

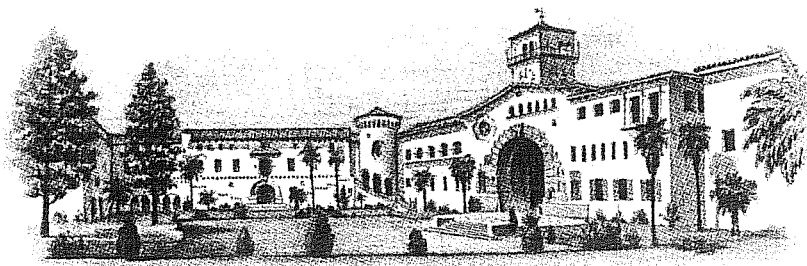
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BOARD OF SUPERVISORS

County Administration Building

105 East Anapamu Street

Santa Barbara, CA 93101

Telephone: (805) 568-2190

www.countyofsb.org

COUNTY OF SANTA BARBARA

January 5, 2010

Department of Alcohol Beverage Control
Attn: Matthew Austin
3220 S. Higuera St., Ste. 305
San Luis Obispo, CA 93401

Re: Public Convenience Determination for Wine Country

Dear Mr. Austin:

This letter is to advise the Department of Alcohol Beverage Control that the Board of Supervisors of the County of Santa Barbara has determined that public convenience will be served if a Type 42 On-Sale Beer and Wine license for Wine Country be transferred from Los Olivos to 130 N. Broadway, Orcutt, CA for a wine tasting room.

The Board made this decision at its January 5, 2010 Board meeting.

Sincerely,

Chair
Santa Barbara County Board of Supervisors

cc: Wine Country
Duggan O'Neill Enterprises, LLC
2445 Alamo Pintado Ave.
Los Olivos, CA 93441

Department of Alcoholic Beverage Control

State of California
ARNOLD SCHWARZENEGGER, Governor

INFORMATION AND INSTRUCTIONS -

SECTION 23958.4 B&P

Instructions This form is to be used for all applications for original issuance or premises to premises transfer of licenses.

- Part 1 is to be completed by an ABC employee, given to applicant with pre-application package, with copy retained in holding file or applicant's district file.
- Part 2 is to be completed by the applicant, and returned to ABC.
- Part 3 is to be completed by the local governing body or its designated subordinate officer or body, and returned to ABC.

PART 1 - TO BE COMPLETED BY ABC

1. APPLICANT'S NAME DUGGAN ONEILL ENTERPRISES LLC			3. LICENSE TYPE 42		
2. PREMISES ADDRESS (Street number and name, city, zip code) 130 N Broadway St Ste A Orcutt 93455					
4. TYPE OF BUSINESS					
<input type="checkbox"/> Full Service Restaurant	<input type="checkbox"/> Hofbrau/Cafeteria	<input type="checkbox"/> Cocktail Lounge	<input type="checkbox"/> Private Club		
<input type="checkbox"/> Deli or Specialty Restaurant	<input type="checkbox"/> Comedy Club	<input type="checkbox"/> Night Club	<input type="checkbox"/> Veterans Club		
<input type="checkbox"/> Cafe/Coffee Shop	<input type="checkbox"/> Brew Pub	<input type="checkbox"/> Tavern: Beer	<input type="checkbox"/> Fraternal Club		
<input type="checkbox"/> Bed & Breakfast:	<input type="checkbox"/> Theater	<input type="checkbox"/> Tavern: Beer & Wine	<input checked="" type="checkbox"/> Wine Tasting Room		
<input type="checkbox"/> Wine only <input type="checkbox"/> All					
<input type="checkbox"/> Supermarket	<input type="checkbox"/> Membership Store	<input type="checkbox"/> Service Station	<input type="checkbox"/> Swap Meet/Flea Market		
<input type="checkbox"/> Liquor Store	<input type="checkbox"/> Department Store	<input type="checkbox"/> Convenience Market	<input type="checkbox"/> Drive-in Dairy		
<input type="checkbox"/> Drug/Variety Store	<input type="checkbox"/> Florist/Gift Shop	<input type="checkbox"/> Convenience Market w/Gasoline			
<input type="checkbox"/> Other - describe:					
5. COUNTY POPULATION		6. TOTAL NUMBER OF LICENSES IN COUNTY <input type="checkbox"/> On-Sale <input type="checkbox"/> Off-Sale		7. RATIO OF LICENSES TO POPULATION IN COUNTY <input type="checkbox"/> On-Sale <input type="checkbox"/> Off-Sale	
8. CENSUS TRACT NUMBER 0020.12		9. NO. OF LICENSES ALLOWED IN CENSUS TRACT 6 <input checked="" type="checkbox"/> On-Sale <input type="checkbox"/> Off-Sale		10. NO. OF LICENSES EXISTING IN CENSUS TRACT 8 <input checked="" type="checkbox"/> On-Sale <input type="checkbox"/> Off-Sale	
11. IS THE ABOVE CENSUS TRACT OVERCONCENTRATED WITH LICENSES? (i.e., does the ratio of licenses to population in the census tract exceed the ratio of licenses to population for the entire county?) <input checked="" type="checkbox"/> Yes, the number of existing licenses exceeds the number allowed <input type="checkbox"/> No, the number of existing licenses is lower than the number allowed					
12. DOES LAW ENFORCEMENT AGENCY MAINTAIN CRIME STATISTICS? <input type="checkbox"/> Yes (Go to Item #13) <input checked="" type="checkbox"/> No (Go to Item #20)					
13. CRIME REPORTING DISTRICT NUMBER		14. TOTAL NUMBER OF REPORTING DISTRICTS		15. TOTAL NUMBER OF OFFENSES IN ALL REPORTING DISTRICTS	
16. AVERAGE NO. OF OFFENSES PER DISTRICT		17. 120% OF AVERAGE NUMBER OF OFFENSES		18. TOTAL NUMBER OF OFFENSES IN REPORTING DISTRICT	
19. IS THE PREMISES LOCATED IN A HIGH CRIME REPORTING DISTRICT? (i.e., has a 20% greater number of reported crimes than the average number of reported crimes as determined from all crime reporting districts within the jurisdiction of the local law enforcement agency) <input type="checkbox"/> Yes, the total number of offenses in the reporting district equals or exceeds the total number in item #17 <input type="checkbox"/> No, the total number of offenses in the reporting district is lower than the total number in item #17					
20. CHECK THE BOX THAT APPLIES (check only one box)					
<input type="checkbox"/> a. If "No" is checked in both item #11 and item #19, Section 23958.4 B&P does not apply to this application, and no additional information will be needed on this issue. Advise the applicant to bring this completed form to ABC when filing the application.					
<input type="checkbox"/> b. If "Yes" is checked in either item #11 or item #19, and the applicant is applying for a non-retail license, a retail bona fide public eating place license, a retail license issued for a hotel, motel or other lodging establishment as defined in Section 25503.16(b) B&P, or a retail license issued in conjunction with a beer manufacturer's license, or winegrower's license, advise the <u>applicant to complete Section 2</u> and bring the completed form to ABC when filing the application or as soon as possible thereafter.					
<input checked="" type="checkbox"/> c. If "Yes" is checked in either item #11 or item #19, and the applicant is applying for an off-sale beer and wine license; an off-sale general license, an on-sale beer license, an on-sale beer and wine (public premises) license, or an on-sale general (public premises) license, advise the <u>applicant to take this form to the local governing body or its designated subordinate officer or body to have them complete Section 3</u> . The completed form will need to be provided to ABC in order to process the application.					

Governing Body/Designated Subordinate Name:

County Administrator - Board of Supervisor

FOR DEPARTMENT USE ONLY

PREPARED BY (Name of Department Employee)

PART 2 - TO BE COMPLETED BY THE APPLICANT (If box #20b is checked)

21. Based on the information on the reverse, the Department may approve your application if you can show that public convenience or necessity would be served by the issuance of the license. Please describe below the reasons why issuance of another license is justified in this area. You may attach a separate sheet or additional documentation, if desired. Do *not* proceed to Part 3.

22. APPLICANT SIGNATURE

23. DATE SIGNED

PART 3 - TO BE COMPLETED BY LOCAL OFFICIALS (If box #20c is checked)

The applicant named on the reverse is applying for a license to sell alcoholic beverages at a premises where undue concentration exists (i.e., an over-concentration of licenses and/or a higher than average crime rate as defined in Section 23958.4 of the Business and Professions Code). Sections 23958 and 23958.4 of the Business and Professions Code requires the Department to deny the application unless the local governing body of the area in which the applicant premises are located, or its designated subordinate officer or body, determines within 90 days of notification of a completed application that public convenience or necessity would be served by the issuance. Please complete items #24 to #30 below and certify or affix an official seal, or attach a copy of the Council or Board resolution or a signed letter on official letterhead stating whether or not the issuance of the applied for license would serve as a public convenience or necessity.

24. WILL PUBLIC CONVENIENCE OR NECESSITY BE SERVED BY ISSUANCE OF THIS ALCOHOLIC BEVERAGE LICENSE?

☒ Yes☐ No☐ See Attached (i.e., letter, resolution, etc.)

25. ADDITIONAL COMMENTS, IF DESIRED (may include reasons for approval or denial of public convenience or necessity):

26. CITY/COUNTY OFFICIAL NAME

27. CITY/COUNTY OFFICIAL TITLE

28. CITY/COUNTY OFFICIAL PHONE NUMBER

29. CITY/COUNTY OFFICIAL SIGNATURE

County Supervisor

30. DATE SIGNED

(805) 568-2190