

Scan

COUNTY OF RIVERSIDE
TRANSPORTATION AND LAND MANAGEMENT AGENCY

George A. Johnson · Agency Director

Planning Department

Ron Goldman · Planning Director

DATE: April 22, 2010

TO: Clerk of the Board of Supervisors

FROM: Planning Department - Riverside Office

SUBJECT: Alcoholic Beverage Control License
Determination of Public Convenience and Necessity (PNC-63)
(Charge your time to these case numbers)

The attached item(s) require the following action(s) by the Board of Supervisors:

- | | |
|-------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> Place on Administrative Action (Receive & File; EOT) | <input type="checkbox"/> Set for Hearing (Legislative Action Required; CZ, GPA, SP, SPA) |
| <input type="checkbox"/> Labels provided If Set For Hearing | <input type="checkbox"/> Publish in Newspaper: |
| <input type="checkbox"/> 10 Day <input type="checkbox"/> 20 Day <input type="checkbox"/> 30 day | **SELECT Advertisement** |
| <input type="checkbox"/> Place on Consent Calendar | <input type="checkbox"/> **SELECT CEQA Determination** |
| <input checked="" type="checkbox"/> Place on Policy Calendar (Resolutions; Ordinances; PNC) | <input type="checkbox"/> 10 Day <input type="checkbox"/> 20 Day <input type="checkbox"/> 30 day |
| <input type="checkbox"/> Place on Section Initiation Proceeding (GPIP) | <input type="checkbox"/> Notify Property Owners (app/agencies/property owner labels provided) |
| | Controversial: <input type="checkbox"/> YES <input type="checkbox"/> NO |

Designate Newspaper used by Planning Department for Notice of Hearing: NONE

Please schedule on the May 4, 2010 BOS Agenda

Boys sent 4/22/10

Ron
4/22/10

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



FROM: TLMA - Planning Department

SUBMITTAL DATE:
April 22, 2010

SUBJECT: Alcoholic Beverage Control License
Determination of Public Convenience and Necessity (PNC-63) for "Idyll A White Wine Shop and Bistro" wine shop, easterly of Village Center Drive, southerly of SH-273, and westerly of Cedar Street, Riverside County Assessor's Parcel No. 563-292-015.

RECOMMENDED MOTION: That the Board of Supervisors, based on the findings below, make a determination of Public Convenience and Necessity so that another Alcoholic Beverage license be issued to allow the sale of beer and wine for consumption on or off the premises where sold, where food service is not required (Type-42), may be issued.

BACKGROUND: In accordance with Government Code 23958.4 the State of California

Jerry Jolliffe, Deputy Planning Director for,

Jerry Jolliffe

Ron Goldman
Planning Director

Initials:
RG:yc
RG

(Continued on attached pages)

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 0	In Current Year Budget:	N/A
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	N/A
	Annual Net County Cost:	\$ 0	For Fiscal Year:	N/A

SOURCE OF FUNDS:	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION:

County Executive Office Signature

Policy
 Policy

Consent
 Consent

Dept Rec. :
Per Exec. Ofc.:

Prev. Agn. Ref. | **District:** Third | **Agenda Number:**

Department of Alcoholic Beverage Control (ABC) may deny an application for an ABC license if there is an "undue concentration of licenses." An "undue concentration" exists if it is deemed to be in a census tract where the ratio of on-sale or off-sale retail ABC licenses to population exceeds the ratio of on-sale or off-sale retail ABC licenses to population in the county in which the applicant premises are located. A license may still be issued, however, if the local agency determines that the public use and necessity would be served by issuance of the license. The statute provides no definition or standard for determining "public necessity & convenience." The Alcoholic Beverage Control Board has determined that an "undue concentration" exists for the Census Tract in which the applicant's establishment is located. A "public convenience and necessity" determination is required to establish an ABC license for "Idyll A While" wine shop, easterly of Village Center Drive, southerly of SH-273, and westerly of Cedar Street, Riverside County Assessor's Parcel No. 563-292-015, in the Third Supervisorial District, may be issued. The State Department of Alcoholic Beverage Control is allowing the applicant to obtain a determination of "public convenience and necessity" from the County of Riverside prior to granting the license pursuant to Government Code Section 23958.4.8.

FINDINGS:

1. The project site is designated Community Development: Commercial Retail (CD:CR) on the Riverside Extended Mountain Area Plan.
2. The proposed use, a wine shop with concurrent sales of beer and wine for consumption on or off the premises where sold, where food service is not required (Type-42), is permitted use in the Community Development: Commercial Retail (CD:CR) designation.
3. The zoning classification for the subject site is Scenic Highway Commercial (C-P-S).
4. The proposed use a wine shop with concurrent sales of beer and wine for consumption on or off the premises where sold, where food service is not required (Type-42), is a permitted use subject to approval of a Plot Plan, in the Scenic Highway Commercial (C-P-S).
5. The issuance of a new ABC license on the property will not require additional Planning Department approvals because an approved Plot Plan (PP09567, Revised Permit No. 1) was granted on September 25, 2001 which included the sale of alcoholic beverages for off-premises consumption. Maintenance of an ABC license for any business on the subject parcel is required by Condition of Approval 10.PLANNING.21.
6. A radius map buffering 1,000 linear feet from the subject site was prepared by Riverside County Geographic Information Systems and concluded that no public elementary school or secondary school district is within 1,000 linear feet of the site.
7. A radius map buffering 1,000 linear feet from the subject site was prepared by Riverside County Geographic Information Systems and concluded that one (1) public park (Mt. San Jacinto State Park) and no playgrounds are within 1,000 linear feet of the site.
8. The "Idyll A While" wine shop is requesting a Type-42 license to allow for the sale of beer and wine for consumption on or off the premises where sold. No distilled spirits may

be on the premises. Minors are not allowed to enter and remain. Food service is not required.

9. The "Idyll A While" wine shop is primarily engaged in the sale and tasting of beer and wine in conjunction with food items and gifts.
10. The project is not situated in such a manner that vehicle traffic from the facility may reasonably be believed to be a potential hazard to a school, church, public park or playground.
11. No displays of beer, wine or other alcoholic beverages shall be located on the exterior of the building or within window areas.
12. The State Department of Alcoholic Beverage Control is requesting that the Riverside County Board of Supervisors grant a determination of "public necessity and convenience" for the new license.
13. Currently four (4) alcohol and beverage control (ABC) licenses are allowed in Census Tract 0444.01; however twenty (20) licenses have been issued. Approval of Public Convenience and Necessity No. 63 would increase the number of active ABC licenses from thirteen (13) to fourteen (14).

01-05-10

09:12 AM

CENSUS TRACT INFORMATION BY CENSUS TRACT NUMBER
 where county is 33-RIVERSIDE and census tract is 0444.01

TOTAL: 25

COUNTY	Census Tract	DO	License Num	On Sale Active	On Sale Pend	Off Sale Active	Off Sale Pend
33	0444.01	08	2047	Y	N	N	N
33	0444.01	08	54923	Y	N	N	N
33	0444.01	08	121390	N	N	Y	N
33	0444.01	08	223017	Y	N	N	N
33	0444.01	08	375883	N	N	Y	N
33	0444.01	08	396907	Y	N	N	N
33	0444.01	08	397330	Y	N	N	N
33	0444.01	08	398783	Y	N	N	N
33	0444.01	08	404855	Y	N	N	N
33	0444.01	08	411621	Y	N	N	N
33	0444.01	08	413420	N	N	Y	N
33	0444.01	08	425722	N	N	Y	N
33	0444.01	08	425775	Y	N	N	N
33	0444.01	08	436739	Y	N	N	N
33	0444.01	08	448663	Y	N	N	N
33	0444.01	08	448699	Y	N	N	N
33	0444.01	08	454010	Y	N	N	N
33	0444.01	08	463107	Y	N	N	N
33	0444.01	08	465595	Y	N	N	N
33	0444.01	08	467847	Y	N	Y	N
33	0444.01	08	476954	Y	N	N	N
33	0444.01	08	480628	Y	N	N	N
33	0444.01	08	481933	Y	N	N	N
33	0444.01	08	484414	Y	N	N	N
33	0444.01	08	484543	N	Y	N	N
Totals				20	1	5	0



**California Department of Alcoholic Beverage
Control
For the County of RIVERSIDE - (On-Sale Licenses)
and Census Tract = 0444.01**

Report as of 3/25/2010

	License Number	Status	License Type	Orig. Iss. Date	Expir Date	Primary Owner and Premises Addr.	Business Name	Mailing Address	Geo Code
1)	<u>2047</u>	ACT	52		7/31/2010	AMERICAN LEGION IDYLLWILD POST 800 54360 MARION VIEW DR IDYLLWILD, CA 92549 Census Tract: 0444.01	AMERICAN LEGION IDYLLWILD POST 800	PO BOX 800 IDYLLWILD, CA 92549	3300
2)	<u>2047</u>	ACT	58		7/31/2010	AMERICAN LEGION IDYLLWILD POST 800 54360 MARION VIEW DR IDYLLWILD, CA 92549 Census Tract: 0444.01	AMERICAN LEGION IDYLLWILD POST 800	PO BOX 800 IDYLLWILD, CA 92549	3300
3)	<u>54923</u>	ACT	47	1/8/1980	3/31/2010	MOUNTAIN RESTAURANTS THE 54381 RIDGEVIEW DR IDYLLWILD, CA 92549 Census Tract: 0444.01	GASTROGNOME	PO BOX 69 IDYLLWILD, CA 92549	3300
4)	<u>54923</u>	ACT	58	11/2/2000	3/31/2010	MOUNTAIN RESTAURANTS THE 54381 RIDGEVIEW DR IDYLLWILD, CA 92549 Census Tract: 0444.01	GASTROGNOME	PO BOX 69 IDYLLWILD, CA 92549	3300
5)	<u>223017</u>	ACT	41	10/21/1988	7/31/2010	YE ZHI QI 25840 CEDAR ST IDYLLWILD, CA 92549 Census Tract: 0444.01	HIDDEN VILLAGE	PO BOX 3696 IDYLLWILD, CA 92549	3300

6)	<u>396907</u>	ACT	41	4/7/2003	3/31/2010	BATZAKIDOU VASSILIKI 54200 N CIRCLE DR IDYLLWILD, CA 92549 Census Tract: 0444.01	GREEK PLACE THE	PO BOX 1162 IDYLLWILD, CA 92549	3300
7)	<u>397330</u>	ACT	41	5/1/2003	4/30/2010	HALKIN HUBERT 54750 N CIRCLE DR IDYLLWILD, CA 92549 Census Tract: 0444.01	CAFE AROMA	PO BOX 1295 IDYLLWILD, CA 92549	3300
8)	<u>398783</u>	ACT	47	4/1/2003	11/30/2010	HUIZAR JOSE LUIS 25980 HWY 243 IDYLLWILD, CA 92549 Census Tract: 0444.01	ARRIBA MEXICAN RESTAURANT	PO BOX 1288 IDYLLWILD, CA 92549	3300
9)	<u>398783</u>	ACT	58	5/11/2004	11/30/2010	HUIZAR JOSE LUIS 25980 HWY 243 IDYLLWILD, CA 92549 Census Tract: 0444.01	ARRIBA MEXICAN RESTAURANT	PO BOX 1288 IDYLLWILD, CA 92549	3300
10)	<u>404855</u>	ACT	47	12/24/2003	11/30/2010	CREEK HOUSE INC THE 54905 N CIRCLE DR IDYLLWILD, CA 92549 Census Tract: 0444.01	CREEK HOUSE THE	PO BOX 1680 IDYLLWILD, CA 92549	3300
11)	<u>411621</u>	ACT	41	8/23/2004	7/31/2010	DAHLEEN KENNA MARIE 54391 VILLAGE CENTER DR 2 IDYLLWILD, CA 92549 Census Tract: 0444.01	IDYLLWILD PIZZA CO	PO BOX 1370 IDYLLWILD, CA 92549	3300
12)	<u>425775</u>	ISUS	41	6/13/2005	5/31/2010	FISKESETH CORPORATION 54710 N CIRCLE DR IDYLLWILD, CA 92549 Census Tract: 0444.01	BREAD BASKET	PO BOX 3260 IDYLLWILD, CA 92549	3300
13)	<u>436739</u>	ACT	47	5/5/2006	4/30/2010	LE JOANS INC 25875 VILLAGE	JO ANS	PO BOX 4067 IDYLLWILD,	3300

						CENTER DR IDYLLWILD, CA 92549 Census Tract: 0444.01		CA 92549	
14)	436739	ACT	58	2/4/2008	4/30/2010	LE JOANS INC 25875 VILLAGE CENTER DR IDYLLWILD, CA 92549 Census Tract: 0444.01	JO ANS	PO BOX 4067 IDYLLWILD, CA 92549	3300
15)	448663	ACT	41	3/7/2007	8/31/2010	MANLEY MARY ROSE 26345 HIGHWAY 243 IDYLLWILD, CA 92549 Census Tract: 0444.01	GOODTIMES PUB & GRILL	PO BOX 3172 IDYLLWILD, CA 92549	3300
16)	448699	ACT	41	5/29/2007	4/30/2010	RED KETTLE INC 54220 N CIRCLE DR IDYLLWILD, CA 92549 Census Tract: 0444.01	RED KETTLE	PO BOX 243 IDYLLWILD, CA 92549- 0243	3300
17)	448699	ACT	58	2/22/2010	4/30/2010	RED KETTLE INC 54220 N CIRCLE DR IDYLLWILD, CA 92549 Census Tract: 0444.01	RED KETTLE	PO BOX 243 IDYLLWILD, CA 92549- 0243	3300
18)	454010	ACT	41	6/20/2007	5/31/2010	RED KETTLE INC 25985 HIGHWAY 243 IDYLLWILD, CA 92549 Census Tract: 0444.01	LUMBER MILL BAR & GRILL THE	PO BOX 243 IDYLLWILD, CA 92549- 0243	3300
19)	463107	ACT	41	2/25/2008	1/31/2010	BERNALWHITAKER ALICIA DELORES 54225 N CIRCLE DR IDYLLWILD, CA 92549 Census Tract: 0444.01	EL DIABLOS CAFE	PO BOX 3448 IDYLLWILD, CA 92549	3300
20)	465595	ACT	47	8/15/2008	7/31/2010	ARAMARK SPORTS & ENTERTAINMENT SERVICES LLC	SJ AERIAL TRAMWAY	610 SMITHFIELD ST PITTSBURGH,	3300

						SAN JACINTO AERIAL TRAMWAY MOUNTAIN STATION PALM SPRINGS, CA 92262 Census Tract: 0444.01		PA 15222- 2512	
21)	467847	ACT	41	7/31/2008	6/30/2010	LEVITT CORPORATION 26000 HIGHWAY 243 IDYLLWILD, CA 92549 Census Tract: 0444.01	VILLAGE MARKET	PO BOX 1119 IDYLLWILD, CA 92549- 1119	3300
22)	467847	ACT	77	5/1/2009	6/30/2010	LEVITT CORPORATION 26000 HIGHWAY 243 IDYLLWILD, CA 92549 Census Tract: 0444.01	VILLAGE MARKET	PO BOX 1119 IDYLLWILD, CA 92549- 1119	3300
23)	476954	ACT	41	5/7/2009	4/30/2010	BERNAL THOMASA CARMEN 54650 N CIRCLE DR IDYLLWILD, CA 92549 Census Tract: 0444.01	LA CASITA MEXICAN RESTAURANT	PO BOX 1273 IDYLLWILD, CA 92549	3300
24)	480628	ACT	41	8/24/2009	7/31/2010	MOUNTAIN RESTAURANT LLC 26290 HIGHWAY 243 IDYLLWILD, CA 92549 Census Tract: 0444.01	MOUNTAIN RESTAURANT LLC	PO BOX 623 IDYLLWILD, CA 92549- 0623	3300
25)	481933	ACT	41	10/23/2009	9/30/2010	MILEHIGH CAFE INC 26600 HIGHWAY 243 IDYLLWILD, CA 92549-3143 Census Tract: 0444.01	MILEHIGH CAFE INC	PO BOX 3143 IDYLLWILD, CA 92549- 3143	3300
26)	484414	ACT	41	12/30/2009	11/30/2010	BERNAL JEANINE LEIGH 54225 N CIRCLE DR IDYLLWILD, CA 92549	BONE DADDYZ BBQ BISTRO	PO BOX 4328 IDYLLWILD, CA 92549- 4328	3300

					Census Tract: 0444.01				
--	--	--	--	--	--------------------------	--	--	--	--

--- End of Report ---

For a definition of codes, view our [glossary](#).

PROPERTY OWNERS CERTIFICATION FORM

I, VINNIE NGUYEN, certify that on 3/29, 2010.

The attached property owners list was prepared by Riverside County GIS.

APN (s) or case numbers HRO203 For

Company or Individual's Name Planning Department.

Distance buffered ~~600'~~ 1000'.

Pursuant to application requirements furnished by the Riverside County Planning Department, Said list is a complete and true compilation of the owners of the subject property and all other property owners within 600 feet of the property involved, or if that area yields less than 25 different owners, all property owners within a notification area expanded to yield a minimum of 25 different owners, to a maximum notification area of 2,400 feet from the project boundaries, based upon the latest equalized assessment rolls. If the project is a subdivision with identified off-site access/improvements, said list includes a complete and true compilation of the names and mailing addresses of the owners of all property that is adjacent to the proposed off-site improvement/alignment.

I further certify that the information filed is true and correct to the best of my knowledge. I understand that incorrect or incomplete information may be grounds for rejection or denial of the application.

NAME: Vinnie Nguyen




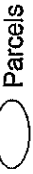


TITLE GIS Analyst

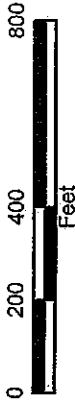
ADDRESS: 4080 Lemon Street 2nd Floor

Riverside, Ca. 92502

TELEPHONE NUMBER (8 a.m. - 5 p.m.): (951) 955-8158

APN 563-292-015

-  School Sites
-  Highways
-  1000' Radius
-  Parcels
-  Study Boundary
-  Parks



March 29, 2010

Disclaimer: Maps and data are to be used for reference purposes only. Map features are approximate, and are not necessarily accurate to surveying or engineering standards. The County of Riverside makes no warranty or guarantee as to the content (the accuracy, completeness, or timeliness) of the data or the information contained in this map. The County of Riverside shall not be held responsible for any errors or omissions in the information contained in this map, and the user assumes full responsibility for the use of the information.

Source : County of Riverside
 Author : Vinita Nguyen
 Agency\workspace\nguyen\planning\563.mxd



Mount San Jacinto State Park
PO Box 308
25905 Highway 243
Idyllwild, CA 92549