



COUNTY OF SAN MATEO
Inter-Departmental Correspondence
County Counsel



DATE: February 12, 2016
BOARD MEETING DATE: February 23, 2016
SPECIAL NOTICE/HEARING: None
VOTE REQUIRED: Majority

TO: Honorable Board of Supervisors

FROM: County Counsel

SUBJECT: Resolution of Public Convenience or Necessity for Application for Alcoholic Beverage License by J7 Companies LLC for the Premises at 2305 Carlos Street #A, Moss Beach, California

RECOMMENDATION:

Adopt a resolution determining that the public convenience or necessity would be served by issuance of an on-sale beer and wine license to J7 Companies LLC for the premises at 2305 Carlos Street #A, Moss Beach, California.

BACKGROUND:

State law requires that the County determine whether the public convenience or necessity would be served by the issuance of an Alcoholic Beverage License if the establishment seeking the license is in a location with an “undue concentration” of establishments selling alcoholic beverages. The California Department of Alcoholic Beverage Control (“ABC”) has determined that an undue concentration of such establishments exists in the census tract at issue in this case and has requested that the County consider whether the public convenience or necessity (“PCN”) will be served by issuance of the requested license. This application is for a site located in the Moss Beach area of the unincorporated County and staff has therefore routed the request to the Midcoast Community Council and San Mateo County Sheriff’s Office for review and input.

DISCUSSION:

This request relates to the Alcoholic Beverage License application made by J7 Companies LLC in connection with a proposed business, the “Wine Room,” to be located at the premises at 2305 Carlos Street #A in Moss Beach. The applicant describes the proposed business as a wine bar with a retail area and wine club. The applicant has further described the proposed business as follows: “The Wine Room, Moss Beach will be the only wine tasting sit down wine bar on the coast side covering Half Moon Bay to Montara. There will be places at the bar to sit along with comfortable chairs to lounge in. We will have a sommelier there who will educate our customers on wine to heighten their awareness of local wines.” The applicant states that it believes that this proposed model

“will bring i[n] more customers and will increase other retail stores business in the neighborhood.”

The ABC has determined that the number of on-sale licenses already issued in the census tract in which this premises is located meets, but does not exceed, the threshold allowed under the formula established by law. (Specifically, under this formula, ten on-sale licenses are allowed, and there are presently ten such licenses.) Therefore, ABC may not issue the requested license to J7 Companies without providing the Board of Supervisors an opportunity to determine whether the public convenience or necessity would be served by issuance of the license.

The matter was forwarded to the Sheriff’s Office for its consideration. The Sheriff’s Office has informed us that they have no objection to the issuance of the license. Lieutenant John Munsey noted that the proposed location is less than a block from the Sheriff’s Moss Beach substation, and that the license threshold is based on the permanent resident population, while the weekend visitor population can be much higher and creates a greater need for all service-related businesses.

The Midcoast Community Council also considered the application at its public meeting on January 27, 2016. The Council unanimously recommended that the Board of Supervisors determine that the issuance of the requested license would serve the public convenience or necessity. The Council’s recommendation is provided in the attached letter.

The site for the requested license is currently vacant and has hosted a variety of commercial establishments. The issuance of the requested license would provide an additional service establishment for area residents and visitors and would contribute to revitalization of the area.

Based on the foregoing, the recommendation is that this Board grant the applicant’s request and find that the public convenience or necessity would be served by the issuance of a license.

Responding to the request of the ABC will contribute to the Shared Vision 2025 outcome of collaborative community by providing necessary input to the ABC to assist it in making a decision on the subject license.

FISCAL IMPACT:

No fiscal impact.

ATTACHMENTS:

- A. J7 Companies ABC-245 Application
- B. Letter from Midcoast Community Council, re Recommendation for Certificate of Public Convenience or Necessity for The Wine Room