

Attachment A

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

RESOLUTION NO. 15-_____)
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)
for Public Premises) license by the Department of)
Alcoholic Beverage Control (ABC) to Carmel)
Valley Wine Tasting LLC located at 1 E. Carmel)
Valley Road, Ste. C, Carmel Valley for sale of)
alcoholic beverages pursuant to California Business)
and Professions (B&P) Code Section 23958.4.)
(Public Convenience or Necessity PLN140858/)
Carmel Valley Wine Tasting LLC (LePlus, Frances)
and Brigitte; Hofmann, Lee and Rebecca), 1 E.)
Carmel Valley Road, Carmel Valley, APN: 189-)
291-005-000, Carmel Valley Master Plan))

WHEREAS, a finding of “Public Convenience or Necessity” (PCN) must be made by the appropriate local jurisdiction 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 Professions 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 property owners, Frances and Brigitte LePlus and Lee and Rebecca Hoffman have requested a finding of PNC on behalf of ABC License Applicant Carmel Valley Wine Tasting LLC which seeks to provide wine tasting as part of the existing uses at the subject property, located at the west end of White Oak Plaza at 1 East Carmel Valley Road, Suite C, Carmel Valley. The issuance of the Type 42 license will allow the existing establishment, Jan De Luz Antiques, which currently sells Jan De Luz products, such as antiques and olive oils, to also provide wine-tasting. The establishment proposes to provide wines not currently sold in the census tract area. The wine-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 White Oak Plaza at 1 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-sale licenses are considered an adequate amount. According to the ABC Licensing data, the census tract area currently has 19 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 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 Type 40 (On-sale Beer) license in conjunction with an art gallery, and only one active

Type 42 (On-sale Beer & Wine – Public Premises) license in conjunction with the Cachagua General Store. The Type 42 license requested will be the only active Type 42 license in the Carmel Valley Village area and will allow the establishment to provide an experience that isn't currently established in the Village area; and

WHEREAS, the finding for a Public Convenience or Necessity can be supported for the following reasons:

- 1) Based on crime data within the area, the Monterey County Sheriff's Office is not opposed to the issuance of a Type 42 license to Carmel Valley Wine Tasting LLC.
- 2) Based on review by the Environmental Health Bureau, the Bureau does not oppose the issuance of a Type 42 license.
- 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 the only one issued in the Carmel Valley Village area and will allow the establishment to provide an experience that currently is not licensed in the Village area.
- 4) ABC Approval of the Type 42 license will help sustain existing retail business found at the subject property by providing additional foot traffic and the serving of wines not currently sold in the census tract area.

NOW, THEREFORE, BE IT RESOLVED 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 Carmel Valley Wine Tasting LLC (Frances and Brigitte LePlus and Lee and Rebecca Hoffman) located at 1 E. Carmel Valley Road, Ste. C, Carmel Valley for sale of alcoholic beverages pursuant to California Business and Professions (B&P) Code Section 23958.4.

PASSED AND ADOPTED this 7th day of April, 2015 upon motion of Supervisor _____, seconded by Supervisor _____, by the following vote, to wit:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

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 Supervisor 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