

MEETING OF Nov 4, 2019

WARD 2 (ab)

ITEM NUMBER _____

\$ IMPACT _____

ISSUE:

New application for a privilege license for Arcanum Ventures LLC dba The Viking Alchemist for the manufacturing and tastings of wine. Arcanum Ventures LLC dba The Viking Alchemist is the owner and Robin Kosoris is the agent applicant.

SUMMARY:

Robin Kosoris as the registered agent for Arcanum Ventures LLC dba The Viking Alchemist requests a privilege license for the manufacturing and tastings of wine at 3080 Jonquil Drive.

BACKGROUND:

Robin Kosoris will be the registered agent, responsible for the manufacturing and tastings of wine at the referenced location. Robin Kosoris 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. Robin Kosoris has agreed to abide by the guidelines set forth by the City of Smyrna ordinance governing the manufacturing of alcohol.

REQUESTED ACTION:

Approval of a privilege license for the manufacturing and tastings of wine for Arcanum Ventures LLC dba The Viking Alchemist with Robin Kosoris as the registered agent.

CAT
8-13

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 Arcanum Ventures, LLC
 Operating name of the Business The Viking Alchemist
 Is the Business a: ☐ proprietorship ☐ partnership ☒ corporation ☐ foreign

2. Location 3080 Jonquil Dr., Smyrna, GA 30080 Phone (951) 795-5337

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

		YES	NO
SCHOOL	600 FEET	<input type="radio"/>	<input type="radio"/>
CHURCH/PARK/PUBLIC BUILDING/ LIBRARY/RESIDENCE	200 FEET	<input type="radio"/>	<input 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 Robin Brian Kosoris

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 _____

2140 Sugar Creek Dr., Marietta, GA 30064

Robin Kosoris 951-795-5337

Federal Tax ID # 47-2492449 State of Incorporation Georgia

Is this a new business in Smyrna? ☒ Yes ☐ No If yes, date business will begin in Smyrna 08/07/2019

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) Robin Kosoris

Social Security Number 387-62-3244 Date of Birth 11/16/1954

Are you a Citizen of the United States? ☒ Yes ☐ No Birthplace Milwaukee, WI

Current Address 2140 Sugar Creek Dr. City/State Marietta, GA Zip 30064

Home Telephone (951) 795-5337 Number of years at present address 5

Do you reside in Cobb County? ☒ Yes ☐ No If yes, how long 7 years

Previous address 2176 Major Loring Way, Marietta, GA 30064

Number of years at previous address 2 Drivers License Number and State 051729888 Georgia

What has been your occupation for the past five (5) years? Give detailed list 2015-2016 IT Project Manager

2016-Present Managing Partner, The Viking Alchemist Meadery

Manager's employment date with owner 12/14/2014

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.

86 months starting 8/1/2019. Rent is set by lease agreement and paid monthly to the building owner (J. Ruben Roberts)

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

8. How is the proposed location zoned? Light Industrial

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.

Wine (Mead and Cider) \$269,422 8/1/2018 to 7/31/2019

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

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.

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GEORGIA, COBB COUNTY

I, Robin Brian Kosoris, 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.

Robin Kosoris

Signature of Owner (type name before signing)

Signature and title of person other than Owner completing this application

Phone Number: Work: _____ Home: _____

Robin Kosoris

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 13 day of Aug 2015.

[Signature]
Notary Public

FINGERPRINTED AT SMYRNA POLICE DEPARTMENT:

Date _____

RECEIVED IN CITY OF SMYRNA BUSINESS LICENSE DEPARTMENT BY:

[Signature]
Date 8/13/15

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: Arcanum Ventures, LLC

2. Location: 3080 Jonquil Dr., Smyrna, GA 30080 Phone: (951) 795-5337

3. Name of Applicant: Robin Brian Kosoris

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 Date _____
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 _____
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.

m taxes Date _____
Tax Clerk

Training Institute for Responsible Vendors, Inc.

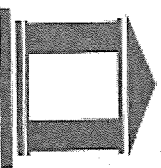
certifies that

Robin Brian Kosoris

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

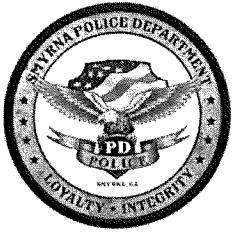
In witness thereof the undersigned have affixed their names
this 17th day of October, 2019

Seal



[Signature]
President

"Policing with a Purpose"



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: 08-23-19

To: Tammi Jones, City Administrator

From: David Lee, Chief of Police
Lt. Mark Binicewicz, Office of Professional Standards

Subject: Application for Alcohol License

Applicant: Robin Kosoris

This applicant, **Robin Kosoris**, 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, **3080 Jonquil Dr. Smyrna, GA. 30080.**

The business name is **The Viking Alchemist.**

The business is incorporated under the name **The Viking Alchemist.**

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

PRIVILEGE LICENSE APPLICATION SUMMARY

DATE: 10/16/19 MAYOR AND COUNCIL: 11/04/19

TYPE OF LICENSES REQUESTED: MANUFACTURING AND TASTINGS OF WINE

NEW APPLICATION: YES OWNERSHIP YES AGENT YES

NAME OF BUSINESS: ARCANUM VENTURES LLC
dba THE VIKING ALCHEMIST

PLACE OF BUSINESS: 3080 JONQUIL DRIVE
SMYRNA, GA 30080

AGENT: ROBIN KOSORIS

HOME ADDRESS: 2140 SUGAR CREEK DR
MARIETTA, GA 30064

CITIZENSHIP YES

POLICE REPORT: DATE REQUESTED 8/13/19 RECEIVED 8/23/19

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

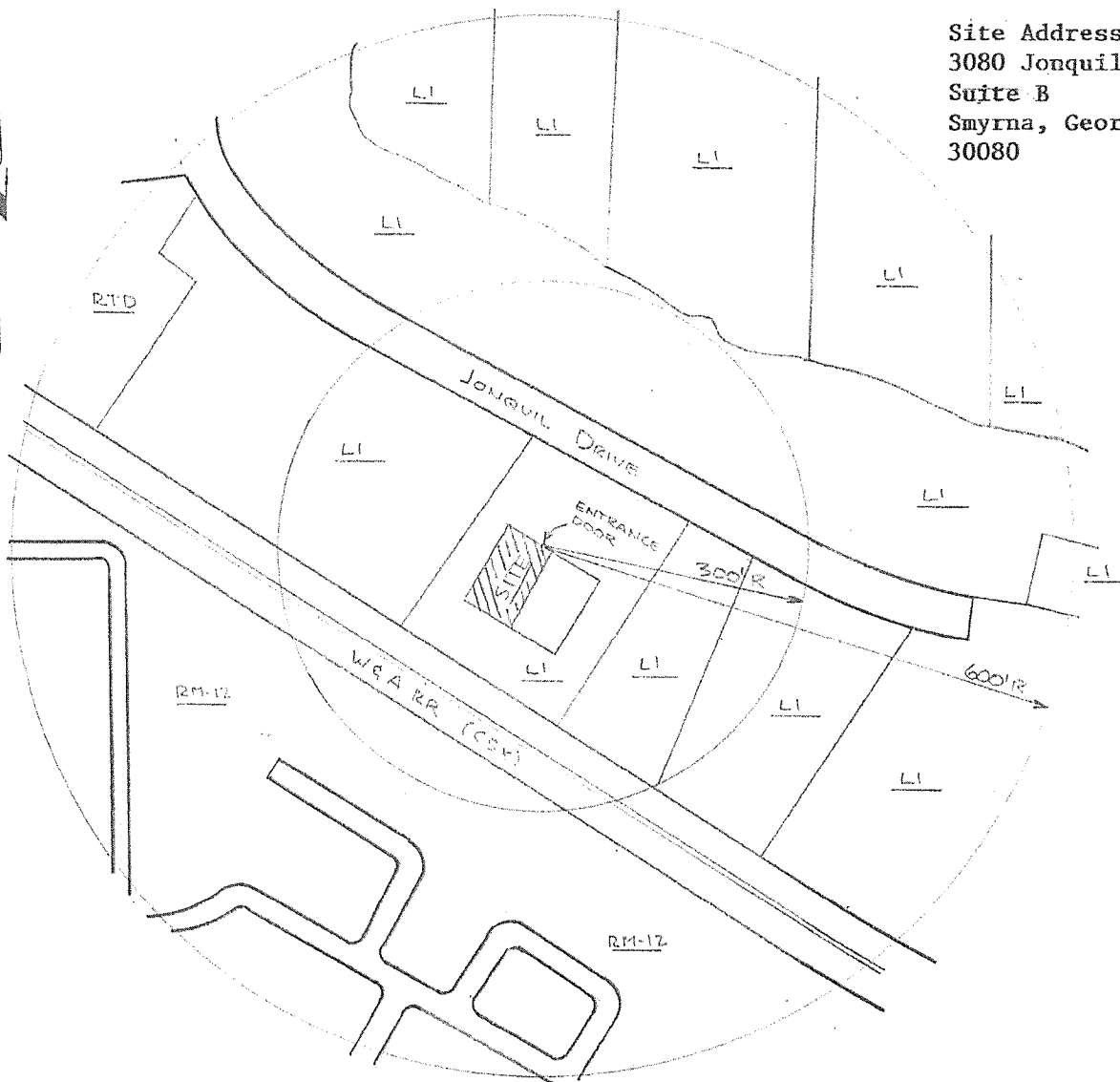
MAP FURNISHED: UNDER SEPARATE COVER

ADVERTISED: OCT 25 AND NOV 1, 2019

COMMENTS:

MAGNETIC

Site Address-
3080 Jonquil Drive
Suite B
Smyrna, Georgia
30080



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

- CHURCH- 1100' to Deaf Baptist Church, @ 3000 Jonquil Drive.
 - SCHOOL- 5150' to Covenant Christian School, @ 3130 Atlanta Road.
 - LIBRARY- 6250' to Smyrna Library, @ 100 Village Green Circle.
 - PARK- 3250' to Durham Park, @ 1554 Spring Street.
 - RESIDENCE- 650' to townhouse development @ Mosaic Way.
 - PUBLIC BUILDING- 5850' to Smyrna City Hall, @ 2800 King Street.
- There are no alcohol treatment centers within 300' of this site.

City of Smyrna Winery License Survey for:

Arcanum Ventures LLC

DATE: 10-24-2019	SCALE: 1" = 200'	0 100 200 400 GRAPHIC SCALE IN FEET
DRAWN BY: GD		
LAND LOT 630	17 TH DISTRICT	2 ND SECTION
COBB	COUNTY	GEORGIA
GEORGIA LAND SURVEYING CO. 155 CLIFTWOOD DRIVE, ATLANTA, GA 30328 PH (404)255-4671 FAX (404)255-6607 WWW.GLSURVEY.COM		201269

STANDARD COMMERCIAL/INDUSTRIAL LEASE

THIS LEASE, is made as of the date of last execution by a Party hereto (the "Effective Date")
by and

between **James Ruben Roberts** (hereinafter called "Landlord");

and **Arcanum Ventures, LLC dba Viking Alchemist Meadery** (hereinafter called "Tenant");

and **NAI Brannen/Goddard, L.L.C.** (hereinafter called "Agent").

WITNESSETH:

Premises:

1. The Landlord, for and in consideration of the rents, covenants, agreements, and stipulations hereinafter mentioned, provided for and contained to be paid, kept and performed by Tenant, has leased and rented and by these presents leases and rents unto the said Tenant, and said Tenant hereby leases and takes upon the terms and conditions which hereinafter appear, the following described property (hereinafter called the "Premises"), to wit: approximately 4,800 SF of office/warehouse space contained within a 12,000 SF office/warehouse building (the "Building") lying and being in Land Lot 630, 17th District, 2nd Section of Cobb County, Georgia and being known a 3080 Jonquil Drive, Suite B, Marietta, GA 30066. No easement for light or air is included in the Premises.

Term:

2. The Tenant shall have and hold the Premises for a term of eight-six (86) months beginning on the 1st day of August, 2019, and ending on the 30th day of September, 2026, at midnight, unless sooner terminated as hereinafter provided.

:

3. Tenant agrees to pay to Landlord at the address of Landlord as stated in this Lease, promptly on the first day of each month, in advance, during the term of this Lease, rental of:

08/01/2019 – 09/30/2019	Rent Free
10/01/2019 – 09/30/2022	\$3,200.00/Month
10/01/2022 – 09/30/2024	\$3,500.00/Month
10/01/2024 – 09/30 2026	\$3,700.00/Month

Upon execution of this Lease, Tenant shall pay to Landlord the first full month's rent due hereunder.

Security Deposit:

4. Tenant shall deposit with Landlord \$3,200.00 as security deposit which shall be held by Landlord, without liability for interest thereon, as security for the full and faithful performance by Tenant of each and every term, covenant and condition of this Lease of Tenant. If any of the rents or other charges or sums payable by Tenant to Landlord shall be over-due and unpaid or should Landlord make payments on behalf of Tenant, or should Tenant fail to perform any of the terms of this Lease, then Landlord may, at his option, appropriate and apply the security deposit, or so much thereof as may be necessary to compensate Landlord toward the payment of the rents, charges or other sums due from Tenant, or towards any loss, damage or expense sustained by Landlord resulting from such default on the part of Tenant; and in such event Tenant shall upon demand restore the security deposit to the original sum deposited. In the event Tenant performs all of Tenant's obligations under this Lease, the security deposit shall be returned in full to Tenant within thirty (30) days after the date of the expiration or sooner termination of the term of this Lease and the surrender of the Premises by Tenant in compliance with the provisions of this Lease.

APPLICATION FOR PRIVILEGE LICENSE

I have made application at the Business License Office of the City of Smyrna, Georgia for Arcanum Ventures LLC dba The Viking Alchemist, located at 3080 Jonquil Dr., Smyrna, Georgia, requesting a privilege license for the manufacture and pouring of wine (winery and retail pouring). This application will be heard before the Mayor and Council for the City of Smyrna, 2800 King Street, Smyrna, Georgia on November 4, 2019 at 7:00 p.m. All concerned persons are hereby notified.

Robin Kosoris
Licensee

Arcanum Ventures LLC
D/B/A The Viking Alchemist
3080 Jonquil Dr. SE
Smyrna, Georgia 30080

Ads to Run October 18 and October 25