

Public Convenience or Necessity H Street Market

CHULA VISTA POLICE DEPARTMENT

Public Convenience or Necessity (PCN) Overview

- Applicant applies for a license through Alcoholic Beverage Control (ABC) and determines if PCN is required due to:
 - Over concentration of licenses in the census tract (allowed vs. existing)
 - High crime area (based on average number of crimes across all census tracts)
- If ABC determines PCN requirements must be met, the ABC-245 form is forwarded the Chula Vista Police Department (CVPD) Special Investigations Unit (SIU) for further investigation.
- The applicant is notified by SIU and advised of the PCN Process and the required PCN fee.
- A public hearing is scheduled approximately 90 days from the receipt of payment to allow time for an investigation.

Public Convenience or Necessity (PCN) Overview (Cont'd)

- The investigation involves an in-depth look at calls for service in the area, reported crime related to alcohol, existing availability of alcohol in the area and public concern regarding issuance of the license.
- At the conclusion of the investigation, CVPD SIU determines if PCN will be served by the issuance of the license.
- If PCN has been met, SIU signs the ABC-245 and returns the form to the applicant. The applicant then forwards the form to ABC to complete the licensing process.
- If PCN has NOT been met, the decision is forwarded to the Chula Vista City Clerk. ABC and the applicant are notified as well, and the applicant will have ten (10) days to appeal the denial with the City of Chula Vista.

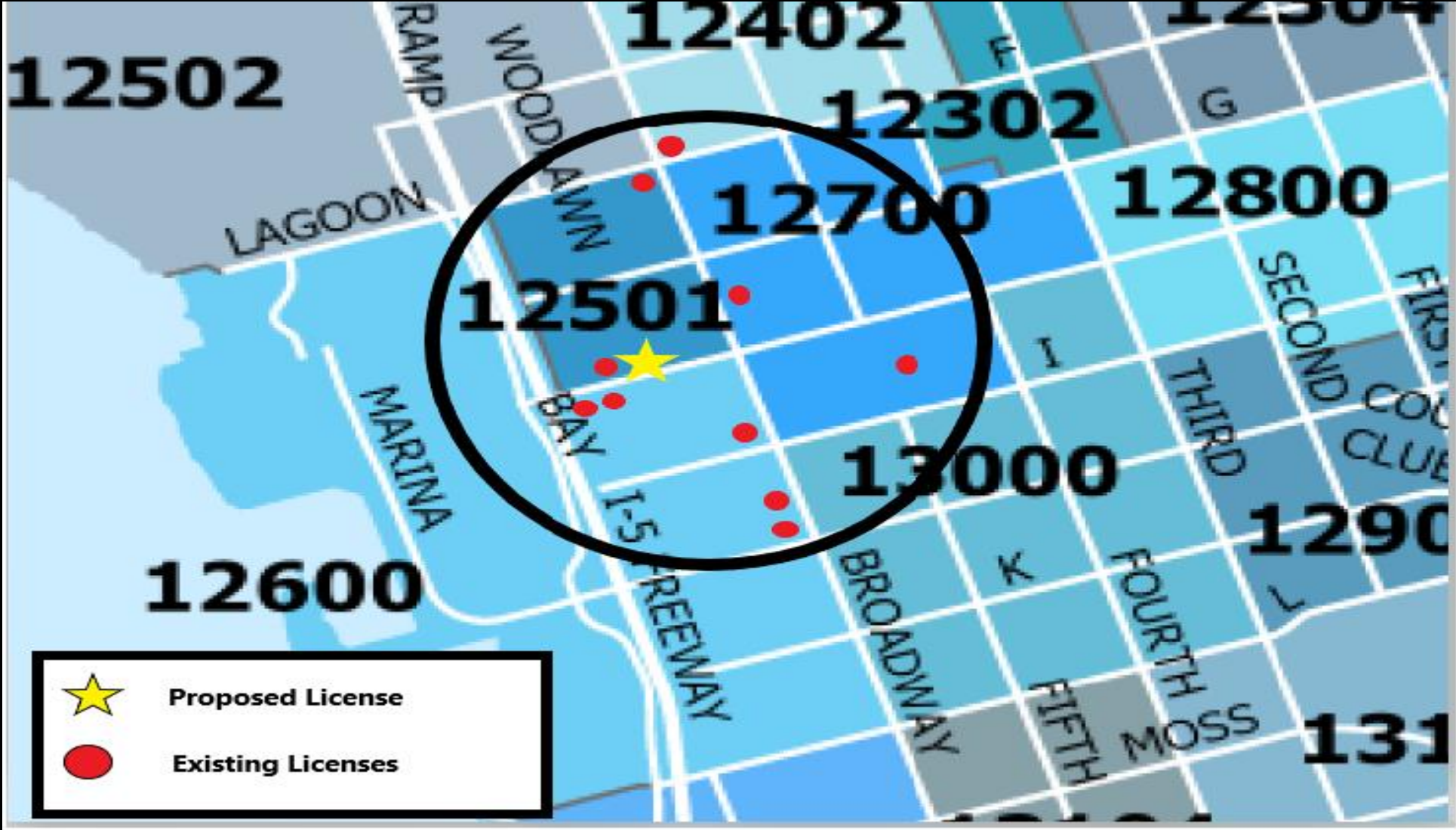
PCN Timeline for H Street Market

- March 2, 2020 – H Street Market applied to ABC for a Type-20 Off-Sale License, allowing for the sale of beer and wine to be consumed off-site.
- March 6, 2020 – ABC determined the proposed premises, located in Census Tract 125.01, was in an area of high crime and an over concentration of licenses – requiring PCN determination from the Chula Vista Police Department.
- March 27, 2020 – ABC-245 form and PCN Fee were received from applicant.
- March 30, 2020 - Letters sent to all businesses and residents within 500 feet of the location notifying them of the proposed license.
 - Twelve (12) phone calls were received. All but one (1) were opposed to the license.
- June 30, 2020 – PCN hearing was held at the Chula Vista Police Department.
 - Three (3) people were in attendance. All three (3) were opposed to the license.
- July 17, 2020 – As a result of the investigation, the Chula Vista Police Department determined PCN would not be served by the issuance of the license. ABC and the applicant were notified.
- July 27, 2020 – Applicant mailed appeal to the Chula Vista City Council

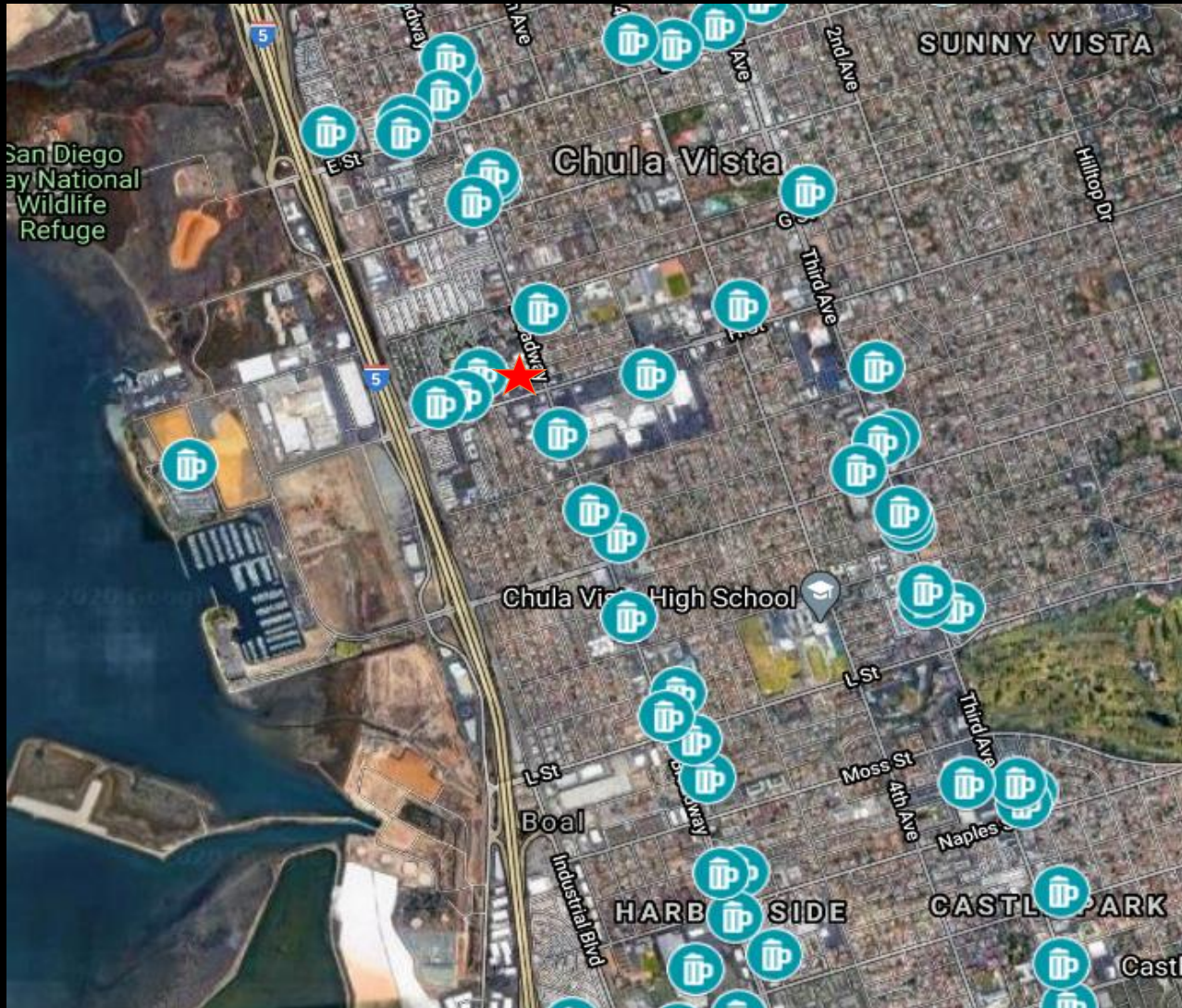
PCN Investigation – Over-Concentration of Licenses

- ABC allows for two (2) off-sale licenses in the census tract (125.01)
- Currently two (2) off-sale licenses exist:
 - Bobar Market & Gas – 600 F Street
 - Keg & Bottle – 677 H Street
- HOWEVER, there are eight (8) other off-sale licenses (totaling 10) within a two-block radius:
 - Little Spirit Shop – 299 Broadway (124.02)
 - Mi Pueblo Sunny Market – 449 Broadway (127.00)
 - Arco AM/PM – 720 H Street (126.00)
 - 7-Eleven – 698 H Street (126.0)
 - CVS Pharmacy – 555 Broadway (127.00)
 - Walgreens – 621 I Street (126.00)
 - Quick Stop Liquor – 670 Broadway (126.0)
 - 7-Eleven – 796 Broadway (126.00)

PCN Investigation - Two Block Radius of Census Tract 125.01



PCN Investigation – Distance Between Existing ABC Licenses



5 ABC Licenses within 1,500 feet

1 – 400 ft – Keg & Bottle

2 – 750 ft – 7-Eleven

3 – 1,000 ft – AM/PM

4 – 1,285 ft – Mi Pueblo Sunny Market

5 – 1,570 ft - Walgreens

PCN Investigation – High Crime

- Between June 1, 2019 and May 31, 2020 – there were 1,801 calls for service within a .25-mile radius of 645 H Street.
- 199 of those calls for service were alcohol related:
 - Public Intoxication (disturbances, fights, persons down, etc.)
 - Suspected Drunk Drivers / Drunk Driving Collisions / Traffic Hazards
 - Robbery / Weapon Threats / Assaults
- 217 of those calls were homeless related:
 - Public intoxication (disturbances, fights, persons down, etc.)
 - Suspicious Persons / Robbery / Weapon Threats / Assaults
 - Trespassing / Refusing to Leave the Area

PCN Investigation - Public Concerns

- Over-concentration of alcohol licenses.
- Higher homeless population in the area.
- Easier access to alcohol.
- Traffic congestion and pedestrian safety.
- Increase in alcohol related crimes.
- Decreased quality of life.

PCN Investigation – Conclusion

- Based on findings during the investigation , it was determined that Public Convenience or Necessity has not been met due to the following:
 - Over-concentration of licenses in the census tract
 - High crime and calls for service in the census tract
 - Public opposition to the license