

**Before the Board of Supervisors in and for the
County of Monterey, State of California**

Resolution No.

Resolution of the Monterey County Board of Supervisors:)
Adopting a resolution finding that a Public Convenience or Necessity (PCN) will be served by the issuance of a Type 42 (On-Sale Beer and Wine) license by the Department of Alcoholic Beverage Control (ABC) to Eric W. Sonne and Karen K. Sonne (“Pairing to Go”) located at 19 E. Carmel Valley Road, Suite G, Carmel Valley, CA, 93924, for the sale of alcoholic beverages pursuant to California Business and Professions (B&P) Code Section 23958.4. (Public Convenience or Necessity PLN160485/Sonne, Erik W and Karen K Sonne (Pairing to Go) 19 E. Carmel Valley Road, Carmel Valley, APN: 189-291-006-000)

The request for a finding that a Public Convenience or Necessity (PCN) would be served by the issuance of a Type 42 (On-Sale Beer and Wine) license by the State of California Department of Alcoholic Beverage Control (ABC) of Eric W. and Karen K. Sonne (“Pairing to Go”, PLN160485) came on for public hearing before the Monterey County Board of Supervisors on December 6, 2016. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Monterey County Board of Supervisors hereby finds and decides as follows:

RECITALS

WHEREAS, the local governing body of the area in which the applicant premises are located must find that a public convenience or necessity would be served by the issuance of a Type 42 license before the California Department of Alcoholic Beverage Control (ABC) may issue a Type 42 (On-Sale Beer and Wine for Public Premises) license for sale of alcoholic beverages pursuant to California Business and Profession Code Section 23958.4. A Type 42 license authorizes the sale of beer and wine for consumption on or off the premises where sold. Distilled spirits, food services and minors are not allowed; and

WHEREAS, the applicants and business owners, Eric W. and Karen K Sonne (hereafter, “Pairing to Go”) have requested a finding of PCN on behalf of the ABC License Applicant Pairing to Go which seeks to provide for the sale of beer and wine for on-site consumption at the subject property, located at the west end of Carmel Valley at 13 East Carmel Valley Road, Carmel Valley. The issuance of the Type 42 license to Pairing to Go by the ABC will replace a previous wine tasting establishment, Marilyn Remark, which is no longer in use. The new establishment proposes to sell beer and wine for on-site consumption from an existing commercial building. The wine and beer tasting element will also help sustain the existing retail business established at the subject property by providing additional foot traffic; and

WHEREAS, said business is located within an existing commercial building containing existing wine tasting rooms located at 13 E. Carmel Valley Road, Carmel Valley, Assessor's Parcel Number 189-291-005-000; and

WHEREAS, said business is located within the Carmel Valley Village/Cachagua area Census Tract (Tract. No. 110) which covers Carmel Valley Road, beginning at Robinson Canyon Road and ends at Tassajara Road in Cachagua. Based on the size and population of the census tract area, nine (9) on sales licenses are considered an adequate amount. According to the ABC licensing data, the census tract area currently has 21 on-sale licenses issued. On-sale licenses within the census tract area consist mostly of Type 41 (Type 41: On-sale Beer & Wine – Eating Place) and Type 47 (Type 47: On-sale General – Eating Place) licenses, totaling 17 licenses, which are in conjunction with restaurants and eateries in and near the Carmel Valley Village area. There is only one active Type 40 (On-sale Beer) license in conjunction with an art gallery, and the Cachagua General Store. The Type 42 license requested will be one (1) of two (2) active Type 42 licenses in the Carmel Valley Village area and will allow the establishment to enhance an experience just recently established in the Village area; and

WHEREAS, the finding that a public convenience or necessity would be served by the issuance of a Type 42 license by the ABC can be supported for the following reasons:

- 1) ABC approval of the Type 42 license will; (a) help sustain existing retail businesses found at the subject property by providing additional foot traffic and by the serving of beer and wine at the same establishment within this census tract and, (b) result in only two (2) active Type 42 licenses in the Carmel Valley Village, Census Tract No. 110 area.
- 2) Pairing to Go will replace a previous wine tasting establishment, the Marilyn Remark Tasting Room, which is no longer in use and; therefore, will not increase the number of tasting rooms in this census tract.
- 3) Based on ABC licensing data for the Carmel Valley Village/Cachagua census tract, the majority of on-sale licensing in the area is attributed to restaurants and eateries. The Type 42 license requested will be one (1) of two (2) Type 42 licenses within the Carmel Valley Village Census Tract No. 110 area and will allow the establishment to enhance an experience just recently established in the Village area.
- 4) This business is located within a Light Commercial zoning district, within a census tract which serves both the residents and visitors of Carmel Valley and, therefore; more sales occur than would normally be associated with the population within the Carmel Valley census tract. The applicant proposes to sell beer and wine for on-site consumption from an existing commercial building consisting of wine tasting rooms.
- 5) Although Census Tract No. 110 has a limited population, the Carmel Valley commercial area attracts regional, national and international visitors; thus, the ABC's issuance of this Type 42 license will serve a much larger population which includes both residents and visitors within the Carmel Valley Village Census Tract No. 110 area.
- 6) Staff has conferred with the Monterey County Sheriff's Office and Monterey County Health Department and they do not oppose the issuance of a Type 42 (On-Sale Beer and Wine) license.

DECISION

NOW, THEREFORE, BE IT RESOLVED THAT, that the Board of Supervisors does hereby:

Adopt a resolution finding that a Public Convenience or Necessity (PCN) will be served by the issuance of a Type 42 (On-Sale Beer and Wine for Public Premises) license by the Department of Alcoholic Beverage Control (ABC) to Eric W. Sonne and Karen K. Sonne (Pairings to Go), located at 19 E. Carmel Valley Road, Suite G, Carmel Valley, California, 93924, for the sale of alcoholic beverages pursuant to California Business and Professions (B&P) Code Section 23958.4.

PASSED AND ADOPTED upon motion of Supervisor _____, seconded by _____ carried this 13th day of December, 2016, by the following vote, to-wit:

AYES:

NOES:

ABSENT:

I, Gail T. Borkowski, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book___ for the meeting on _____.

Dated:

Gail T. Borkowski, Clerk of the Board of Supervisors
County of Monterey, State of California

By _____
Deputy