



ITEM NUMBER:
DATE:

A - 10
06/12/07

Atascadero City Council

Staff Report – Community Development Department

Off-site Alcohol Sales License Determination PLN 2007-1211 / 8360 El Camino Real (Food 4 Less)

(Request from Food 4 Less to approve the additional general Alcohol Beverage Control license application to expand alcohol sales to include liquor.)

RECOMMENDATION:

Council adopt Draft Resolution A finding that public convenience would be served by allowing the issuance of a general alcohol sales license to Food 4 Less located at 8360 El Camino Real.

DISCUSSION:

Food 4 Less currently has a license through Alcohol Beverage Control (ABC) for the sale of beer and wine at their current location. They have applied through ABC for a general license to allow for expanded alcohol sales to include liquor.

The site is zoned (CR) Commercial Retail within the (GC) General Commercial land use designation. The selling of food and beverages is permitted as an allowable use under current zoning standards.

Analysis: Section 23958.4 of the Alcoholic Beverage Control Act requires the local governing body of the area to determine that the license will serve public convenience or necessity. This process is only required when it is found that “Undue Concentration” of liquor licenses exists within the area. In this case, the Department of Alcoholic Beverage Control (ABC) has determined that there is an undue concentration of liquor licenses within the area and that a determination from the local governing body (City Council) will be required.

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The Police Department has reviewed the application and does not foresee any significant public welfare issues associated with the issuance of a new alcohol license at the proposed location.

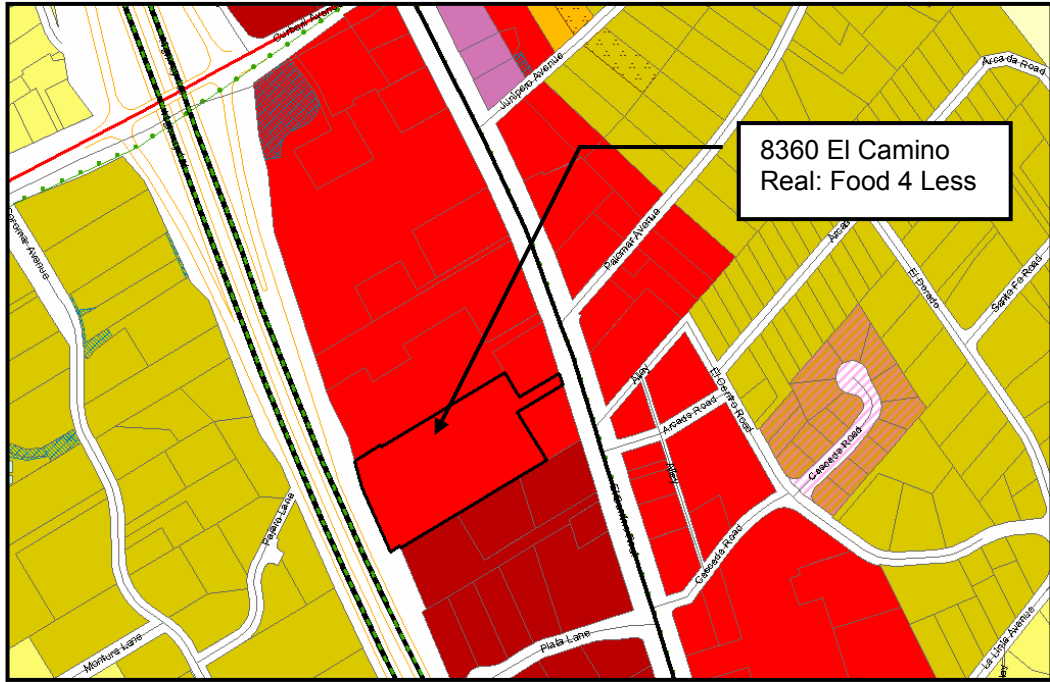
FISCAL IMPACT:

None.

ATTACHMENTS:

1. Location Map
2. Applicant Letter
3. Draft Resolution A

Attachment 1
Location Map



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Attachment 2
Applicant Letter

(see following)

DRAFT RESOLUTION A

**RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF ATASCADERO, CALIFORNIA, FINDING THAT A
PUBLIC CONVENIENCE WILL BE SERVED BY ALLOWING THE
ISSUANCE OF AN ALCOHOL LICENSE AT THE EXISTING FOOD 4 LESS
BUSINESS LOCATED AT 8360 EL CAMINO REAL
ON APN 056-041-043
(PAQ Inc. dba Food 4 Less)**

WHEREAS, an application has been received from PAQ Inc. dba Food 4 Less (8014 Lower Sacramento Rd, Suite I, Stockton, CA 95210) Applicant and Property Owner, to request that the Council make a finding or public convenience or necessity to allow the ABC to issue a general off-sale license for Food 4 Less located at 8360 El Camino Real, (APN 056-041-043); and,

WHEREAS, the sites current General Plan Designation is GC (General Commercial); and,

WHEREAS, the sites current General Plan Designation is CR (Commercial Retail); and,

WHEREAS, the City Council has determined that public convenience will be served by the issuance of a general off-slae license to the existing Food 4 Less business; and,

WHEREAS, the City Council of the City of Atascadero held a public hearing on June 12, 2007 to consider the proposed application; and,

NOW THEREFORE, the City Council of the City of Atascadero, hereby resolves to approve PLN 2007-1211.

On motion by Council Member _____ and seconded by Council Member _____, the foregoing Resolution is hereby adopted in its entirety on the following roll call vote:

AYES:

NOES:

ABSENT:

ADOPTED:

CITY OF ATASCADERO

By: _____
Dr. George Luna, Mayor

ATTEST:

Marcia McClure Torgerson, C.M.C., City Clerk

APPROVED AS TO FORM:

Patrick Enright, City Attorney