

## ABC Liquor License Experts

Rene Guzman

[abcliqorlicenseexperts@gmail.com](mailto:abcliqorlicenseexperts@gmail.com)

562 212-5459

RE: PC&N to request authorization to obtain a type 20 Off Sale Beer and Wine License.

Premise: 3825 Santa Claus Lane, Carpintería, CA 93013-1110

Applicant: Santa Convenience LLC

Consultant: Rene Guzman

### **Letter Regarding Public Convenience or Necessity**

The applicants have stated that city officials and the State ABC office is requesting a public convenience and necessity justification for the approval of a type 20 License. The sole reason for this request is that Section 23958.4 of the Business and Professions Code regarding over concentration applies. Section 23958.4 BP Code, regarding high crime does not apply.

### **Business and Professions Code 23958.4**

Subsection (a) (3) applies in this matter. Section 23958.4 discusses high crime and or undue concentration. In this matter, high crime is not an issue and does not apply.

However, based on the census tract, “undue concentration” applies. “Undue Concentration” means the case in which the applicant premise for an original retail license is in an area where the ratio of off sale retail licenses to population in the census tract, exceeds the ratio allowed.

### **Census Tract 17.06**

In this case, the premise is in Census Tract # 17.06. Four (4) Off Sales are allowed and currently four (4) exist.

Census Tract 17.06 has very few residents compared to other nearby census tracts, but it encompasses a large area. Census tract 17.06 (refer to exhibit A and B), is square wise the largest of all census tracts in the county. Census tract over concentration is based solely on census tract population but completely disregards the uniqueness of the premise, the surrounding area, how the issuance of a license will serve the community

surroundings, and the fiscal benefits the community will experience because of the issuance of the applied for license.

**Premise Location:**

The issuance of the license will serve the community surrounding the applicant's premise. The premise is located near the beach and just a few feet away from the 101 freeway and a major exit. There are no off-sale retail type 20 licenses within at least a mile distance from the proposed premise. The nearest convenience store with a liquor license is in another census tract. The nearest off-sale premises with a liquor license, is all the way in Summerland.

**Premise Will Not Create a Law Enforcement Problem**

The premise has no history of any law enforcement problems. Additionally, the state ABC who makes the final determination if a license is issued or not, stated that the area is NOT in a high crime area. The premises will not sell distilled spirits "hard liquor" nor operate until 2:00 am. As a matter of fact, the applicants have stated that their hours of operation will only be from 10:00 am to 10:00 pm daily.

**Premises Menu Specifics and Uniqueness:**

This is a convenience market. The quarterly gross sales of alcohol will be approximately 35% of all sales. This premise offers specialty items, food, health items, dog food, beach gear and much more. It is not nor will operate as a liquor store.

This letter was submitted with the approval of the applicant.

Respectfully,

Rene Guzman

Former ABC Supervisor and ABC Special OPS Division