



# Monterey County

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## Board Report

Legistar File Number: RES 16-082

December 13, 2016

**Introduced:** 11/23/2016

**Version:** 1

**Current Status:** Agenda Ready

**Matter Type:** BoS Resolution

### **PLN 160485/Sonne**

Adopting a resolution finding that a Public Convenience or Necessity (PCN) would be served by the issuance of a Type 42 (On-Sale Beer and Wine) license to Eric W. and Sonne and Karen K. Sonne ("Pairing to Go") from the Department of Alcoholic Beverage Control.  
19 E. Carmel Valley Road, Carmel Valley Master Plan

### PROJECT INFORMATION:

**Planning File Number:** PLN160485

**Owner:** Monterey Fish Company, Inc.

**APN:** 189-291-006-000

**Plan Area:** Carmel Valley Master Plan

**CEQA Action:** Statutorily Exempt per CEQA Guidelines Section 15268 (b)(3)

### RECOMMENDATION:

It is recommended that the Board of Supervisors:

Adopt a resolution finding that a Public Convenience of Necessity (PCN) would be served by the issuance of a Type 42 (On-Sale Beer and Wine) license by the Department of Alcoholic Beverage Control to Eric W. Sonne and Karen K. Sonne, "Pairing to Go", at 19 E. Carmel Valley Road, Suite G, Carmel Valley, California, 93924, for the sale of beer and wine for on-site consumption, pursuant to California Business and Professional Code Section 23958.4.

### SUMMARY:

The applicant, business owner and tenant, "Pairing to Go", is requesting a Type 42 (On-Sale Beer and Wine) license from the State of California Department of Alcoholic Beverage Control (ABC) which would permit the sale of beer and wine for on-site consumption. State law requires that 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 ABC may issue it. The applicant proposes to sell beer and wine for on-site consumption from an existing commercial building consisting of wine tasting rooms. The issuance of the Type 42 license will replace a previous wine tasting establishment, Marilyn Remark Tasting Room, which is no longer in use. The previous establishment served only wine and had a different type of license. The application for a Type 42 license would include beer tasting as well. The wine and beer tasting element will also help sustain the existing retail businesses established at the property by providing additional foot traffic.

### DISCUSSION:

"Pairing to Go" will be 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's 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 (1) 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.

Despite the existence of adequate numbers of ABC licenses in this area, there are several factors that distinguish the "Pairing to Go" proposal from other establishments with ABC licenses within Census Tract No. 110. 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) 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.

Therefore, staff supports the adoption of a Resolution finding that a public convenience or necessity would be served by the issuance of a Type 42 license by the ABC to “Pairing to Go”.

OTHER AGENCY INVOLVEMENT:

The Monterey County Sheriff’s Office and Monterey County Health Department do not oppose the issuance of a Type 42 (On-Sale Beer and Wine) license by the ABC to “Pairing to Go”.

FINANCING:

Funding for staff time associated with this project is included in the FY16-17 Adopted Budget for RMA-Planning.

Prepared by: Dee Van Donselaar, Associate Planner, ext. 6408

Reviewed by: Brandon Swanson, Planning Services Manager

Approved by: Carl P. Holm, AICP, RMA Director

This report was reviewed by Brandon Swanson, Planning Services Manager

The following attachments are on file with the Clerk of the Board:

- Attachment A - Cover letter to the Clerk of the Board
- Attachment B - Applicant Request for Finding of Public Convenience or Necessity
- Attachment C - Comments from Monterey County Sheriff’s Office
- Attachment D - Map showing Types of Liquor Licenses in Census Tract 110
- Attachment E - Vicinity Map
- Attachment F - Draft Resolution

cc: Front Counter Copy; Eric and Karen Sonne, Owner; The Open Monterey Project (Molly Erickson); LandWatch (Executive Director); John H. Farrow; Janet Brennan; Project File PLN:160485.