

RESOLUTION NO. _____

RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA DENYING THE APPEAL AND UPHOLDING THE COMMUNITY DEVELOPMENT DIRECTOR'S DETERMINATION THAT THE PUBLIC CONVENIENCE OR NECESSITY WOULD NOT BE SERVED BY THE ISSUANCE OF AN OFF-SALE ALCOHOL LICENSE FOR BEER AND WINE AT BIG LOTS LOCATED AT 2055 MENDOCINO AVENUE – FILE NO. PCN13-011

WHEREAS, on April 22, 2013, an application for an appeal of the Community Development Director's determination that the public convenience or necessity would not be served by the issuance of an off-sale beer and wine license was submitted to the City Clerk's office for the property located at 2055 Mendocino Avenue, Santa Rosa; and

WHEREAS, the Community Development Department reviewed the 23958.4 B & P Application Work Sheet provided by the Department of Alcoholic Beverage Control, as well as statistical information provided by the Santa Rosa Police Department, to determine if an off-sale alcohol license at this location would serve the public convenience or necessity; and

WHEREAS, pursuant to the information provided in the 23958.4 B & P Application Work Sheet the subject property is located within a high crime reporting district. A "high crime reporting district" is defined by State law as 120 percent of the average number of offenses per City reporting district. The average number of offenses is 143.97; 120 percent of the average is 173 total offenses. The subject reporting district has a total of 225 offenses; and

WHEREAS, the Santa Rosa Police Department provided information regarding the type of crime issues in the area, which include public intoxication as the top offence. Further, while the subject area is not over concentrated with alcohol licenses, it is adjacent to an area that has an undue concentration of licenses. Big Lots has provided information that the beer and wine would be sold at a discounted rate, and, based on this information it is the Police Department's position that allowing an off-sale alcohol license would serve to perpetuate the already criminal and nuisance type of behavior taking place in this area; and

WHEREAS, the Council has reviewed this information and the records herein.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Santa Rosa denies the appeal and upholds the Community Development Director's determination that the public convenience and necessity would not be served by the issuance of an off-sale beer and wine license at 2055 Mendocino Avenue, Santa Rosa, based on the information submitted, and determines that the public convenience and necessity will not be served.

IN COUNCIL DULY PASSED this 18th day of June, 2013.

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST: _____ APPROVED: _____
City Clerk Mayor

APPROVED AS TO FORM:

City Attorney

DRAFT