



5. Location of the business by street address. For special event, list location of the event.

1401 LIBERTY PIKE, STE 300, FRANKLIN, TN

\* Phone number of the business 615-708-0937

6. Please give the following information on the person who will be managing the business. This person is an owner  or a managing agent .

Name

Drivers license #

State

Date of birth

Soc. Sec. #

Home phone

Daytime phone #

7. Specify the identity, address and daytime contact phone number of the person to receive annual privilege tax notices and any other communication from the City.

Name S. G. STEPHENS

Title BKKPR

Mailing Address P.O. BOX 556

City, State, Zip SMYRNA, TN 37167

Daytime contact phone number 615-355-4883/Fax 615-355-8996

8. Will the permit be used to operate two or more restaurants or other businesses under the same permit as permitted by T.C.A. Section 57-5-103(a)(4) within the same building? Yes  No .

If so, specify number \_\_\_\_\_. List the names of the restaurants or other businesses and describe their location (use additional sheet if necessary)

N/A

9. Do you own the premises on which you will operate? NO  
If no, please give the name and address of the property owner.

McKAY'S MILL HOLDINGS, LLC ; 1175 N.E. 125<sup>TH</sup> STREET,  
SUITE 102, NORTH MIAMI, FL 33161

10. Has any person having at least 5% ownership interest, managers or employees of the business been convicted of any violation of beer or alcoholic beverage laws or any crime (other than minor traffic violations) within last ten (10) years? NO If so, give particulars of each charge, court and date convicted.

N/A

11. Has this owner or the owners organization had a beer permit revoked, suspended, or denied in the State of Tennessee? Yes \_\_\_ No  If so, please give date, place and cause of said revocation.

N/A

12. Give the name and address of the former beer permittee at this establishment.

TORTILLAS MEXICAN BUFFET AND GRILL.

13. Give applicant's history of involvement in the beer business, if any.

THERE ARE 2 OTHER EL SOMBRERO MEXICAN RESTAURANTS (SERVING BEER)  
IN DAVIDSON COUNTY BUT ARE OWNED BY DIFFERENT CORPORATE ENTITIES.

14. Give applicant's employment record for the past 10 years.

N/A

15. What is the exact nature of the business in which you are applying for a beer permit?  
(Restaurant, tavern, motel, etc.)

RESTAURANT

16. Will a full course menu be served? YES
17. Will separate and sanitary facilities be maintained for men and for women? YES
18. Will dancing be allowed on your premises? NO  
If yes, do you acknowledge that section 9-102 of the Franklin Municipal Code prohibits the operation of establishments allowing dancing between 1:30 AM and 5:00 AM? N/A

**TRAINING POLICY:**

All beer applications must have a training policy submitted with application. This policy must include training regarding the sale of beer to minors.

19. Please read the following and upon signature of this application, you do understand and agree to comply if you are granted a permit.
- (a) You will not sell beer or similar beverages except at the place or places for which the beer board has issued your permit.
  - (b) You will not sell beer or any like beverage except in accordance with the terms of said permit.
  - (c) If this application is made for permit to sell and not for consumption on the premises, you will not sell for consumption on the premises and not allow consumption on the premises.
  - (d) You will rigidly enforce the law against sales to minors.
  - (e) You will prohibit gambling at your establishment and understand that the conduct of such activities on the premises will result in revocation of your permit.
  - (f) You will secure a certificate or statement from the health department or health officer that the premises covered by the application meet the requirements of the ordinances of the City of Franklin and the laws of the State of Tennessee.
  - (g) You will not attempt to transfer this permit to anyone else.
  - (h) You will display this permit in a prominent place in your establishment.
  - (i) You will not sell or distribute beer between the hours of 3:00 AM and 6:00 AM (8:00 AM for on premises consumption) during the week and between the hours of 3:00 AM Sunday and 12:00 Noon Sunday (10:00 AM for on premises consumption).
  - (j) You will prohibit the congregation at your establishment of those who reasonably appear to be intoxicated, lawless, rowdy, or prostitutes.
  - (k) You will not allow any liquor with alcoholic content of greater than five percent (5%) to be consumed on the premises.

- (l) You will not allow any sale or delivery of beer for consumption on the premises outside of the building, it being the intention to prohibit the sale of beer by what is commonly known as "curb service" or "curb sales" of beer.
- (m) You will comply with all requirements of section 2-201 through 2-229 of the municipal code of the City of Franklin.

A non-refundable \$250 fee must accompany this application and the application shall be submitted at least fifteen (15) days prior to the Beer Board meeting at which it is to be considered. If the application is approved you are required to provide documentation of sales tax registration to the city within ten days of approval. Any applicant making false statement in this application shall forfeit his permit and shall not be eligible to receive any permit for a period of ten years.

A privilege tax of \$100 is imposed on the business of selling, distributing, storing or manufacturing beer in this state effective January 1, 1994 and each successive January 1. Any holder of a beer permit issued after January 1, 1994 shall pay a pro rata portion of this annual tax when the permit is issued.

*I hereby make application to the City of Franklin Beer Board for a beer permit.*

*The signing of this application acknowledges that I am aware of the laws prohibiting the sale of beer to minors.*

*I hereby certify that no person having at least a 5% ownership interest, nor any person to be employed in the distribution or sale of beer in my establishment has 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, churches, or other public places of public gathering, or otherwise interferes with public health, safety and morals.*

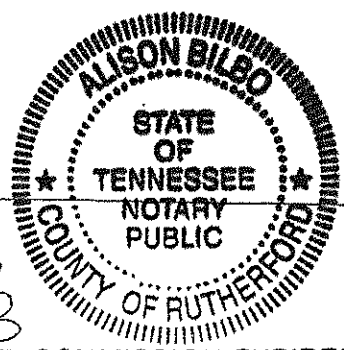
*[Signature]*  
 Signature of Applicant/Owner (or Authorized Corporate Officer)

On behalf of: EL SOMBRERO 3, INC  
 Name of Business Entity

Sworn to and subscribed before me this 24 day of Sept, 2013

*[Signature]*  
 Notary Public

My Commission Expires: 9/23/2014



Official Use Only	
Application Fee \$ <u>250.00</u>	Date Paid <u>9-24-13</u>
Privilege Tax \$ <u>25.00</u>	Date Paid <u>9-24-13</u>
Board Meeting Date <u>10, 8, 13</u>	

MY COMMISSION EXPIRES 09/23/2014

**EL SOMBRERO 3, INC  
1401 LIBERTY PIKE, STE 300  
FRANKLIN, TN 37067-8648**

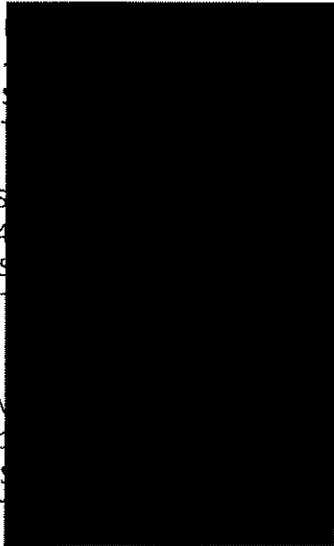
SEPTEMBER 17, 2013

LIST OF OFFICERS

ALMA ONATE  
2655 SIMS ROAD  
SHELBYVILLE, TN 37160

ROBERTO GUZMAN  
2235 SAWMILL ST.  
MURFREESBORO, TN 37128

QUIRINO ONATE LEON  
2000 OLD TULLAHOMA RD  
WINCHESTER, TN 37398



**EL SOMBRERO MEXICAN RESTAURANT  
1401 LIBERTY PIKE, SUITE 300  
NASHVILLE, TN 37067**

It is unlawful for any person under the age of 21 to purchase, possess, transport or consume beer/liquor. The server (employees of restaurant) must ask for and check customer's identification to insure that the customer is 21 years of age or older. It shall be unlawful for any person under 21 years of age to present or offer to any permittee, his agent or employee, any written evidence of his age which is false, fraudulent, or not actually his own, for the purpose of purchasing or attempting to purchase such beverages.

A person who is 18 years or older may transport, possess, sell or dispense alcoholic beverages (including beer) in the course of their employment. A person under the age of 18 cannot process a sale or bag beer in the course of his or her employment.

It is unlawful for any person engaged in the sale of beer to make or permit to be made any sale to minors. The first offense of selling beer to a minor is a Class A misdemeanor. A second offense of selling beer to a minor is a Class E felony. Upon the second conviction, the permit of such person shall be automatically and permanently revoked regardless of any other penalty actually imposed.

Liquor/Beer can only be served on the premise of the Restaurant this includes decks, porches or patios. A drink (liquor/beer) cannot be put into a to-go-cup or sold to leave the Restaurant premise. If a Restaurant Employee sees a customer trying to leave with an Alcoholic/Beer drink he/she should notify the Restaurant Manager immediately

Employees are prohibited from selling or serving customers that appear to be intoxicated, lawless or rowdy. If the customer creates a problem the Restaurant Manager should be notified immediately.

This Restaurant has a zero tolerance for selling liquor to minors, or intoxicated customers. The server can be terminated.

POLICE DEPARTMENT


David Rahinsky  
Chief of Police

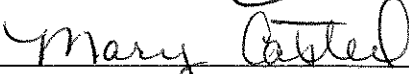


Dr. Ken Moore  
Mayor

Eric S. Stuckey  
City Administrator

September 25, 2013

TO: Lt. Charles Warner 

FROM:   
Mary Casteel, Communications Support Coordinator

SUBJECT: Beer Board Background Checks

A check of Franklin Police Department records was completed on Roberto Guzman, Managing Agent for El Sombrero Mexican Restaurant and found to be clear.

A check was completed through LexisNexis/Accuint and found to be clear.

Requested by: Ann Murphy

A handwritten signature in black ink, appearing to read "David Rahinsky".



1350

# City of Franklin

P O Box 705  
Franklin, TN 37065  
(615) 791-3225

DATE: 9/24/2013  
TO: POLICE CHIEF  
FROM: CHRISTY MCCANDLESS, ACCOUNT MGMT SUPERVISOR  
RE: RECORDS CHECK FOR APPLICATION FOR BEER PERMIT  
BEER BOARD MEETING DATE 10-8-2013

- Applicant is requesting a temporary permit. Please return ASAP.
- Please return by 9-30-2013 to provide information for Beer Board meeting agenda.

Name of Business EL Sombrero Mexican Restaurant  
 Location of Business 1401 Liberty PK, Ste 300, Franklin, TN 37067  
 Name of applicant EL Sombrero 3 TNC  
 Managing Agent [REDACTED]  
 Drivers License [REDACTED] State [REDACTED]  
 Date of Birth [REDACTED] Soc. Sec [REDACTED]

- Recommend. Based on information available to date, the applicant has no record requiring denial of the permit under the provisions of Title 8 of the Franklin Municipal Code.
- Not recommending. Based on information available to date, the Police Dept. is not recommending approval of a permit.

CENTRAL RECORDS DIVISION  
FRANKLIN POLICE DEPT

By \_\_\_\_\_

Date \_\_\_\_\_

Approved \_\_\_\_\_  
Signature

13-50

**City of Franklin**  
P O Box 705  
Franklin, TN 37065  
(615) 791-3225

DATE: 9/29/2013  
TO: **CODES DEPT**  
**FIRE DEPT**  
FROM: **CHRISTY MCCANDLESS, ACCOUNT MGMT SUPERVISOR**  
RE: **BUILDING INSPECTIONS FOR APPLICATION FOR BEER PERMIT**

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

- Applicant is requesting a temporary permit. Please return ASAP.
- Please return by 9/30/2013 to provide information for Beer Board meeting agenda.

Beer Board Meeting Date 10-8-2013

Name of Business EL Sombrero Mexican Restaurant  
Location of Business 1401 Liberty PK, Franklin, TN 37067  
*\* Buildout not complete*

**CODES DEPT**

[Signature]  
Building Inspector

9-25-13  
Date

**FIRE DEPT**

\_\_\_\_\_  
Fire Inspector

\_\_\_\_\_  
Date



13-50

# City of Franklin

P O Box 705  
Franklin, TN 37065  
(615) 791-3225

DATE: 9/24/2013  
TO: CODES DEPT  
FIRE DEPT  
FROM: CHRISTY MCCANDLESS, ACCOUNT MGMT SUPERVISOR  
RE: BUILDING INSPECTIONS FOR APPLICATION FOR BEER PERMIT

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

Applicant is requesting a temporary permit. Please return ASAP.

Please return by 9/30/2013 to provide information for Beer Board meeting agenda.

Beer Board Meeting Date 10/8/2013

Name of Business EL Sombrero Mexican Restaurant

Location of Business 1401 Liberty PK, Franklin, TN 37067

## CODES DEPT

\_\_\_\_\_  
Building Inspector Date

## FIRE DEPT

*will be taken care of through  
CO. inspectors*

Wayne Mobley 9-26-13  
Fire Inspector Date