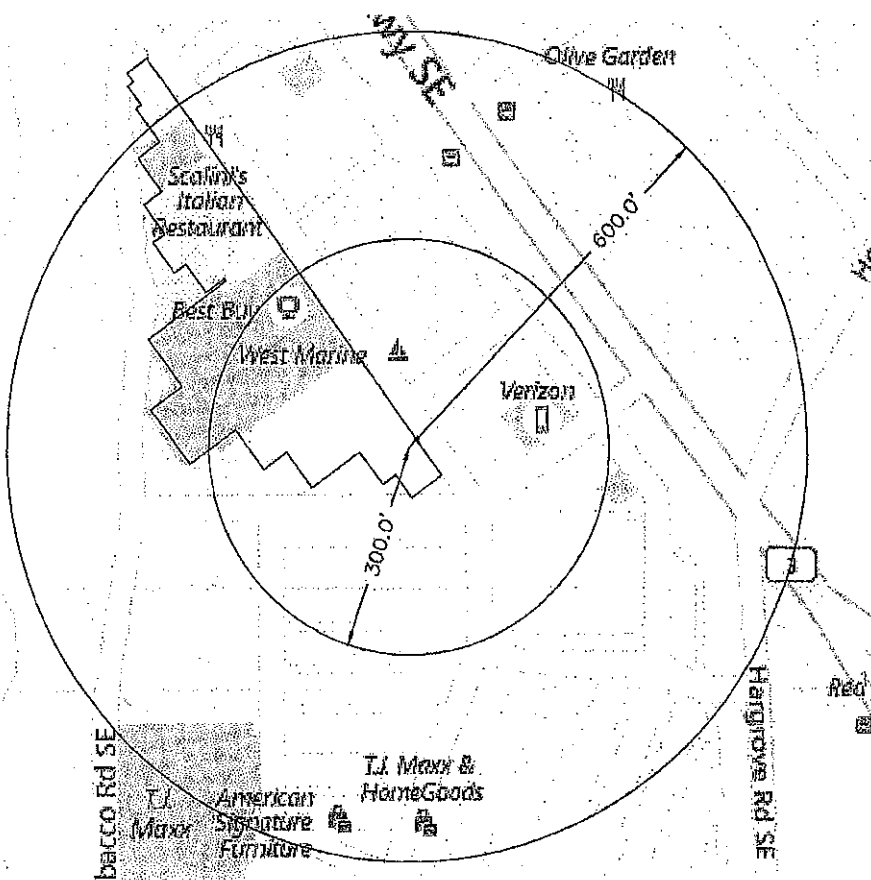
This applicant, **Ms. Shuying Chen**, is the manager of the business listed below and has submitted an application with the business license office to obtain an alcohol beverage license, issued to, **2524 Cobb Pkwy Smyrna, GA 30080**.

The business name is **The Juicy Crab**.

The business is incorporated under the name **Chen Group, Inc**.

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



MAGNETIC  
NORTH

SCALE: 1" = 250'

## ALCOHOL SURVEY

PREPARED FOR: THE JUICY CRAB  
LAND LOT 849, 17 TH DISTRICT  
CITY OF SMYRNA

COBB COUNTY, GEORGIA - 06/19/2017

**NEAREST SCHOOL: ±5.700'**  
ARGYLE ELEMENTARY  
2420 SPRING RD  
SMYRNA, GA 30080

**NEAREST CHURCH: ±3.800'**  
ARCHDIOCESE OF ATLANTA  
2401 LAKE PARK DR.  
SMYRNA, GA 30080

**NEAREST LIBRARY: ±14.700'**  
VININGS BRANCH  
4290 PACES FERRY RD  
ATLANTA, GA. 30339

**NEAREST PARK: ±5.600'**  
JONQUIL PARK  
3000 PARK RD  
SMYRNA, GA 30080

**NEAREST ALCOHOL/BEER SALES: ±2.500'**  
ONE STOP BEVERAGE  
2331 COBB PKWY  
SMYRNA, GA 30080

**NEAREST FAMILY RESIDENCE: ±1.300'**  
1 S. LINCOLN TRACE AVE.  
SMYRNA, GA 30080

**NEAREST DAY CARE: ±3.000'**  
KIDS FOR KIDS  
2784 CUMBERLAND BLVD  
SMYRNA, GA 30080

**NEAREST HOSPITAL: ±3.400'**  
WELLSTAR AT WINDY HILL RD  
250 WINDY HILL RD  
MARIETTA, GA 30067

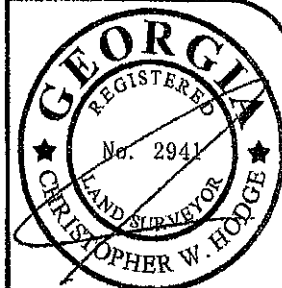
**NEAREST PACKAGE STORE: ±7.390'**  
WINDY HILL PACKAGE  
2426 WINDY HILL RD  
MARIETTA, GA. 30067

**NEAREST ALCOHOL TREATMENT: ±4.900'**  
A NEW LIFE COUNSELING  
2470 WINDY HILL RD  
MARIETTA, GA. 30067

**SITE:**  
2524 COBB PKWY  
SMYRNA, GA 30080

MEASUREMENTS DETERMINED FROM FRONT DOOR OF THE PROPOSED LICENSE PREMISES TO THE NEAREST PROPERTY OF THE AFOREMENTIONED SITES ALONG THE NEAREST PRACTICAL STREET ROUTE.

THIS DRAWING WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS OR ENTITY NAMED HEREON FOR ALCOHOL PERMIT OR LICENSE APPLICATION PURPOSES ONLY AND DOES NOT EXTEND TO ANY UNNAMED PERSON WITHOUT A RECERTIFICATION BY THE SURVEYOR NAMING SAID PERSON.



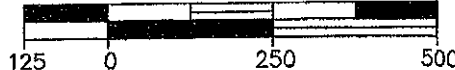
6/19/17  
FOR THE FIRM  
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zone, inc. LAND SURVEYING SERVICES

WWW.BOUNDARYZONE.COM  
(770) 271-5772 / (919) 363-9226

GRAPHIC SCALE - IN FEET



4195 SOUTH LEE STREET  
SUITE I,  
BUFORD, GA 30518

235 PEACHTREE STREET NE  
SUITE 400,  
ATLANTA, GA 30303

2205-C CANDUN DRIVE  
APEX, NC 27523

PROJECT  
1852701

SHEET  
1 OF 1

**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.

☒

YES

☐

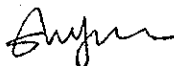
NO

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

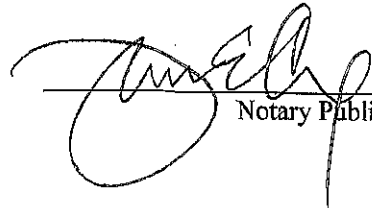
5/25/17

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 \_\_\_\_\_ 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 25 day of May, 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 Chen Group Inc. dba The Juicy Crab located at 2524 Cobb Pkwy., 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 August 21, 2017 at 7:00 p.m. All concerned persons are hereby notified.

Shuying Chen  
Licensee

Chen Group Inc.  
Dba The Juicy Crab  
2524 Cobb Pkwy  
Smyrna, GA 30080

Ads to Run AUG 11, 2017 and AUG 18, 2017