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COUNTY OF SAN MATEO

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Please respond to: (650) 363-4757

March 11, 2013

Via E-Mail (laura.stein@comcast.net) and U.S. Mail

Midcoast Community Council
Attn: Ms. Laura Stein, Chair
P.O. Box 248
Moss Beach, CA 94038-0248

Re: Request for Certificate of Public Need or Necessity for Hop Dogma Brewing Co., LLC, 30 Avenue Portola, Suite 1B, El Granada, CA

Dear Ms. Stein:

As you know, this office represents the San Mateo County Planning Department and, from time to time, we are asked to assist in coordinating the County's response to requests from individuals and entities seeking licenses from the State Department of Beverage Control for certificates of public convenience and necessity. Specifically, in cases where a business operator seeks a license to serve or sell alcohol in a census tract where a certain threshold of such licenses has already been exceeded, the operator must receive from the local governmental agency with jurisdiction over the area in question a certificate that the public convenience or necessity would be served by issuance of such a license.

As reflected on the attached materials, Hop Dogma Brewing Co., LLC, seeks such a certificate from the County of San Mateo in connection with the proposed on-sale of beer and wine at a premises located at 30 Avenue Portola, Suite 1B, in El Granada. More particularly, Hop Dogma informs us that it plans to open a small production brewery with a separate wine and beer tasting bar and the entity provides correspondence, which I have attached, wherein it explains how the public necessity and convenience will be served by allowing sale of beer and wine on the premises.

As part of the process for consideration of such a request, the County seeks the recommendation of the Midcoast Community Council. Because of the relatively short period of time in which the County has to respond to this request, I am asking that you provide me with

Midcoast Community Council
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your recommendation within the next thirty days (on or before April 10, 2012) so that I can timely convey your views to the Board of Supervisors.

Thank you for your assistance and please do not hesitate to contact me with any questions or comments regarding this matter.

Very truly yours,

JOHN C. BEIERS, COUNTY COUNSEL

By: 

John D. Nibbelin, Chief Deputy

JCB:JDN/jdn

cc: Messrs. Strike & Techel, c/o Ms. Jennifer Campbell, 556 Commercial Street, San Francisco, CA 94111

Office of Supervisor Don Horsley, c/o Mr. Nicholas Calderon

Mr. Jim Eggemeyer and Ms. Tiare Pena, San Mateo County Planning Department

Greg Munks, San Mateo County Sheriff

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ALCOHOLIC BEVERAGE LAW

Via Federal Express

February 28, 2013

County Council
John Nibbelin, Chief
400 County Center, 6th floor
Redwood City, CA 94061-1662

RE: Public Convenience or Necessity (PCN) for Hop Dogma Brewing Co., LLC ('Hop Dogma')

Dear Mr. Nibbelin,

Our client, Hop Dogma, has applied for a Type 42 liquor license at 30 Avenue Portola Suite 1B in El Granada. They plan on opening a small production brewery and separate beer and wine tasting bar. Initial hours of operation will be Friday 5:00 pm- 11:00 pm, Saturday 12:00 pm -11:00 pm and Sunday 11:00 am- 7:00 pm.

I have included the following for you to review:

- Hop Dogma's request for a finding of PCN;
- ABC-245 Information and Instructions Section 23958.4 B&P; and
- ABC-211 Application filing information.

The purpose of this letter is to request that a PCN letter be issued from the County Council. Please contact me should you have any questions or concerns. Thank you for your attention to this matter. We anxiously await your reply.

Sincerely,



Jennifer Campbell
Senior Paralegal

Enclosures

Hop Dogma Brewing
30 Avenida Portola, Suite 1B
El Granada, CA 94018



February _25_, 2013

County Council
County of San Mateo
Attn: John Nibbelin, Chief
400 County Center, 6th floor
Redwood City CA 94061-1662

Re: Hog Dogma Brewing Co., LLC (Hop Dogma)
Type 42 On-Sale Beer and Wine – Public Premises

Dear Mr. Nibbelin:

On January 29, 2013, we applied for a Type 42 On-Sale Beer and Wine – Public Premises license at 30 Avenue Portola, Suite 1B, El Granada, CA 94018. We have been asked to address how our bar business will serve the public convenience or necessity of the surrounding neighborhood.

Hop Dogma is planning to open a small production brewery with a separate wine and beer tasting bar in the coastal town of El Granada. We plan to source and use local ingredients to make specialty craft brews that highlight the wonderful range of agricultural products found in the area. These homemade brews will be featured at our bar along with other regional and California based wine and beer products. We believe this new business will provide an enjoyable place for local residents to socialize and enjoy craft beer and wine products. We believe the business also may attract other craft beer enthusiasts and tourists who will further fuel the local economy.

We will employ individuals age 21 or older to assist us with our business, bringing jobs to this area. We will serve the community in a positive and responsible manner.

For all of these reasons, we believe our operation will serve the public convenience or necessity of the area. If we can answer any questions, please do not hesitate to call.

Sincerely,

A handwritten signature in black ink, appearing to read "Dan Littlefield", written over a horizontal line.

Dan Littlefield
Member & Manager

APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE(S)

ABC 211 (6/99)

Applicant's Copy

TO: Department of Alcoholic Beverage Control
 33 NEW MONTGOMERY STREET
 SUITE 1230
 SAN FRANCISCO, CA 94105
 (415) 356-6500

File Number: **529619**
 Receipt Number: **2153056**
 Geographical Code: **4100**
 Copies Mailed Date: **January 29, 2013**
 Issued Date:

DISTRICT SERVING LOCATION: **SAN FRANCISCO**
 First Owner: **HOP DOGMA BREWING CO., LLC**

Name of Business:
 Location of Business: **30 AVENUE PORTOLA
 STE 1B
 EL GRANADA, CA 94018**

County: **SAN MATEO**
 Is Premise inside city limits? **Yes** Census Tract **6135.02**

Mailing Address:
 (If different from premises address) **P O BOX 1375
 EL GRANADA, CA 94018-1375**

Type of license(s): **23, 42**

Transferor's license/name: Dropping Partner: Yes No

License Type	Transaction Type	Fee Type	Master	Dup	Date	Fee
23 - Small Beer Manufactur	ANNUAL FEE	NA	Y	0	01/29/13	\$171.00
23 - Small Beer Manufactur	ORIGINAL FEES	NA	Y	0	01/29/13	\$100.00
42 - On-Sale Beer And Win	ORIGINAL FEES	NA	Y	0	01/29/13	\$300.00
42 - On-Sale Beer And Win	ANNUAL FEE	NA	Y	0	01/29/13	\$261.00
NA	FEDERAL FINGERPRINTS	NA	N	3	01/29/13	\$72.00
NA	STATE FINGERPRINTS	NA	N	3	01/29/13	\$117.00
Total						\$1,021.00

Have you ever been convicted of a felony? **No**
 Have you ever violated any provisions of the Alcoholic Beverage Control Act, or regulations of the Department pertaining to the Act? **No**
 Explain any "Yes" answer to the above questions on an attachment which shall be deemed part of this application.

Applicant agrees (a) that any manager employed in an on-sale licensed premises will have all the qualifications of a licensee, and (b) that he will not violate or cause or permit to be violated any of the provisions of the Alcoholic Beverage Control Act.

STATE OF CALIFORNIA County of SAN MATEO Date: January 29, 2013

Under penalty of perjury, each person whose signature appears below, certifies and says: (1) He is an applicant, or one of the applicants, or an executive officer of the applicant corporation, named in the foregoing application, duly authorized to make this application on its behalf; (2) that he has read the foregoing and knows the contents thereof and that each of the above statements therein made are true; (3) that no person other than the applicant or applicants has any direct or indirect interest in the applicant or applicant's business to be conducted under the license(s) for which this application is made; (4) that the transfer application or proposed transfer is not made to satisfy the payment of a loan or to fulfill an agreement entered into more than ninety (90) days preceding the day on which the transfer application is filed with the Department or to gain or establish a preference to or for any creditor or transferor or to defraud or injure any creditor of transferor; (5) that the transfer application may be withdrawn by either the applicant or the licensee with no resulting liability to the Department.

Effective July 1, 2012, Revenue and Taxation Code Section 7057, authorizes the State Board of Equalization and the Franchise Tax Board to share taxpayer information with Department of Alcoholic Beverage Control. The Department may suspend, revoke, and refuse to issue a license if the licensee's name appears in the 500 largest tax delinquencies list. (Business and Professions Code Section 494.5.)

Applicant Name(s)

Applicant Signature(s)

HOP DOGMA BREWING CO., LLC

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

Hop Dogma Brewing Co., LLC

2. PREMISES ADDRESS (Street number and name, city, zip code)

30 Avenue Portola, Ste 1B, El Granada, CA 94018

3. LICENSE TYPE

42

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

5412

6. TOTAL NUMBER OF LICENSES IN COUNTY

On-Sale Off-Sale

7. RATIO OF LICENSES TO POPULATION IN COUNTY

On-Sale Off-Sale

8. CENSUS TRACT NUMBER

6135.02

9. NO. OF LICENSES ALLOWED IN CENSUS TRACT

10 On-Sale Off-Sale

10. NO. OF LICENSES EXISTING IN CENSUS TRACT

19 On-Sale 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?)

- Yes, the number of existing licenses exceeds the number allowed
- No, the number of existing licenses is lower than the number allowed

3 x PUB

12. DOES LAW ENFORCEMENT AGENCY MAINTAIN CRIME STATISTICS?

- Yes (Go to Item #13) 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)

- Yes, the total number of offenses in the reporting district equals or exceeds the total number in item #17
- 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)

- 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.
- 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 applicant to complete Section 2 and bring the completed form to ABC when filing the application or as soon as possible thereafter.
- 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 applicant to take this form to the local governing body, or its designated subordinate officer or body to have them complete Section 3. The completed form will need to be provided to ABC in order to process the application.

Governing Body/Designated Subordinate Name: County Council (to be forwarded to Board of Supervisors)

FOR DEPARTMENT USE ONLY

PREPARED BY (Name of Department Employee)

JM

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

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

30. DATE SIGNED