

**PLANNING & DEVELOPMENT DEPARTMENT  
STAFF REPORT**

**Case Number:** A.N. 23-32

**Application Type:** Retail Package Liquor, Beer, Wine

**Business Name:** Dang Daiquiri LLC dba Booze Pops

**Hearing Date:** August 8, 2023

**Report Prepared By:** Julietta H. Walton, Business License & Customer Service Manager

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**Applicant:** *Africa Thomas*

**Property Owner:** Damascus Office LLC

**Address of Property:** 3062 Damascus Rd

**Tax Parcel #:** 056-1-001-04-0

**Commission District:** District: 2 Super District: 9

**Background:** New Location

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**ANALYSIS:** Location restrictions: zoning and proximity to churches, libraries, schools, and public recreation areas.

- **Zoning:** L-I (Light Industrial) Zone
- **Distance Requirements:** The proposed location for retail package Liquor, Beer & Wine meets the minimum distance location to churches, schools, libraries, and public recreation areas.

**ADDITIONAL CONSIDERATIONS:**

- **Reputation, character.** The applicant's reputation, character, trade and business associations or past business ventures, mental and physical capacity to conduct business.
- **Previous violations of liquor laws.** If the applicant is a previous holder of a license to sell alcoholic liquors, whether or not he has violated any laws, regulations or ordinance relating to such business.
- **Manner of conducting prior liquor business.** If the applicant is a previous holder of a license to sell alcoholic liquors, the manner in which he conducted the business thereunder especially as to the necessity for unusual police observation and inspection in order to prevent the violation of any law, regulation or ordinance relating to such business.

- **Location.** The location for which the license is sought, as to traffic congestion, general character of neighborhood, and the effect such an establishment would have on the adjacent surrounding property values.
  - **The proposed is a New Location.**
- **Number of licenses in a trading area.** The number of licenses already granted for similar business in the trading area of the place for which the license is sought.
- **Dancing.** If dancing is to be permitted upon the premise for which the license is sought and the applicant has previously permitted dancing upon the premises controlled or supervised by him, the manner in which he controlled or supervised such dancing to prevent any violation of any law, regulation, or ordinance.
- **Previous revocation of license.** If the applicant is a person, whose license issued under the police powers of any governing authority has been previously suspended or revoked or who has previously had an alcoholic beverages licenses suspended or revoked. Payment of taxes. If the applicant and business are not delinquent in the payment of any local taxes.
- **Congregation of minors.** Any circumstances, which may cause minors to congregate in the vicinity of the proposed location, even if the location meets the distance requirement under section 6-2-64 (b) herein.
- **Prior incidents.** Evidence that a substantial number of incidents requiring police intervention have occurred within a square city block of the proposed location during the twelve (12) months immediately preceding the date of application.
- **Previous Denial or Revocation.** The denial of an application or revocation of a license, occurring within the preceding twelve (12) months, which was based on the qualifications of the proposed location.

**FINANCIAL IMPACT:** The applicant will pay a pro-rated fee of \$2,330.00.

**RECOMMENDATION:**

The Planning & Development approved the application subject to additional information not contradicting the applicant's statements.

The Sheriff's Office approved the application subject to additional information not contradicting applicant's statements.

**Note:** The staff report includes the information available approximately two weeks prior to the Public Services Committee meeting. It represents an evaluation of the facts presented by the applicant, research done by the staff, and consideration of the relevant factors in the Comprehensive Zoning Ordinance and the Alcohol Ordinance of Augusta, Georgia. New facts may emerge, and staff reserves the right to make an oral recommendation at the hearing based on all the information available at that time.



Augusta-Richmond County  
1815 Marvin Griffin Road  
Augusta, GA 30906

### ALCOHOL BEVERAGE APPLICATION

Alcohol Number \_\_\_\_\_ Year \_\_\_\_\_ Alcohol Account Number \_\_\_\_\_

1. Name of Business Dang Daiquiri LLC dba Booze Pops
2. Business Address 3062 Damascus Rd 6/30/23
3. City Augusta State GA Zip 30909
4. Business Phone (718) 344-4567 Home Phone ( ) \_\_\_\_\_
5. Applicant Name and Address: Africa Thomas  
411 36th St Unit 8124  
Augusta, GA 30905
6. Applicant Social Security # 1 D.O.B. \_\_\_\_\_
7. If Application is a transfer, list previous Applicant:  
N/A
8. Business Location: Map & Parcel 056-1-001-04-0 Zoning L1
9. Location Manager(s) Africa Thomas
10. Is Applicant an American Citizen or Alien lawfully admitted for permanent residency?  
(X) Yes ( ) No

### OWNERSHIP INFORMATION

11. Corporation (if applicable): Date Chartered: \_\_\_\_\_
12. Mailing Address:  
Name of Business Dang Daiquiri LLC dba Booze Pops  
Attention Ms. Africa Thomas  
Address 411 36th St. Unit 8124  
City/State/Zip Augusta, GA 30905
13. Ownership Type: ( ) Corporation ( ) Partnership ( ) Individual X LLC
14. Corporate Name: Dang Daiquiri LLC  
List name and other required information for each person having interest in this business.

Name	Position	SSNO #	Address	Interest
Africa Thomas	Managing Member		411 36th St. Unit 8124 Augusta, GA 30905	100%

15. What type of business will you operate in this location?  
( ) Restaurant ( ) Lounge ( ) Convenience Store  
(X) Package Store ( ) Other: \_\_\_\_\_

License Information	Liquor	Beer	Wine	Dance	Sunday Sales
Retail Package Dealer	X	X	X	No	Yes
Consumption on Premises					
Wholesale					

Total License Fee: \$ \_\_\_\_\_  
Prorated License Fee: (After July 1 ONLY) \$ \_\_\_\_\_

16. Have you ever applied for an Alcohol Beverage License before: No  
If so, give year of application and its disposition: \_\_\_\_\_
17. Are you familiar with Georgia and Augusta-Richmond County laws regarding the sale of alcoholic beverages? (X) Yes ( ) No If so, please initial. AT



18. Attach a passport-size photograph (front view) taken within two years. Write name on back of the dealer submitting the license application.



19. Has any liquor business in which you hold, or have held, any financial interest, or are employed, or have been employed, ever been cited for any violation of the rules and regulations of Richmond County or the State Revenue Commission relating to the sale and distribution of distilled spirits? ( ) Yes (X) No  
If yes, give full details: \_\_\_\_\_

20. Have you ever been arrested, or held by Federal, State, or other law-enforcement authorities, for any violation of any Federal, State, County or Municipal law, regulation or ordinance? (Do not include traffic violations, with the exception of any offenses pertaining to alcohol or drugs.) All other charges must be included, even if they are dismissed. ( ) Yes (X) No  
If yes, give reason charged or held, date and place where charged and its disposition. \_\_\_\_\_

21. List owner or owners of building and property.

Harrison Lavery

22. List the name and other required information for each person, firm or corporation having any interest in the business.

None

23. If a new application, attach a surveyor's plat and state the straight line distance from the property line of school, church, library, or public recreation area to the wall of the building where alcohol beverages are sold.

A.) Church 1910'

C.) School 3440'

B.) Library 10500'

D.) Public Recreation 4350'

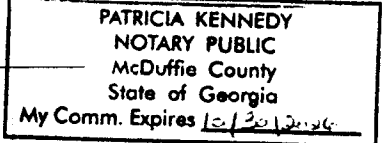
24. State of Georgia, Augusta-Richmond County, I. Africa Thomas

Do solemnly swear, subject to the penalties of false swearing, that the statements and answers made by me as the applicant in the forgoing alcoholic beverage application are true.

Applicant Signature

25. I hereby certify that Africa R. Thomas is personally known to be, that he/she signed his/her name to the foregoing application stating to me that he/she knew and understood all statements and answers made herein, and, under oath actually administered by me, has sworn that said statements and answers are true.  
This 5th day of December, in the year 2002.

Notary Public



FOR OFFICE USE ONLY

Department Recommendation	Approve	Deny	Comments
Alcohol Inspector			
Sheriff			
Fire Inspector			

The Board of Commissioners on the \_\_\_\_\_ day of \_\_\_\_\_, in the year \_\_\_\_\_  
(Approved, Disapproved) the forgoing application.

Administrator

Date



## TFH | LEGAL

TAYLOR | FEIL | HARPER | LUMSDEN  
ATTORNEYS AT LAW

**Mitch Funk**  
MJFunk@TFHlegal.com

April 20, 2023

**Via E-mail**

City of Augusta-Richmond County  
Planning and Development Department  
ATTN: Ms. Julietta Walton  
1803 Marvin Griffin Rd.  
Augusta, GA 30906

***Re: Dang Daiquiri LLC DBA Booze Pops Business Proposal for Augusta Alcohol License***

Dear Ms. Walton,

As you know, this firm represents Dang Daiquiri LLC ("Booze Pops"). Booze Pops is applying for a retail package license in Augusta ("the City"). As part of the City's processing of its application, you have asked Booze Pops to submit a business proposal. This letter serves to outline the business as Booze Pops expects and plans to operate.

Booze Pops is a chain of alcohol retailers founded in South Carolina but located in various states. Our client holds the rights to the franchise in Central South Carolina as well as introducing the brand to Georgia. Booze Pops is centered around consumer interest in alcohol popsicles and other frozen treats. Under current Georgia law, frozen confections that contain alcohol are treated as alcoholic beverages and require all the licensing attendant to them.

Considering the above, Booze Pops is planning to operate as an alcohol caterer as defined under Augusta ordinance and State of Georgia law. These laws require that Booze Pops operate an alcohol retail establishment, and carry the requisite license, to obtain and utilize the alcohol caterer's license. We understand and respect the State and City's interest in ensuring alcohol is safely stored and monitored, hence the need for a physical, stationary space.

As such, Booze Pops has applied for a retail package license covering its space at 3062 Damascus Rd. Augusta, GA 30909. This "brick-and-mortar" space will be open to the public to come and purchase liquor, beer, and wine by the package. Hours will be by appointment during regular business hours, 8am-5pm. These hours will also allow the Booze Pops team to work with clients on planning alcohol catering events in the Augusta community and beyond.

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Dang Daquiri, LLC

April 24, 2023

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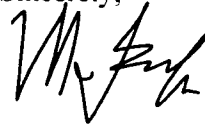
Under the alcohol caterers license, Booze Pops intends to engage with event organizers that would like Booze Pops, and the products it carries, at their events. Booze Pops will apply for licenses as required by municipal or county codes and notify the Georgia Department of Revenue of the dates and locations of these events.

Once those approvals are received, Booze Pops will drive its vehicle and the product needed, as ordered by the client-organizer, to the event location. Booze Pops will operate as a cash bar at the event location out of the window on its truck for the hours allotted to the event. Once the event is over Booze Pops will lock the window, drive the truck back to the storage facility and move all alcohol products back up to the secure area of its licensed facility. Except for the specific events for which Booze Pops contracts to cater, Booze Pops will not be selling or moving the product in its truck in Georgia.

We appreciate your concern, and we hope we have allayed any fears the City may have about the business model. Booze Pops has no plans to roam the streets of Augusta to sell its products. Africa and the team are under full knowledge and understanding that free-roaming or mobile alcohol sales are not allowed in Augusta or the State of Georgia. Booze Pops just wants to offer a fun alternative to event organizers and party hosts, while being a safe and contributing member of the community.

Many thanks for your assistance with this application. If you need anything further, please feel free to reach out to my office at (404) 214-1200. Please let me know your thoughts and I look forward to discussing them further with you and your office.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mitchell Funk', written over a horizontal line.

Mitchell Funk