



Legislation Details (With Board Report)

**File #:** 13-0152      **Name:** Katherine Bucquet (BevMo)  
**Type:** General Agenda Item      **Status:** Scheduled PM  
**File created:** 2/5/2013      **In control:** Board of Supervisors  
**On agenda:** 2/12/2013      **Final action:**  
**Title:** Public hearing to:  
 Adopt a resolution finding that a Public Convenience or Necessity (PCN) will be served by the issuance of a Type 21 (Off-Sale General) and a Type 42 (On-Sale Beer and Wine - Public Premises) license by the Department of Alcoholic Beverage Control (ABC) to BevMo located within the Carmel Rancho Shopping Center at 26538 Carmel Rancho Boulevard, Carmel, for sale of alcoholic beverages, pursuant to California Business and Professions Code Section 23958.4. (PLN120769/Bucquet (BevMo) Carmel Rancho Shopping Center, 26538 Carmel Rancho Boulevard, Carmel, Carmel Valley Master Plan)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Attachment A - Project Discussion, 2. Attachment B - Board Resolution, 3. Attachment C - California Alcohol Beverage Control (ABC), 4. Attachment D - Letter from County Sheriff's Department, 5. Attachment E - Letter Requesting a Public Convenience or Necessity Determination, 6. Attachment F - Opposition Letters, 7. Attachment G - Response from BevMo! to Opposition Letters, 8. Attachment H - Support Letters, 9. Attachment I - Vicinity Map, 10. Completed Board Order

Date	Ver.	Action By	Action	Result
2/12/2013	1	Board of Supervisors	continued	Pass

**Public hearing to:**

Adopt a resolution finding that a Public Convenience or Necessity (PCN) will be served by the issuance of a Type 21 (Off-Sale General) and a Type 42 (On-Sale Beer and Wine - Public Premises) license by the Department of Alcoholic Beverage Control (ABC) to BevMo located within the Carmel Rancho Shopping Center at 26538 Carmel Rancho Boulevard, Carmel, for sale of alcoholic beverages, pursuant to California Business and Professions Code Section 23958.4. (PLN120769/Bucquet (BevMo) Carmel Rancho Shopping Center, 26538 Carmel Rancho Boulevard, Carmel, Carmel Valley Master Plan)

**PROJECT INFORMATION:**

**Planning File Number:** PLN120769  
**Owner:** Bucquet, Katherine TR ET AL  
**Project Location:** 26538 Carmel Rancho Boulevard, Carmel  
**APN:** 015-012-020-000  
**Applicant/Agent:** Liz Zaninovich, BevMo  
**Plan Area:** Carmel Valley Master Plan  
**Flagged and Staked:** No  
**CEQA Action:** Exempt

**RECOMMENDATION:**

It is recommended that the Board of Supervisors:

Adopt a resolution finding that a Public Convenience or Necessity (PCN) will be served by the issuance of a Type 21 (Off-Sale General) and a Type 42 (On-Sale Beer and Wine - Public Premises) license by the Department of Alcoholic Beverage Control (ABC) to BevMo located within the Carmel Rancho Shopping Center at 26538 Carmel Rancho Boulevard, Carmel, for sale of alcoholic beverages, pursuant to California Business and Professions (B&P) Code Section 23958.4.

SUMMARY:

Beverages and More, Inc. (BevMo), a large retailer specializing in a variety of alcoholic and non-alcoholic beverage sales, seeks to lease space in the Carmel Rancho Shopping Center located at 26538 Carmel Rancho Boulevard, Carmel. Since the retailer primarily sells alcoholic and non-alcoholic products and provides beer and wine tasting seminars, a Type 21 (Off-Sale General) and a Type 42 (On-Sale Beer and Wine - Public Premises) license is required by the Department of Alcoholic Beverage Control (ABC). Pursuant to B&P Code Section 23958.4 (Undue Concentration; Requirements for Issuance of License) the local governing body of the area in which the applicant premises are located must make a determination of Public Convenience or Necessity (PCN). Due to the excess licensing in the area, a determination of PCN by the Board of Supervisors is required for ABC licensing purposes. Staff recommends that the Board of Supervisors support the finding of a public convenience. Based on support letters received and information about BevMo from the BevMo representative, BevMo will create a regional draw to the Carmel Rancho Shopping Center. Based on crime data reviewed by the County Sheriff's Department and BevMo's strict policies and regional draw, a finding of a PCN can be supported.

DISCUSSION:

(See **Attachment A** for Project Discussion)

OTHER AGENCY INVOLVEMENT:

The request was referred to the Sheriff's Office who did not oppose the granting of the Type 21 and Type 42 license (see **Attachment C**).

Due to late submission of this Board Report, the CAO Budget and Analysis Division was not provided adequate time to fully review for potential fiscal, organizational, policy or other implication to the County of Monterey.

FINANCING:

Funding for staff time associated with this project is included in the FY12-13 Adopted Budget for the Planning Department.

Prepared by: Dan Lister, Assistant Planner ext. 6617

Approved by: Mike Novo, Director, RMA-Planning, ext. 5192

<mailto:> Benny Young, Director Resource Management Agency

This report was prepared with assistance and review by John Ford, Senior Planner

cc: Front Counter Copy; Mike Novo; Wanda Hickman, Planning Services Manager; Liz Zaninovich of BevMo, Applicant/Agent; Margaret Robbins, Carmel Resident; Christine Williams, Carmel Valley Association; The Open Monterey Project; LandWatch; Donna Galletti, Monterey County Sheriff's Department; Project File PLN120769

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

Attachment A      Project Discussion  
Attachment B      Board Resolution

Attachment C	California Alcohol Beverage Control (ABC) Licensing Data for On-Sale and Off-Sale Licenses with the Carmel Area Census Tract
Attachment D	Letter from County Sheriff's Department
Attachment E	Letter Requesting a Public Convenience or Necessity Determination
Attachment F	Opposition Letters
Attachment G	Response from BevMo! to Opposition Letters
Attachment H	Support Letters
Attachment I	Vicinity Map