

RESOLUTION No. 2018-081

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROHNERT PARK
MAKING A DETERMINATION OF PUBLIC CONVENIENCE AND NECESSITY FOR
LOS REYES MARKET LOCATED AT 177 SOUTHWEST BOULEVARD**

WHEREAS, Business and Professions Code Section 23958.4 provides that the Department of Alcoholic Beverage Control (ABC) may issue a license for off-sale alcohol beverage sales despite an undue concentration of licenses, if the local governing body determines that the public convenience or necessity would be served by the issuance; and

WHEREAS, the Los Reyes Market is a meat market and grocery store that also provides household items that is intended to serve the daily grocery needs of Rohnert Park residents, particularly those of the Hispanic community in this area; and

WHEREAS, the City Council has considered factors presented by staff in its determination of public convenience or necessity, including the type of patrons that will be catered to, the type of environment and atmosphere offered, how the establishment would differ from those in the immediate area licensed by ABC, and the potential for a negative impact in the surrounding community; and

WHEREAS, the City Council has also considered the following relevant factors regarding the ability of Los Reyes Market to obtain an alcohol use permit, as set forth in Rohnert Park Municipal Code section 8.34.060, in determining whether public convenience or necessity would be served:

1. The proposed alcoholic beverage establishment is located in a zoning district in which the establishment is a permitted use.
2. The proposed establishment will not contribute to an undue concentration of alcohol establishments in the area as defined by Business and Profession Code Section 23958.4 **OR** is an establishment for whom the city has made a finding of public convenience or necessity.
3. The proposed off-sale establishment is eleven thousand square feet or less in size and is not located within five hundred feet of any existing schools, hospitals, parks, playgrounds or other off-sale alcoholic beverage establishments of eleven thousand square feet or less in size.
4. The proposed establishment is not located in a high-crime area as defined in Business and Professions Code Section 23958.5, or where a disproportionate number of police service calls occur.

WHEREAS, the conditions of approval for an alcohol use permit include operational standards and conditions that are intended to ensure that the sale of beer and wine at this location is done in a manner that does not negatively impact the surrounding area.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Rohnert Park, California, finds that that public convenience or necessity would be served by the issuance of a Type 20 On-Sale Beer and Wine license to Los Reyes Market.

DULY AND REGULARLY ADOPTED on this 12th day of June, 2018 by the City of Rohnert Park City Council by the following vote:

CITY OF ROHNERT PARK

Pam Stafford
Pam Stafford, Mayor

ATTEST: JoAnne M. Buergler
JoAnne M. Buergler, City Clerk

AHANOTU: Aye BELFORTE: Aye MACKENZIE: Aye CALLINAN: Aye STAFFORD: Aye
AYES: (5) NOES: (0) ABSENT: (0) ABSTAIN: (0)