



November 14, 2016

Donna Norris  
City Clerk  
City of Chula Vista  
276 Fourth Avenue  
Chula Vista, CA 91910

RE: Public Convenience and Necessity Hearing – Findings  
99 Cents Only Stores, 1030 Third Avenue

The 99 Cents Only Stores is seeking permission to sell beer and wine for off-site consumption at its recently opened grocery and retail store at 1030 Third Avenue in Chula Vista. The store has asked the Chula Vista Police Department to find that issuing a license would serve the Public Convenience or Necessity (PCN) and to sign off on a PCN form required by the California Department of Alcoholic Beverage Control (ABC). This form is necessary for the business to obtain an ABC license, pursuant to California Business and Professions Code Section 23958.4(b)(2).

The Department has found that issuing an ABC license to the 99 Cents Only store at 1030 Third Avenue will not serve the Public Convenience or Necessity. The Department bases this finding on the following, pursuant to Chula Vista Municipal Code Chapter 5.09, Alcoholic Beverage Licenses, and Section 23958.4 of the California Business and Professions Code:

1. Another ABC license would cause the area to become further over-concentrated with ABC licenses. According to the ABC, the census tract in which the business is located allows for four (4) licenses in that area, and currently six (6) exist.

The following six (6) businesses in the area have off-sale licenses: a) 7-Eleven, 7 Naples St.; b) Walgreens, 1111 Third Ave.; c) Bolbol Produce Market, 287 Naples St.; d) 7-Eleven, 1099 Third Ave.; e) Square Bottle Liquor, 21 Naples St.; and f) Northgate Supermarket, 1058 Third Ave.

2. According to the ABC, the average number of crime offenses for all ABC reporting districts is 133.8 (6,958 total offenses divided by 52 reporting districts.) According to the ABC, the total number of crime offenses in the reporting district in which the store is located is 250. This number is 86.8 percent higher than the average



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for all ABC reporting districts, making the reporting district in which the store is located a "high crime reporting district."

3. According to Department data, the Department received 46 alcohol-related calls for service, such as drunk driver, drunk in Public, Reckless Driving, underage drinking in the 1000 block of Third Avenue, and 200 and 300 blocks of Moss and Naples streets in the past year.
4. There has been no public support for issuance of the license. Members of the public who expressed opinions during the public comment period and at a public hearing held on October 4, 2016 at Department headquarters were unanimously opposed to issuance of the license. Thirteen (13) phone calls were received, and nine (9) people attended the public hearing. Members of the public have expressed the following concerns.
  - a. Over-concentration of alcohol licenses already exists in the area
  - b. Easy access to alcohol by homeless individuals
  - c. Increase in alcohol-related crimes
  - d. Decrease in quality of life in the area

Because the Public Convenience or Necessity is not served by issuing an alcoholic beverage license to the 99 Cents Only store at 1030 Third Avenue, the Department has declined the store's request to sign off the PCN form. The store has been notified.

If you have any further questions, you may contact Sergeant Michael Varga at (619) 691-5059.

Sincerely,

David Bejarano  
Chief of Police