

CITY OF BARTLETT MEMO

DATE: July 12, 2017
TO: The Bartlett Beer Board
FROM: Kristi R. Francavilla
SUBJECT: Beer Permit Application for Los Comales Restaurant #2 LLC

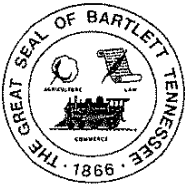
Please find attached an **ON**-Premises Beer Permit Application for Los Comales Restaurant #2 LLC located at 5808 Stage Rd, Bartlett, TN 38134. Supporting documentation can be found in this packet.

- Reason for new permit: New Owner
- Previous owner: La Hacienda Mexican Restaurant
- New owner/applicant: Hugo Flores dba Los Comales Restaurant #2 LLC
- Representative: Hugo Flores
- Location previously sold beer: Yes
- Background check: Passed
- Distance Boundary: Passed
- Legal Notice: Bartlett Express, 07/06/2017 edition
- Violations by this applicant: None
- Suspension/ Revocation at this location: No
- Violations under: N/A
- Date of penalty: N/A
- Penalty: N/A

Included in the application packet are copies of the Beer Ordinances as well as the explanation of the **Suspension Revocation and Civil Penalty of selling Beer to minors.**

CONTENT AND ORDER OF ALL BEER PERMIT APPLICATIONS

- 1. AGENDA**
- 2. LEGAL NOTICE**
- 3. APPLICATION**
- 4. OUR NOTICE TO THE NEWSPAPER**
- 5. POLICE BACKGROUND CHECK OF
APPLICANT AND MANAGER (SIGNED)**
- 6. CODE ENFORCEMENT'S BOUNDARY REPORT
(SIGNED)**
- 7. MAP OF AREA**



LEGAL NOTICE

Pursuant to the requirements of Ordinance 8-307 of the City of Bartlett, TN, the following information is made known to all interested persons:

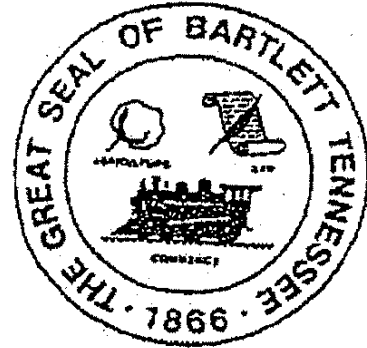
Hugo Flores, has applied for an ON-Premises permit to sell beer at, Los Comales Restaurant #2 LLC located at 5808 Stage Rd., Bartlett, TN 38134

The Bartlett Beer Board will meet at 6:00 p.m. on August 1, 2017 at The Bartlett City Hall, 6400 Stage Rd., Bartlett, TN, to consider the above application after a Public Hearing. Any citizen who would like to appear and testify either for or against this application will be heard.

A. Keith McDonald
Mayor

Los Comales

APPLICATION OF BEER PERMIT
STATE OF TENNESSEE
CITY OF BARTLETT



Application for (check one):

- ON-PREMISES PERMIT
- OFF-PREMISES PERMIT
- ON AND OFF PREMISES PERMIT
- MANUFACTURER'S PERMIT
- DISTRIBUTOR'S PERMIT
- SPECIAL EVENTS PERMIT

I HEREBY MAKE APPLICATION FOR A PERMIT TO SELL, STORE, MANUFACTURE, OR DISTRIBUTE BEER OR OTHER BEVERAGES AUTHORIZED TO BE SOLD, STORED, MANUFACTURED, OR DISTRIBUTED UNDER THE PROVISIONS OF TENNESSEE CODE ANNOTATED 57-5-1-1 ET SEQ. AND BASE MY APPLICATION UPON THE ANSWERS TO THE FOLLOWING QUESTIONS:

1. Reason for application:

New Business New Ownership Other (please explain) _____

2. Print Full Name of applicant (owner): Hugo Flores

(Effective 7/1/2015, T.C.A. 57-5-103(a) requires all applicants to be a citizen or lawful resident of the United States for at least one year immediately preceding the date of applying for the permit. The City reserves the right to request documentation of such residency or citizenship during the review and approval process.)

Is applicant a(n) (check one):

Person Firm Corporation
 Joint-Stock Co. Syndicate Association

3. Print address of applicant (owner): 4320 Winding Hollow Way
Memphis TN 38125

4. List all persons, firms, corporations, joint-stock companies, syndicates, or associations having at least at 5% ownership interest in the business (attach additional sheet, if needed):

<u>NAME</u>	<u>ADDRESS</u>	<u>DATE OF BIRTH</u>	<u>SSN</u>
Hugo Flores	4320 Winding Hollow Way		

5. List all previous addresses (within last 10 years):

7866 Alexander Crossing, Olive Branch MS 38654

6. Contact Telephone #: _____ Cell #: 901-461-2041

7. Under what name will the business operate? Los Comales Restaurant No. 2 LLC

8. Street address location of the business:

5808 Stage Road Bartlett, TN 38134

9. Business Telephone #: _____

10. Specify name, address and position of the person to receive the annual privilege tax notice and any other communication from the City:

Hugo Flores, 4320 Winding Hollow Way Memphis, TN 38125, Owner.

11. Give name and address of property owner, if other than business owner:

Southbay Properties LLC, 5240 Poplar Ave, 3rd Floor,
Memphis TN 38119

12. Will the permit be used to operate two or more restaurants or other businesses under the same permit as permitted by T.C.A. 57-5-103(a)(4) within the same building? _____ (YES or NO). If yes, specify number _____ List the names of the restaurants or other businesses and describe their location (use additional sheet if necessary):

Susana Ruiz

13. Give name, date of birth, SSN and address of all managers other than applicant:

Susana Ruiz

14. Has any person having at least 5% ownership interest, any of the managers listed in previous question, or any other employee of the business, been convicted of any violation of the beer or alcoholic beverage laws or any crime (other than minor traffic violations) within the last ten (10) years? _____ (YES or NO) If yes, give particulars of each charge, court, and date convicted:

NO

15. Has this owner or the owner's organization had a beer permit revoked, suspended, or denied in the State of Tennessee? _____ (YES or NO) If yes, specify where, when, and why:

NO

16. Give the name, relationship to applicant and address of former beer permit holder at this location (if applicable):

Pakmex International Inc.
Friends

(The City of Bartlett has adopted Ordinance 13-04 forbidding the sale of beer and like beverages within 150 feet of a free-standing school or church; or immediately adjacent in a multi-tenant building.)

17. What is the name and address of the school or church nearest your business?

Bartlett United Methodist Church
5676 Stage Rd, Bartlett TN 38134

I am knowledgeable of the laws prohibiting the sale of beer to minors. I hereby certify that no person(s) having at least 5% ownership interest, nor any person(s) to be employed in the distribution or sale of beer in my establishment has(ve) been convicted of any violation of the beer or alcoholic beverage laws or any crime involving moral turpitude within the past 10 years. I am also aware that I shall not be issued a permit or my permit shall be revoked if my business location causes traffic congestion or interferes with schools or churches, or otherwise interferes with public health, safety and morals.

I understand that by submitting this application, a background investigation shall be conducted on the applicant(s) and on all on-site managers who will be selling beer at the permitted establishment.

Hugo Flores

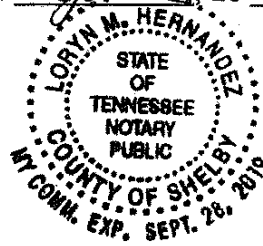
Print or type name of Applicant

Hugo Flores

Signature of Applicant/Owner (or) Authorized Corporate Officer

Sworn and subscribed before me this 26th day of June, 2017.

Lorlyn M. Hernandez
Notary Public



My Commission Expires: Sept. 28, 2019.

NOTICE: Non-refundable fees of \$250.00 for the application and \$100 for the required legal notice must accompany this document. A \$100 privilege tax is also required, but will be refunded if the applicant is not approved. If the applicant is approved you are required to provide documentation of sales tax registration and City of Bartlett business license within ten (10) days of approval. Any applicant making a false statement in this application shall forfeit his permit and shall not be eligible to receive any permit for a period of ten (10) years.

FOR OFFICE USE ONLY:

APPLICATION FEE \$250.00 250.00 DATE PAID: 6-26-17 BEERAP
LEGAL NOTICE \$100.00 100.00 DATE PAID: 6-26-17 Publ
PRIVILEGE TAX \$100.00 100.00 DATE PAID: 6-26-17 BRPRIV

TOTAL PAID: 450.00 cash

DATE APPLICATION SCHEDULED FOR BEER BOARD Aug. 1, 2017 6pm

APPROVED _____

DENIED _____

PAID
TAX DEPT.

JUN 26 2017

CITY OF BARTLETT
BARTLETT, TN

PLEASE COMPLETE THE ENTIRE APPLICATION, HAVE IT NOTARIZED AND RETURN ALONG WITH YOUR \$450.00 CHECK FOR PROCESSING. YOU WILL BE NOTIFIED AS TO WHEN YOUR COMPANY WILL BE SCHEDULED TO APPEAR BEFORE THE BEER BOARD.

YOU SHOULD MAIL OR DELIVER YOUR APPLICATION TO THE FOLLOWING ADDRESS:

CITY OF BARTLETT
TAX OFFICE
6400 STAGE ROAD
BARTLETT, TN 38134

IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT:

KRISTI R. FRANCAVILLA
CITY OF BARTLETT FINANCE DEPT.
901-385-6428

PLEASE INCLUDE NAME, ADDRESS AND TELEPHONE NUMBERS OF THE CONTACT PERSON FOR THIS APPLICATION.

NAME: Hugo Flores

ADDRESS: 5808 Stage Road Bartlett, TN 38134

PHONE # _____ CELL #: 901-461-2041

AUTHORIZATION TO RELEASE INFORMATION

TO WHOM IT MAY CONCERN:

I hereby authorize any individual acting on behalf of the Bartlett Tennessee Beer Board bearing this release, or copy thereof, to obtain any information in your files pertaining to my criminal history, personal history, or disciplinary records. I hereby direct you to release such information upon request of the bearer. This release is executed with full knowledge and understanding that the information is for the official use of the Bartlett Tennessee Beer Board. Consent is granted for the Bartlett Tennessee Beer Board to furnish such information, as is described above, to third parties in the course of fulfilling its official responsibilities. I hereby release you as the custodian of such records, the City of Bartlett, the Bartlett Beer Board or any individual acting on behalf of the City or the Beer Board, both individually and collectively, from any and all liability for damages of whatever kind, which may at any time result to me, my heirs, family or associates because of compliance with this authorization and request to release information, or any attempt to comply with it. Should there be any question as to the validity of the release, you may contact me as indicated below.

06/26/17
DATE

Hugo Flores
SIGNATURE

Full name (type or print):

Hugo Flores

Current home address:

4320 Winding Hollow Way
Memphis, TN 38125

Date of birth:

Social security number:

Home telephone number:

901-461-2041

Business telephone number:

Driver's license number:

_____ State: MS

Witness:


Signature

Ava MacFerran
Printed Name

Please include a photo static copy of your driver's license with this form.

AFFIDAVIT OF BEER PERMIT APPLICANT

STATE OF TENNESSEE:

COUNTY OF SHELBY:

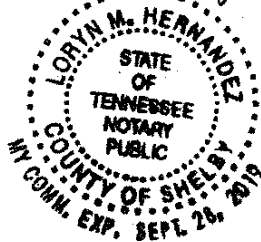
I, Hugo Flores, make oath and state that I comply with the requirements of Tennessee Code Annotated Section 57-5 108 (k) including but limited to following: I am not a family member of or in line for intestate succession from the previous beer license holder who had the beer permit for the location named in my beer permit revoked.

Sworn to and subscribed before me this Hugo Flores
26 day of June, 2017.

Lorin M. Hernandez
Notary Public

My Commission Expires:

Sept. 28, 2019.





LEGAL NOTICE

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A. Keith McDonald
Mayor

CITY OF BARTLETT MEMO

DATE June 26, 2017
TO: Doug Bailey *DB*
FROM: Kristi Francavilla
SUBJECT: Background Report

Please find attached a Beer Permit Application and Legal Notice being presented to us by Hugo Flores with Los Comales Restaurant #2 LLC, located at 5808 Stage Rd., Bartlett, TN 38134.

I have included information on the owner. Mr. Hugo Flores will represent the business at the beer board meeting at City Hall at 6:00 pm on Tuesday, August 1, 2017.

Please do your usual background check from the attached list and return to me as soon as possible. Also please include your signature and whether approved or not approved.

Thank you very much for your help!

YES Background check Has been approved.

NO Background check Has Not been approved.

Signature *Kristi Francavilla*

CITY OF BARTLETT MEMO

DATE June 26, 2017
TO: Jim Brown
FROM: Kristi Francavilla
SUBJECT: Boundary Report

Please find attached an ON- Premises Beer Permit Application being presented to us by Hugo Flores with Los Comales Restaurant #2 LLC, located at 5808 Stage Rd., Bartlett, TN 38134.

I would appreciate it if you would please check all the distance and boundaries as required by our city ordinances and mark the appropriate Yes or No line and return with your signature as soon as possible.

Thank you very much.

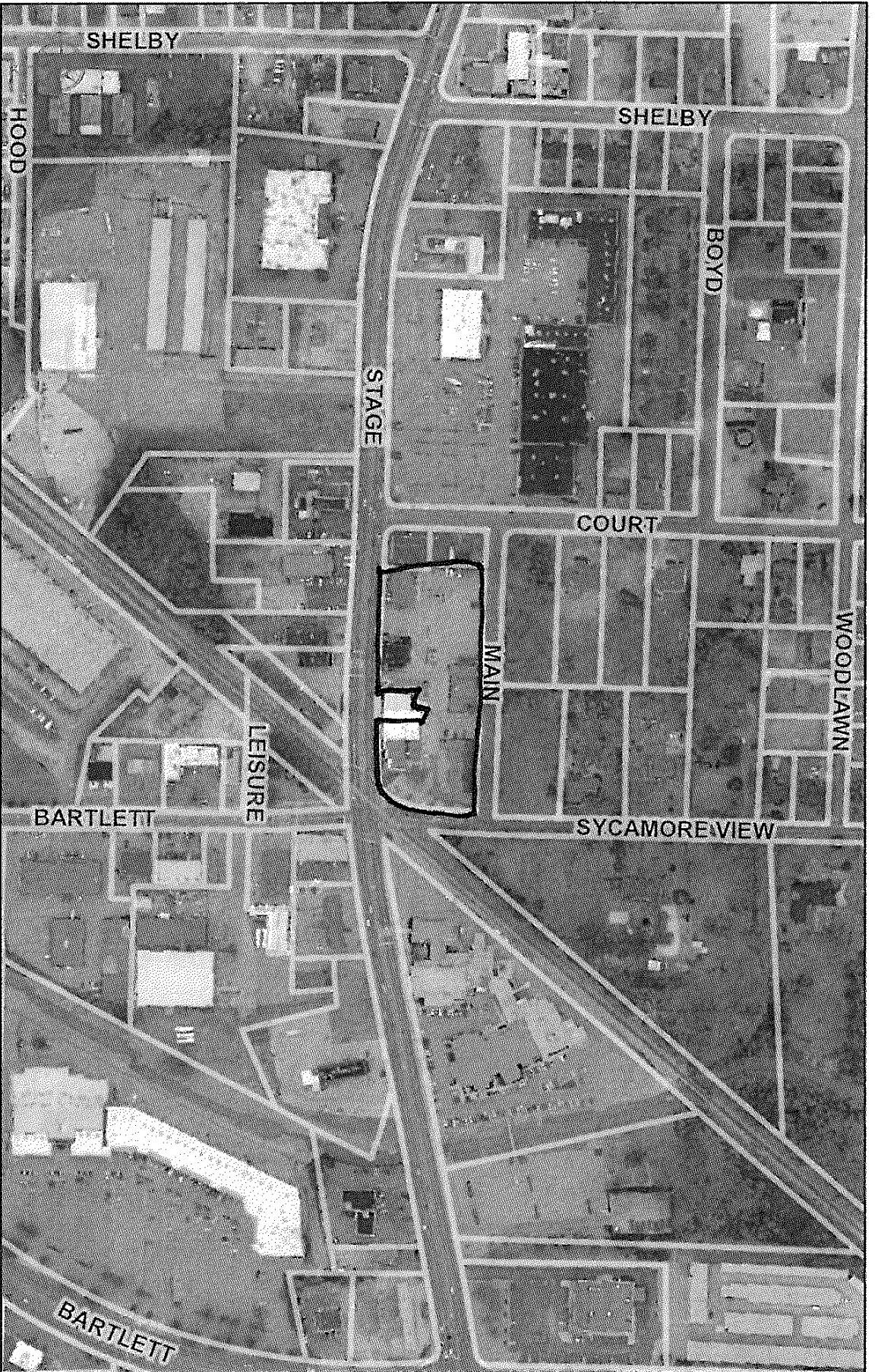
Yes All distance and boundaries meet the requirements of the City of Bartlett.

NO All distance and boundaries do not meet the requirements of the City of Bartlett.

Signature _____



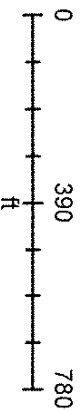
5808 stage rd



**TOM LEATHERWOOD, REGISTER OF DEEDS
SHELBY COUNTY, TENNESSEE**

DISCLAIMER: PROPERTY TAX MAPS AND PARCEL BOUNDARIES DO NOT REFLECT ACCURATE SURVEY INFORMATION OR EXACT LEGAL OWNERSHIP BOUNDARIES, AND ARE ONLY PROVIDED FOR GENERAL INFORMATION PURPOSES. THEREFORE, THEY SHOULD NOT BE RELIED UPON AS A REPRESENTATION OF ANY PROPERTY FOR ANY PURPOSE.

MAP DATE: June 26, 2017





Tom Leatherwood Shelby County Register of Deeds

Search Details Layers / Maps

Property Details

Owner Name: SOUTHBAY PROPERTIES LLC

Property Address: 5800 STAGE RD

Parcel ID: B0156 00290C

2017 Appraisal: \$2,060,400

Tax District: BARTLETT

Tax Map: 106B [TIFF PDF](#)

Year Built: null

Lot Number: 1THRU5

Subdivision: BARTLETT

Plat BK & PG: 1-55&56

Dimensions: 2.853AC

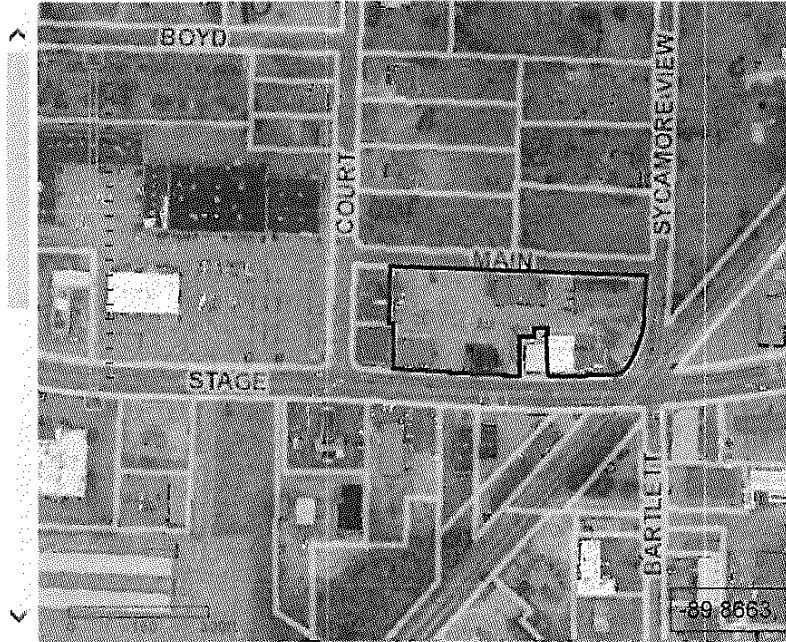
Total Acres: 2.80

Owner Address: PO BOX 772808
MEMPHIS TN 38177

Class: COMMERCIAL

Use: SHP-CTR-STRP

Zoning: CG-MS



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