

Attachment F

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DRAFT RESOLUTION

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

In the matter of the application of:

CARMEL RANCHO GENERAL STORE, INC (PLN180292)

RESOLUTION NO. 18 -

Resolution by the Monterey County Board of
Supervisors to:

- a. Find that a Public Convenience or Necessity (PCN) would be served by the issuance of a Type 21 Off-Sale General (Beer, Wine, and Distilled Spirits) license by the Department of Alcoholic Beverage Control to Carmel Rancho General Store, INC ("Prim's") at 546 Carmel Rancho Road, Carmel Valley, CA 93923, for the sale of beer, wine, and spirits for off-site consumption, pursuant to California Business and Professional Code Section 23958.4.

(Public Convenience or Necessity PLN180292/
Carmel Rancho General Store, INC ("Prim's"), 546
Carmel Rancho Road, Carmel Valley, APN:015-012-
073-000,015-012-074-000, 015-012-075-000)

The request for a finding that a Public Convenience or Necessity (PCN) would be served by the issuance of a Type 21 (Off-Sale Beer, Wine, and Distilled Spirits) license by the State of California Department of Alcoholic Beverage Control (ABC) of Carmel Rancho General Store, INC / Prim Family Partnership LP (Prim's, PLN180292) came on for a public hearing before the Monterey County Board of Supervisors on December 4, 2018. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Board of Supervisors 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 21 license before the California Department of Alcoholic Beverage Control (ABC) may issue a Type 21 (Off-sale beer, wine, and distilled spirits) license for sale of alcoholic beverages pursuant to California Business and Profession Code Section 23958.4. A Type 21 license authorizes the sale of beer, wine, and distilled spirits for consumption off the premises where sold; and

WHEREAS, the applicants and business owners, Carmel Rancho General Store, INC (hereafter, "Prim's") have requested a finding of PCN on behalf of the ABC License Applicant Prim's which seeks to provide for the sale of beer, wine, and distilled spirits for off-site

consumption at the subject property, located at the west end of Carmel Valley at 546 Carmel Rancho Boulevard, Carmel Valley. The issuance of the Type 21 license to Prim's by the ABC will allow Prim's to sell packaged alcohol from an existing commercial building for off-site consumption. The beer, wine, and spirits sale element will complement the existing merchandise selection of the general merchandise store and 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 general merchandise store located at 546 Carmel Rancho Boulevard, Carmel Valley, Assessor's Parcel Number 015-012-073-000, 015-012-074-000, and 015-012-075-00; and

WHEREAS, said business is located within the Carmel Valley Census Tract (Tract. No. 116.02) which covers the Carmel Valley Road area, beginning at Highway 1 and extending east to Laureles Grade, and capturing the western reaches of Carmel Valley Village. The northern boundary is approximately the mid-point between The Holman Highway (Hwy 68) exit off SR-1, and Carmel Valley Road, and the southern boundary loosely follows the Carmel River. Based on the size and population of the census tract area, State ABC has established that five (5) off-sales licenses, both Type 20 and Type 21, are considered an adequate number to meet the public's needs; and

WHEREAS, the finding that a public convenience or necessity would be served by the issuance of a Type 21 license by the ABC can be supported for the following reasons:

- 1) Providing unique alcoholic beverage products in a convenient location which are produced by predominately local, small-scale brewers, vintners, and distillers, featuring products that are not readily available from the "big box" retailers and gas stations in the area.
- 2) ABC approval of the Type 21 license will help sustain an existing, locally-owned retail businesses catering to local tastes by allowing Prim's to expand their merchandise selection. This added merchandise selection has the potential to attract additional foot traffic to Prim's and the surrounding shopping center, supporting other locally owned commercial tenants in the shopping center as well.
- 3) Prim's is positioning itself as part of a niche market focusing on unique products. They want to expand their market to include the purveyance of limited-production alcoholic beverages promoted to an affluent clientele, thus the market for this customer and related sales is small when compared to the mass-market producers and retailers. The sale of alcoholic beverages is but a minor component of the broader general merchandise mix offered for sale to the public. The volume of alcoholic beverages sold from Prim's would potentially be much lower than a big-box enterprise or the convenience store/gas station points of sale.
- 4) Approval of this request would bring the number of Type 21 licenses to two (2) within the Census tract, with a total of seven (7) Type 20 & Type 21 licenses located in Census Tract 116.02. Based on ABC licensing data for the Carmel Valley census tract, the majority of off-sale licensing in the area is attributed to gas stations and convenience markets. The Type 21 license requested will be one (1) of two (2) Type 21 licenses within the Carmel Rancho Census Tract No. 116.02, the other Type 21 license is held by Lucky Grocers. Approving the Prim's license request will allow the

enterprise to enhance their customer experience and diversify the type of goods and commodities offered to the public.

- 5) This business is located within a LC-D-S-RAZ (Light Commercial) zoning district, within a census tract which serves both the residents of and visitors to Carmel Valley and, therefore, potentially more sales could occur, generating additional tax revenues for Monterey County. Furthermore, Prim's has the potential to serve customers from adjacent under-served census tract areas, including the Carmel Highlands, Palo Colorado, and Big Sur.
- 6) Although Census Tract 116.02 has a limited population, the Carmel Valley commercial area attracts regional (Monterey Peninsula Area), national, and international visitors, therefore the ABC's issuance of this Type 21 license would serve a potentially much larger population that includes residents of and visitors to the census tract, and thus the alcohol would likely be consumed in an alternate census tract.

DECISION

NOW, THEREFORE BE IT RESOLVED, based on the above findings and evidence, and the administrative record as a whole, that the Board of Supervisors does hereby find:

- a. A Public Convenience or Necessity (PCN) would be served by the issuance of a Type 21 Off-Sale General (Beer, Wine, and Distilled Spirits) license by the Department of Alcoholic Beverage Control to Carmel Rancho General Store, INC ("Prim's") at 546 Carmel Rancho Road, Carmel Valley, CA 93923, for the sale of beer, wine, and spirits for off-site consumption, pursuant to California Business and Professional Code Section 23958.4.

PASSED AND ADOPTED upon motion of Supervisor _____, seconded by Supervisor _____, and carried this 4th day of December 2018, by the following vote to wit:

AYES:
NOES:
ABSENT:
ABSTAIN:

I, Valerie Ralph, 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 Minute Book _____ for the meeting on May 15, 2018.

Date:
File Number:

Valerie Ralph, Clerk of the Board of Supervisors
County of Monterey, State of California

By _____
Deputy

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