



City of Emeryville

CALIFORNIA

MEMORANDUM

DATE: December 20, 2022

TO: Adam Politzer, Interim City Manager

FROM: Charles S. Bryant, Community Development Director

SUBJECT: Resolution Of The City Council Of The City Of Emeryville Determining That Public Convenience Or Necessity Would Be Served By The Issuance Of A License By The Department Of Alcoholic Beverage Control To Prizefighter Bottle Shop At 1320 67th Street, Emeryville, California

STAFF RECOMMENDATION

Staff recommends that the City Council approve the attached resolution determining that public convenience or necessity would be served by the issuance of a liquor license to Prizefighter Bottle Shop at 1320 67th Street.

BACKGROUND

Under State Business and Profession Code Section 23958, the Department of Alcoholic Beverage Control (ABC) must deny a license if its issuance would create a “law enforcement problem” or “undue concentration of licenses” in the city in which the facility is proposed, unless a determination of public convenience or necessity is made by the local governing body. Due to the small size of Emeryville and the existing number of ABC licenses, the City Council is sometimes required to make this determination when a new license is requested and granting the license is deemed to be in the overall public good.

DISCUSSION

Prizefighter Bottle Shop is a new retail venture by the proprietor of the Prizefighter Bar who would like to open a shop selling beer, wine and spirits (“Liquor Sales”), as well as a curated assortment of books, bar tools and glassware, in a 1,025 square foot space in an existing building located at 1320 67th Street. This space is adjacent to the bar in the same building, and was previously occupied by VersaGenix – a cannabis manufacturing facility that has moved to a larger space at another location on 67th Street.

The Planning Commission approved a Major Conditional Use Permit to allow “Liquor Sales” at this location at their December 8, 2022 meeting. Prizefighter Bottle Shop has applied to the ABC for a Type 21 “Off-Sale General” license to sell alcoholic beverages and has been referred by the ABC to the City of Emeryville for a determination of public convenience or necessity. The Type 21 license authorizes the sale of beer, wine and distilled spirits for consumption off the store premises.

Prizefighter Bottle Shop will provide a convenient community service to workers and residents of the area. The sale of alcohol for consumption off premises (such as at home) is an appropriate enhancement to this neighborhood and should be approved. The Police Department does not anticipate any problems from the sale of alcoholic beverages at the 1320 67th Street location.

FISCAL IMPACT

There is no fiscal impact of the proposed determination of public convenience or necessity.

STAFF COMMUNICATION WITH THE PUBLIC

There has been no staff communication with the public on this item.

PREPARED BY: Miroo Desai, Principal Planner

**APPROVED AND FORWARDED TO THE
CITY COUNCIL OF THE CITY OF EMERYVILLE:**



Adam Politzer, Interim City Manager

ATTACHMENT:

- Draft Resolution