

RESOLUTION NO. 073350

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 ISSUANCE OF AN OFF-SALE BEER AND WINE
LICENSE TO AV ENERGY LLC, FOR THE PREMISES AT 3201 EL CAMINO REAL,
MENLO PARK, CALIFORNIA**

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 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 County has received such a request from AV Energy LLC for the premises at 3201 El Camino Real, Menlo Park, California; and

WHEREAS, the North Fair Oaks Community Council considered the request from AV Energy LLC at its regular public meeting on June 26, 2014 and has

recommended to this Board that the request be denied; and

WHEREAS, the County has reviewed the request, considered the totality of circumstances (including the large number of licensed vendors of alcohol already existing in the vicinity of the location under consideration, the level of crime in the area, and the recommendation of the North Fair Oaks Community Council), and determined to deny it;

NOW THEREFORE, IT IS HEREBY DETERMINED AND ORDERED that

1. The public convenience or necessity would not be served by the granting of an off-sale beer and wine License to AV Energy for the premises at 3201 El Camino Real, Menlo Park, California.
2. A certified copy of this resolution will be forwarded to the Department of Alcoholic Beverage Control, 33 New Montgomery Street, Suite 1230, San Francisco, CA 94104.

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