

RESOLUTION NO. 2016-86

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROHNERT PARK DENYING A REQUEST TO MAKE A DETERMINATION OF PUBLIC CONVENIENCE AND NECESSITY FOR A TYPE 20 OFF-SALE BEER & WINE LICENSE FOR OXFORD SUITES LOCATED AT 67 GOLF COURSE DRIVE WEST (APN 045-055-030)

WHEREAS, on April 26, 2012, the Planning Commission of the City of Rohnert Park approved a Conditional Use Permit for the Oxford Suites to allow for the operation of a hotel; and

WHEREAS, Oxford Suites will include a gift shop in its lobby that provides various food, sundry, and personal care items intended to serve the daily needs of hotel occupants, and a bar on its first floor that will primarily cater to hotel patrons and their guests; and

WHEREAS, Oxford Suites has requested a Type 70 license to sell on-sale alcohol at its bar and Type 20 license to sell alcohol off-sale in the gift shop from the Department of Alcoholic Beverage Control (ABC); and

WHEREAS, Rohnert Park Municipal Code Section 8.34 governs the approval of on-sale and off-sale alcohol sales; and

WHEREAS, the on-sale and service of beer, wine, and distilled spirits in the bar at this location will serve hotel patrons and their guests rather than the general public and given this environment, the service of alcohol can be expected to be done in a manner that does not negatively impact the surrounding area; and

WHEREAS, the bar is an accessory and incidental use of the hotel and its presence was clearly indicated and approved with the hotel's Conditional Use Permit which also satisfies the requirements of Rohnert Park Municipal Code Section 8.34; and

WHEREAS, off-sale alcohol sales were not clearly indicated or approved with the hotel's conditional use permit but may be permitted by ABC through a license authorized under Business and Professions Code Section 23817.7 if the City Council determines that public convenience or necessity would be served by the issuance; and

WHEREAS, Section 8.34 of the Municipal Code also requires the determination of public convenience and necessity as one of the considerations for an off-sale permit; and

WHEREAS, a finding of public convenience and necessity requires consideration of impacts to the surrounding community; and

WHEREAS, Oxford Suites will be located within 500 feet of an existing off-sale alcoholic beverage establishment; and

WHEREAS, Oxford Suites is located in area of the City with higher than average reported crimes; and

WHEREAS, the Department of Public Safety has identified community impacts including specific public health and safety risks because of possible illegal sale to minors and

adults under the legal drinking age, and an over-concentration of establishments that sell alcohol in the immediate vicinity.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Rohnert Park that the above referenced recitals are true and correct and material to the adoption of this Resolution.

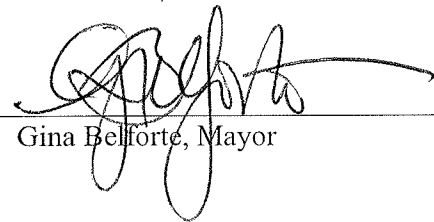
BE IT FURTHER RESOLVED that the City Council hereby finds and determines that Planning Commission's findings and Conditional Use Permit support the approval of the on-sale bar service, including a Type 70 license from the ABC and any additional permits required under the Rohnert Park Municipal Code.

BE IT FURTHER RESOLVED that the City Council hereby finds and determines that a Type 20 Off-Sale Beer & Wine License to Oxford Suites at 67 Gold Course Drive West (APN 045-055-030) does not serve a public convenience and necessity, and therefore the request for such a determination is denied.

BE IT FURTHER RESOLVED that the City Manager, the Development Services Director and the Director of Public Safety are authorized to take all actions necessary and appropriate to effectuate these findings and determinations.

DULY AND REGULARLY ADOPTED this 13th day of September, 2016.

CITY OF ROHNERT PARK



Gina Belforte, Mayor

ATTEST:



City Clerk, Deputy

AHANOTU: Aye CALLINAN: Absent STAFFORD: Aye MACKENZIE: Aye BELFORTE: Aye
AYES: (4) NOES: (0) ABSENT: (1) ABSTAIN: (0)