From: Buckheit, Lani
To: PLANCOM - Planning Commission
Subject: PC - Late Correspondence 9.1
Date: Wednesday, October 25, 2023 11:05:00 AM
Attachments: ABC Petition for Conditional License.pdf

- PLEASE DO NOT REPLY TO ALL -

Chair Weeks and members of the Planning Commission,

The reason for this email is to provide you with late correspondence for item 9.1 – 7-11 Liquor Sales, scheduled for tomorrow night's PC meeting. Please see attached.

This will also be added to the agenda.

Thank you!

Lani Buckheit | Administrative Secretary
Planning & Economic Development Department |100 Santa Rosa Ave. Rm 3 | Santa Rosa, CA 95404
Tel. (707) 543-3226 | lbuckheit@srcity.org

City of Santa Rosa

SANTA ROSA FORWARD
Plan Our Future Together

From: Bruce Evans
To: Ryan Kroll
Cc: Murray, Susie
Subject: Re: [EXTERNAL] Re: 7-Eleven - 136 College Avenue
Date: Thursday, October 19, 2023 2:31:40 PM
Attachments: ABC Petition for Conditional License_7-Eleven #41351 Santa Rosa_10.17.23.pdf

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Hi Susie

I hope you are doing well. We worked with the ABC on the attached ABC License Conditions. These conditions are consistent with the policies volunteered by 7-Eleven in the CUP materials and at the hearing. The attached ABC conditions establish there are enforceable restrictions that 7-Eleven must comply with and we hope that these conditions will be seen as helpful to address potential concerns about alcohol sales. Specifically, there were comments from certain Planning Commissioner's that "volunteer conditions did not work" because there is no enforceability. Hopefully, these ABC license conditions help to address the enforceability issue.

Let me know if you're free for a quick phone call before next week's hearing. I could talk later this afternoon, Friday late afternoon or Monday afternoon.

Thank you. Bruce cell 310 508-0980

R. Bruce Evans
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On Wed, Aug 16, 2023 at 11:51 AM Ryan Kroll <rkroll@ssjlaw.com> wrote:

> Hi Susie,
>
> I hope you're doing well. I just wanted to check in and see when we could expect a copy of the Staff Report. Apologies if you told me before, my memory is a little fuzzy as I'm still recovering from surgery. Thank you again for all of your attention to this matter!
>
> --
> Ryan M. Kroll
>
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> CALIFORNIA | OREGON | WASHINGTON | ALASKA
> **Litigation | Personal Injury | Gaming | Employment Law | Land Use | Indian Law | Alcohol Licensing**
>
> _____
> CONFIDENTIAL COMMUNICATIONS

BEFORE THE
DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL
OF THE STATE OF CALIFORNIA

IN THE MATTER OF THE APPLICATION OF

7 ELEVEN INC, 136 COLLEGE INC.
7-ELEVEN #41351
136 COLLEGE AVE
SANTA ROSA, CA 95401-4705

} FILE 20-644678
}
} REG.
}
}
}
}
} **PETITION FOR CONDITIONAL LICENSE**
}

For Issuance of an Off-Sale Beer And Wine - License

Under the Alcoholic Beverage Control Act

WHEREAS, petitioner(s) has/have filed an application for the issuance of the above-referred-to license(s) for the above-mentioned premises; and,

WHEREAS, the proposed premises and/or parking lot, operated in conjunction therewith, are located within 100 feet of residences(s), and issuance of the applied-for license without the below-described conditions would interfere with the quiet enjoyment of the property by nearby residents and constitute grounds for the denial of the application under the provisions of Rule 61.4, of Chapter 1, Title 4, of the California Code of Regulations; and,

WHEREAS, the issuance of an unrestricted license would be contrary to public welfare and morals;

NOW, THEREFORE, the undersigned petitioner(s) do/does hereby petition for a conditional license as follows, to-wit:

1 There shall be no exterior advertising or sign of any kind or type, including advertising directed to the exterior from within, promoting or indicating the availability of alcoholic beverages.

2 The petitioner(s) shall post a prominent, permanent sign stating, "NO LOITERING IS ALLOWED ON OR IN FRONT OF THESE PREMISES" in a place that is clearly visible to patrons of the licensed premises. The sign shall be at least two feet square with at least two inch block lettering.

3 The petitioner(s) shall post a prominent, permanent sign stating, "NO OPEN ALCOHOLIC BEVERAGE CONTAINERS ARE ALLOWED ON THESE PREMISES" in a place that is clearly visible to patrons of the licensed premises. The sign shall be at least two feet square with at least two inch block lettering.

Initials

4 Petitioner shall not permit any person to possess an open container or consume alcoholic beverages in or around the licensed premises as depicted on the most recently certified ABC-257 and ABC-253.

5 No alcoholic beverages shall be consumed on any property adjacent to the licensed premises under the control of the licensee(s) as depicted on the most recently certified ABC-257 and ABC-253.

6 The petitioner(s) shall be responsible for maintaining free of litter the area adjacent to the premises over which they have control as depicted on the most recently certified ABC-257 and ABC-253.

7 Petitioner(s) shall actively monitor the area under their control in an effort to prevent the loitering of persons on any property adjacent to the licensed premises as depicted on the most recently certified ABC-253.

8 Any graffiti painted or marked upon the premises or on any adjacent area under the control of the licensee(s) shall be removed or painted over within 72 hours of being applied.

9 The parking lot of the premises shall be equipped with lighting of sufficient power to illuminate and make easily discernible the appearance and conduct of persons on or about the parking lot. Additionally, the position of such lighting shall not disturb the normal privacy and use of any neighboring residences.

10 The following alcoholic beverages shall not be sold in quantities of fewer than three (3) individual containers per sale:
1. Beer, including malt beverages and malt liquor products, in containers of 20 oz. or less;
2. Pre-mixed wine products commonly known as "wine coolers"

11 No wine shall be sold with an alcohol content of greater than 15% by volume.

12 Sales of beer and wine shall be permitted only between the hours of 10:00 am and 10:00 pm each day of the week.

This petition for conditional license is made pursuant to the provisions of Sections 23800 through 23805 of the Business and Professions Code and will be carried forward in any transfer at the applicant-premises.

Petitioner(s) agree(s) to retain a copy of this petition on the premises at all times and will be prepared to produce it immediately upon the request of any peace officer.

The petitioner(s) understand(s) that any violation of the foregoing condition(s) shall be grounds for the suspension or revocation of the license(s).

DATED THIS 17th DAY OF October, 2023.

Applicant/Petitioner
Jennifer Marie Mendola; Assistant Secretary of 7-Eleven Inc.

Applicant/Petitioner
Rajiv Uppal; President of 136 College Inc.