



License and Variance Board Meeting - Final

September 27, 2023
10:00 AM

-
- C. LIC2023-013** Privilege License Agent Change Request – Beer and Wine (retail package)
– 1461 Veterans Memorial Hwy SE – RaceTrac, Inc., dba RaceTrac #140, with Tobauis
Melson as agent.



City of Smyrna

Issue Sheet

A Max Bacon
City Hall
2800 King Street
Smyrna, GA 30080

File Number: LIC2023-013

Agenda Date: 9/27/2023

In Control: License and Variance Board

File Type: License

Agenda Section:
Formal Business

Agenda Number: C

Department: Community Development

Agenda Title:

Privilege License Agent Change Request – Beer and Wine (retail package) – 1461 Veterans Memorial Hwy SE – RaceTrac, Inc., dba RaceTrac #140, with Tobauis Melson as agent.

Ward 7 Councilmember - Kathy Young

ISSUE AND BACKGROUND:

Application was made for privilege license agent change for RaceTrac, Inc., dba RaceTrac #140 for the sale of beer and wine (retail package). Tobauis Melson is the agent applicant.

Tobauis Melson will be the registered agent responsible for the sale of alcohol at 1461 Veterans Memorial Hwy SE. The applicant has been given a copy of the Alcoholic Beverage ordinances and attended the mandatory alcohol awareness workshop.

A background investigation conducted by the Smyrna Police Department failed to reveal information that would preclude issuance of this license. Mr. Melson has agreed to abide by the guidelines set forth by the City of Smyrna ordinance governing the sale of alcohol.

RECOMMENDATION / REQUESTED ACTION:

Privilege License Agent Change Request – Beer and Wine (retail package) – 1461 Veterans Memorial Hwy SE – RaceTrac, Inc., dba RaceTrac #140, with Tobauis Melson as agent.



ALC-148

Alcoholic Beverage License

Status: Active

Submitted On: 8/3/2023



Primary Location


1461 VETERANS MEMORIAL
HWY SE
SMYRNA, GA 30126

Owner

LAESK DEVELOPMENT LLC
342 SHILOH PASS NW
KENNESAW, GA 30144

Applicant

 RaceTrac Inc.
 770-431-7600
storelicensing@racetrac.com

 Attn: Licensing / 200
Galleria Pkwy.
Suite 900
Atlanta, GA 30339

Alcoholic Beverage License Information

Type of Alcohol (select all that apply):

Distilled Spirits (Liquor) ?

☐

Malt Beverage (Beer) ?

☒

Wine ?

☒

A NEW Alcoholic Beverage License is required when there has not been an active alcoholic beverage license at the business LOCATION within the previous 12 months. If there has been an active license, an AGENT CHANGE would be applied for.

New, Renewal, or Change of Agent?*

Change of Agent

Type of License*

Package

Add on Licenses (Select all that apply):

Sunday Sales

☒

Growler Specialty Shop ?

☐

Wine Specialty Shop ?

☐

Cigar Specialty Shop ?

☐

Brewery ?

☐

Winery ?

☐

Distillery ?

☐

Business Information

Legal Name of Business*

RaceTrac, Inc.

DBA (Doing Business As)

RaceTrac #140

Business Type:*

Corporation - Domestic

Business Street Address*

1461 Veterans Memorial Hwy, SE

Suite/Unit Number

Business City*

Mabelton

Business State*

GA

Business Zip Code*

30126

Business Direct Phone*

(770) 431-7600

Business Email Address*

storelicensing@racetrac.com

Business Website

Federal Tax ID Number*

_*2959

Alcohol Agent Full Name*

Tobauis Melson

Owner Information

Is the Business Owner a Corporation?*

Yes

Full Name of Owner*

RaceTrac, Inc.

Corporation Address*

200 Galleria Pkwy., Ste. 900

Corporation City, State, & Zip Code*

Atlanta, GA 30339

Corporation Phone Number*

(770) 431-7600

Corporation CEO*

Max E. McBrayer, Jr.

State of Incorporation*

GA

Is this a new business in Smyrna?*

No

Is this a transfer or change of ownership?*

No

Manager Information (as Applicant)

Is the Manager the same as the Owner?*

No

Full Name of Manager*

Tobauis Melson

Are you a citizen of the United States?*

Yes

Manager Social Security Number*

***_**

Date of Birth*

Birthplace*

Manager Current Address*

Manager City/State*

,

Manager Zip Code*

Manager Direct Phone*

Manager Email*

tmelson@racetrac.com

Number of years at this address*

Do you reside in Cobb County?*

No

Previous Address*

Previous City/State*

Previous Zip Code*

Number of years at previous address*

Driver's license number and state*

What has been your occupation for the past five (5) years? Give a detailed list:*

RaceTrac, Inc.; 2013-Present; General Manager/Operations Supervisor

Manager's employment date with owner*

04/01/2014

Has the manager (as the applicant):

Been adjudicated as incompetent or insane, or been deemed to have insufficient mental capacity to conduct the business for which the application is made?*

No

Been discharged from any military service under dishonorable conditions?*

No

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.)*

No

Within a five-year period preceding the date of application, been convicted for any felony charged under any of the laws of the states or the United States?*

No

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? *

No

If yes to any of the above questions, please attach a statement describing the issue in full detail.

Has any license authorizing the sale of alcoholic beverages at the location for which the present license is sought:

Been declared to be under supervision, at the date the application is filed?*

No

Been revoked within six months of the date the application is filed?*

No

Property Information

Do you own the land on which this business is to operate?*

Yes

Date Purchased*

08/23/2005


Amount Paid (\$)

1087250

Have you, your spouse, partner, or stockholder any financial interest in the wholesale liquor business?*

No

Please digitally sign here to indicate that you have received a copy of the City of Smyrna Alcoholic Beverage Ordinance.*

 Tobauis Melson
May 24, 2023



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

Are you aware that you are required to apply for a State license?*

Yes

Authorization

I, the applicant, 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.

Applicant Signature

✓ Tobauis Melson
May 24, 2023

Internal

🔒 MDJ Advertisement Date (1)*

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🔒 MDJ Advertisement Date (2)*

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🔒 Date Added to PrimeGov*

—

🔒 License & Variance Board Date*

—

🔒 Decision

—

CERTIFICATE OF ATTENDANCE

This certificate is awarded to



EVINDI
INCORPORATED

Melson, Tobauis
Racetrac
3225 Cumberland Blvd. Ste. 100
Atlanta, GA 30339

For satisfactory completion of Evindi, Inc.'s

Responsible Alcohol Sales & Service Workshop (3 hrs.)

Michele L. Stumpe, President of Evindi, Inc.

9.2.15

Date

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.



"Policing with a Purpose"

Smyrna Police Department

2646 Atlanta RD SE
Smyrna, GA 30080-2118
Phone: 770-434-9481
Fax: 678-631-5005

Chief of Police
Keith Zgonc



Deputy Chief
Robert Harvey

Date: August 31, 2023

To: Joseph Bennett, City Administrator

From: Keith Zgonc, Chief of Police

Major Mark Binicewicz, Office of Professional Standards

Subject: Application for Alcohol License

Applicant: Tobauis Melson

This applicant, **TOBAUIS MELSON**), 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, **RACE TRAC, INC.**

The business name is **RACE TRAC, INC.**

The business is incorporated under the name **RACE TRAC, INC.**

A background check was conducted on this applicant. There was nothing in his background within the 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: Heather Peacon-Corn, City Clerk

Kelly Moon, Business License

File