

**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 finding that a public convenience)
or necessity would be served by the issuance)
of a Type 20 (Off-Sale Beer and Wine) license)
by the Department of Alcoholic Beverage)
Control (ABC) to Peninsula Petroleum, LLC,)
at 7 Carmel Center Place, Carmel for the sale)
of beer and wine for off-site consumption,)
pursuant to Section 23958.4 of the California)
Business and Professions Code.)
(PLN120569/Peninsula Petroleum, LLC))

The request for a finding that a public convenience or necessity would be served by the issuance of a Type 20 (Off-Sale Beer and Wine) license of Peninsula Petroleum, LLC (PLN120569) came on for public hearing before the Monterey County Board of Supervisors on October 23, 2012. 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, a finding that a public convenience or necessity would be served by the issuance of a Type 20 license must be made by the appropriate local jurisdiction before the California Department of Alcoholic Beverage Control (ABC) may issue a Type 20 (Off-Sale Beer and Wine) license for sale of alcoholic beverages pursuant to California Business and Profession Code Section 23958.4; and

WHEREAS, the applicant, business owner and tenant Peninsula Petroleum, LLC, proposes to sell beer and wine for off-site consumption from an existing commercial building operating as a convenience market and gasoline station (commonly known as Peninsula Petroleum Food Mart/Fueling Center) located at 7 Carmel Center Place, Carmel, at the property owned by Carmel Properties Company; and

WHEREAS, the Monterey County Sheriff's Office does not oppose the granting of the Type 20 (Off-Sale Beer and Wine) license; and

WHEREAS, this business is located within a light commercial area zoning district within the Carmel census tract which serves the residents of Carmel, Big Sur and Carmel Valley and; therefore, more sales occur than would normally be associated with the population within the Carmel census tract; and

WHEREAS, because this business is located within a light commercial area within the Carmel Census tract and serves an area which includes other census tracts, including Big Sur and Carmel Valley, the issuance of said license would serve a much larger population.

DECISION

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors does hereby find that a public convenience or necessity would be served by the issuance of a Type 20 (Off-Sale Beer and Wine) license by the Department of Alcoholic Beverage Control to Peninsula Petroleum, LLC at 7 Carmel Center Place, Carmel for the sale of beer and wine, pursuant to Section 23958.4 of the California Business and Professions Code.

PASSED AND ADOPTED on this 11th day of December, 2012, 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