

## RESOLUTION NO. 2014-111

### A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROHNERT PARK MAKING A DETERMINATION OF PUBLIC CONVENIENCE AND NECESSITY FOR A MARKET AND DELICATESSEN TO SELL BEER AND WINE LOCATED AT 1460 EAST COTATI AVENUE NO. B (APN 143-350-023)

**WHEREAS**, a business located at 1460 East Cotati Avenue No. B is changing from a convenience store that sells hard liquor under a Type 21 Liquor License to a small market selling beer and wine under a Type 20 license; and

**WHEREAS**, California Department of Alcoholic Beverage Control (ABC) , which is responsible for issuing alcoholic beverage licenses, has placed a moratorium on the approval of applications for off-sale beer and wine licenses because the ratio of such licenses exceeds one for every 2,500 inhabitants; and

**WHEREAS**, pursuant to Business and Professions Code Section 23817.7, ABC may approve an off-sale wine license in moratorium areas if the City Council determines that public convenience and necessity would be served by the issuance; and

**WHEREAS**, the City Council considered this issue at a duly noticed regular meeting on September 23, 2014.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Rohnert Park, California, hereby finds, based upon the evidence presented at the meeting, that granting of a Type 20 alcoholic beverage license to market/delicatessen at 1460 East Cotati Avenue No. B (APN 143-350-023) serves a public convenience and necessity, for the following reason:

1. The sales would account for a small portion of the gross sales.
2. There would be no signs on the exterior of the business indicating the sale of beer and wine.
3. There is only one other business in the immediate area selling beer and wine.
4. The business is not located in a crime reporting district that has a 20% greater number of reported crimes than other reporting districts within that particular law enforcement jurisdiction.
5. The business is not located in an area that would result in an undue concentration of licenses.
6. The Council's finding of public convenience and necessity is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301 (Existing Facilities).

**BE IT FURTHER RESOLVED** that the City's finding granting the alcoholic beverage license shall be subject to the following condition:

1. The applicant shall apply to the Department of Public Safety for an alcoholic sales use permit in accordance with Municipal Code Chapter 8.34 and maintain a yearly permit at all times alcohol will be sold.

**DULY AND REGULARLY ADOPTED** this 23<sup>rd</sup> day of September 2014.



**CITY OF ROHNERT PARK**

Amy O. Ahanotu, Vice Mayor

**ATTEST:**

  
JoAnne M. Buergler, City Clerk

BELFORTE: AYE MACKENZIE: ABSENT STAFFORD: AYE AHANOTU: AYE CALLINAN: ABSENT  
AYES: ( 3 ) NOES: ( 0 ) ABSENT: ( 2 ) ABSTAIN: ( 0 )