

RESOLUTION NO. .

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

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**RESOLUTION DETERMINING THAT THE PUBLIC CONVENIENCE OR NECESSITY
WOULD NOT BE SERVED BY THE ISSUANCE OF AN OFF-SALE BEER, WINE,
AND LIQUOR LICENSE TO AU ENERGY LLC, FOR THE PREMISES LOCATED AT
3201 EL CAMINO REAL, ATHERTON**

RESOLVED, by the Board of Supervisors of the County of San Mateo, State of California, that

WHEREAS, California Business and Professions Code section 23958.4 provides that, upon the request of an applicant for a license to sell liquor, when the granting of the license would result in the “undue concentration” of such establishments, the County must make a determination as to whether the public convenience or necessity would be served by the granting of such license; and

WHEREAS, the County has received such a request from AU Energy LLC for the premises at 3201 El Camino Real, Atherton; and

WHEREAS, the California Department of Alcoholic Beverage Control has concluded that there is an undue concentration of licenses already issued in the census tract where the property is located; and

WHEREAS, the North Fair Oaks Community Council considered the request from AU Energy at its regular public meeting on May 23, 2024 and a motion to recommend approval of the request failed to garner support from a majority of the council members present; and

WHEREAS, the County has reviewed the request, considered the totality of circumstances (including the current overconcentration of such licenses in the subject census tract, and the lack of demonstrated community benefit resulting from issuance of such license), and determined to deny it.

NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED that the public convenience or necessity would not be served by the granting of an off-sale beer, wine, and liquor license to AU Energy for the premises at 3201 El Camino Real, Atherton.

BE IT FURTHER RESOLVED that a certified copy of this resolution will be forwarded to the Department of Alcoholic Beverage Control.

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