

## Maloney, Mike

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**From:** Maloney, Mike  
**Sent:** Wednesday, August 11, 2021 10:04 AM  
**To:** \_PLANCOM - Planning Commission  
**Cc:** Sheikhal, Monet  
**Subject:** Late Correspondence for item 9.2  
**Attachments:** Census Tracts.pdf; CUP21-007 - ABC Comments.pdf

**\*\*PLEASE DO NOT REPLY TO ALL\*\***

Chair Weeks and members of the Planning Commission,

Planning staff wishes to clarify Planning review activity of Planning Commission Meeting Item 9.2 – VALERO GAS STATION, which will be reviewed by the Commission during a public hearing scheduled for Thursday – August 12, 2021. This clarification concerns certain applicable review criteria contained in [Section 20-42.034 Alcoholic beverage sales](#), Subsection (C)(1) and (C)(3).

In the past, Planning has responded to requests for Public Convenience or Necessity letters (PC or N letter) from State Alcohol Beverage Control (ABC). These letters would be requested during ABC processing of a request for license for sale of alcoholic beverages. The letter provided by Planning typically stated that “Statistical information reported by the ABC indicates this location is not within an area with a high concentration of liquor licenses. The Santa Rosa Police Department has reviewed the proposal and has not indicated any concerns for the proposed sale of beer and wine.” During review of the VALERO GAS STATION project, Staff learned from ABC that it is no longer requesting PC or N letters when processing a request for license. Instead, ABC considers how many licenses are allowed/issued per census tract and requires that the applicant obtain any local agency permit(s) required for alcoholic beverage sales.

Subsection (C)(1) review criteria asks Planning Commission to consider “Whether the use serves public convenience or necessity.” During Planning review, Staff considered the project site is located in Census Tract number 1522.02, with a population of 6,763 persons and only three active off-sale retail licenses as reported by ABC (see [ABC licensing reports website](#)). Per ABC, the maximum number of licenses that could be issued is ten. As reported in the project’s Staff Report, Planning staff referred the project to Santa Rosa Police Department (SRPD) for review, and SRPD provided a “No comment” response. Based upon this information, Staff concluded that this location is not within an area with a high concentration of liquor licenses and that SRPD does not have any concerns regarding the proposed sale of beer and wine. Therefore, a public convenience or necessity would be met through the sale of alcoholic beverages.

Subsection (C)(3) review criteria asks Planning Commission to consider “The number of alcohol licenses per capita in the reporting district and in adjacent reporting districts as compared to the county-wide average.” ABC license data are census tract-based and do not align with SRPD reporting districts. Using ABC data provided online, Staff conducted the following analyses:

- There is one active off-sale retail license for every 643 persons in Sonoma County, or a ratio of 1:643.
- The project site is located in Census Tract number 1522.02, with a population of 6,763 persons and three active off-sale retail licenses. It has a ratio of 1:2,254.

- Four census tracts adjacent to the project site (1525.01, 1525.02, 1524, and 1517) have the following ratios: 1:2,089, 0, 1:1,000, and 1:1,395, respectively.

Based upon this analysis, Staff concludes that the average number of active off-sale alcohol licenses per capita in the project's census tract or the four census tracts surrounding the project is far less than the County-wide average.

Attached please find the Census data map, and an email received from ABC regarding the proposed off-site alcohol sale for your information. Staff also notes that Zoning Code [Section 20-42.034](#) was adopted in 2004, and the latest amendment to this section was adopted in 2012. Staff has requested that this Section be considered for review during the next update to the Zoning Code.

Please feel free to contact me with any questions.

Thanks,

**Monet Sheikhali | City Planner**

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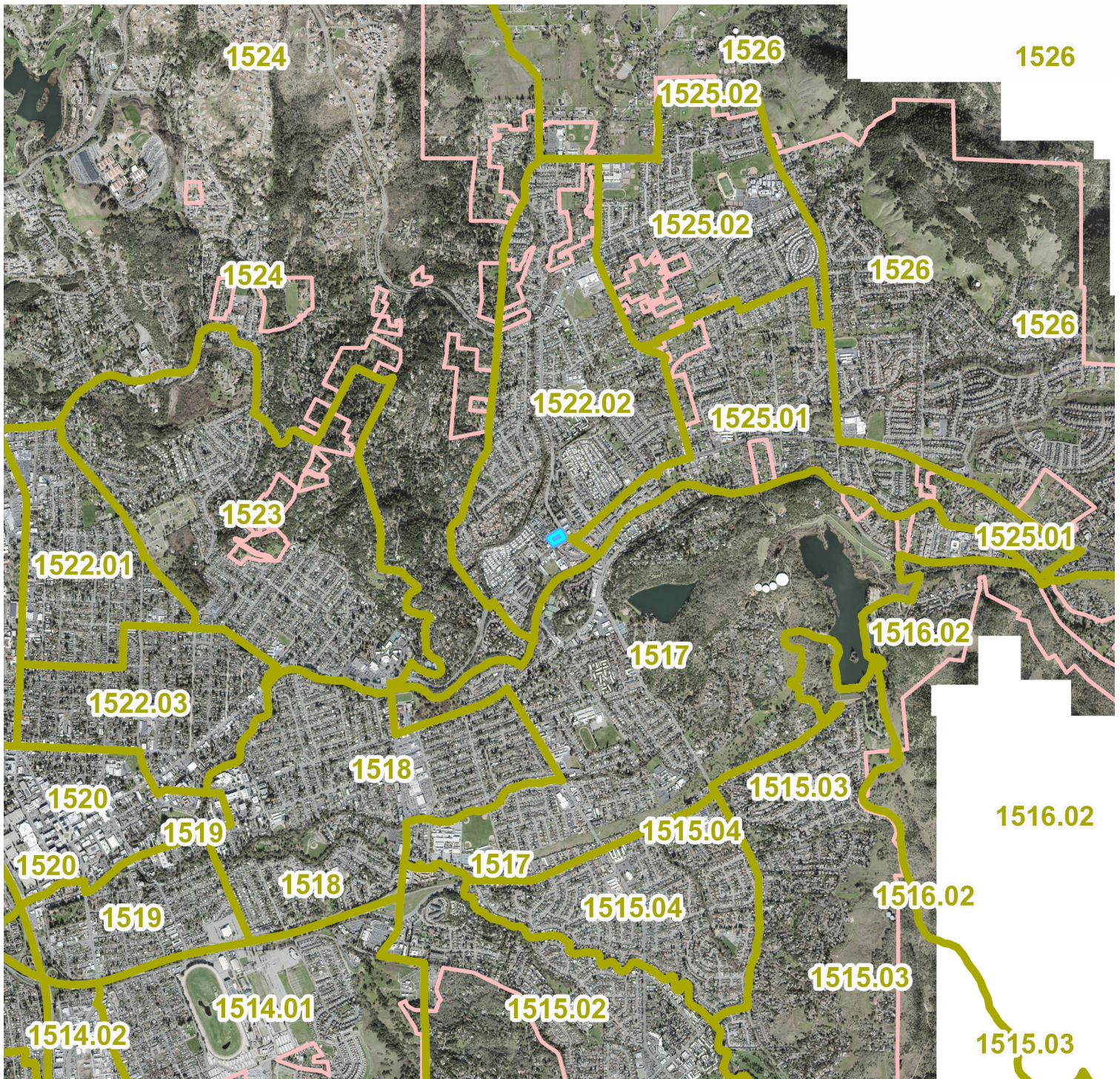
**Counter Hours**

Monday/Tuesday/Thursday: 8 a.m. – 4:30 p.m.

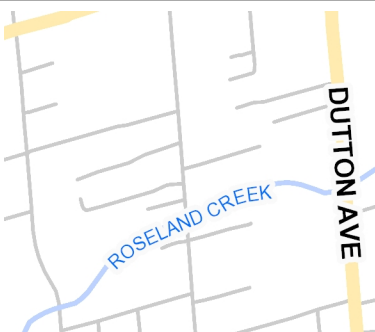
Wednesday: 10:30 a.m. – 4:30 p.m. (No new permits are accepted after 3:30 p.m.)

Friday: 8 a.m. to noon (No new permits are accepted after 11:00 a.m.)





CUP21-007



8/10/2021

Scale 1: 38,400

0 Miles 0.61



**From:** [Jay.Lori@ABC](mailto:Jay.Lori@ABC)  
**To:** [Sheikhali.Monet](#)  
**Subject:** [EXTERNAL] Re: Valero Gas Station located at 4501 Hwy 12, Santa Rosa  
**Date:** Tuesday, June 22, 2021 4:00:14 PM

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Hi Monet,

ABC is not requiring Public Convenience and Necessity due the premises not being in an over concentrated area. We go by how many licenses are in the census tract. So, for this premises, which is in census tract number 1522.02, there are 10 Off Sale licenses allowed and there are currently on 3.

We do not use crime stats.

Hope this helps.

Lori