



CITY OF
GEARHART

Staff Report

For City Council Meeting - 2/5/2025

Subject - New Business - OLCC License Renewals

Synopsis: Attached is the list of OLCC liquor licenses in Gearhart that are eligible for license renewal. Current licenses are set to expire effective 3/31/2025. ORS 471.166 establishes the process for local governments to make recommendations to the OLCC. A list of reasons for unfavorable recommendation is also attached.

Council Options:

- 1) Take no action. After 3/31/2025, the OLCC will process the renewal application as a favorable recommendation;
- 2) Provide a written, unfavorable recommendation to the OLCC by 3/1/2025 requesting restriction for any / all of the licenses on the attached list that meet the unfavorable criteria;
- 3) Provide a written, unfavorable recommendation to the OLCC by 3/1/2025 requesting denial for any / all of the licenses on the attached list that meet the unfavorable criteria.

Recommendation: Staff recommends Council take no action as nothing meeting the criteria for an unfavorable recommendation has been documented for any of the listed businesses.

Legal Analysis: Changes were made to the OLCC's liquor license application process effective January 1, 2023 where an applicant needs local government recommendation in order to proceed with the OLCC portion. In order to do this, the City implemented Ordinance #936 for process and Resolution #975 for fees. Renewals were sent a letter advising of today's recommendations, and the need to return the City renewal application and fee prior to the expiration date of 3/31/2025.

Financial Analysis: There is \$0 cost to renew with the OLCC though they do require a renewal application due well before expiration. The renewal license fee for the City of Gearhart due with our application is \$35.

Respectfully Submitted,



Chad

REASONS WE MAY DENY OR RESTRICT A LICENSE
ORS 471.313(4)(5), OAR 845-005-0320, 845-005-0321, 845-005-0322
845-005-0325, 845-005-0326(4)(5) or 845-005-0355

The following is a list of problems relating to the **APPLICANT** or **BUSINESS** that OLCC **can** consider to refuse or restrict a license:

1. Applicant has a habit of using alcohol or drugs to excess
2. Applicant makes a false statement to OLCC (must be related to a refusal basis)
3. Applicant has been convicted of local, state or federal laws that are substantially related to the fitness of holding a liquor license
4. Applicant has demonstrated poor moral character
5. Applicant has a poor record of compliance when previously licensed by OLCC
6. Applicant is not the legitimate owner of the business
7. The business has a history of serious and persistent problems at this location.

The problems can include:

- Obtrusive or excessive noise, music or sound vibrations
- Public drunkenness
- Fights or altercations
- Harassment
- Unlawful drug sales
- Alcohol or related litter

OLCC is **not** able to consider the following issues when deciding to renew a liquor license:

- Lack of parking
- Increase in traffic
- Too many licenses in a specific area (saturation)
- Entertainment type - nude dancing, gambling, live bands, etc.
- Increased noise
- Zoning issues

Visit www.oregon.gov/olcc/ to see the full text of ORS and OAR referenced above. In order for an unfavorable recommendation from a local government to be valid, the grounds must be found in the license refusal bases of ORS 471.313(4), 471.313(5), OAR 845-005-0320, 845-005-0321, 845-005-0322, 845-005-0325 or 845-005-0326(4)(5) or the license restriction bases of OAR 845-005-0355, and must be supported by reliable factual information.

Trade Name	License No.	Premises No.	License Type	License Type Description	Additional Privilege	Licensee Name	Renewal Dist.	Effective Date	Expire Date	Premises Address	RNWL LETTER EMAILED	RNWL APP REC'D	EMAIL REMINDER
BUD'S CAMPGROUND & GROCERY DAUGHTER'S	379518	2705	O	OFF-PREMISES SALES		GAAMA ENTERPRISES INC	2	4/1/2024	3/31/2025	4412 N HWY 101	1.24.25		
	LQ-LPS-8346	1088916	L	LIMITED ON-PREMISES SALES		LITTLE MOO LLC	2	12/10/2024	3/31/2025	567 PACIFIC WAY	1.24.25	1.29.25	
DOLLAR GENERAL STORE #18949	379720	59412	O	OFF-PREMISES SALES		DG RETAIL LLC	2	1/17/2025	3/31/2025	3453 HWY 101 N	1.24.25		
EL TRIO LOCO MEXICAN CUISINE	382537	38549	F-COM	FULL ON-PREMISES SALES COMMERCIAL		SANTA MARIA LLC	2	4/1/2024	3/31/2025	3611, 3613, 3615 HWY 101 N	1.24.25		
GEARHART LIQUOR STORE	379852	62292	O	OFF-PREMISES SALES		RICHARD D. TRUCKE	2	9/3/2024	3/31/2025	4206 HWY 101 N	1.24.25		
GEARHART LIQUOR STORE	LQ-OPS-6215	62292	O	OFF-PREMISES SALES		GEARHART LIQUOR LLC	2	10/7/2024	3/31/2025	4206 HWY 101 N	1.24.25		
GEARHART MARKET	386845	66837	O	OFF-PREMISES SALES		GEARHART MARKET LLC	2	5/17/2024	3/31/2025	599 PACIFIC WAY	1.24.25		
GREAT WALL RESTAURANT	379889	22599	F-COM	FULL ON-PREMISES SALES COMMERCIAL	Responsible Vendor	LIN'S RESTAURANTS INC	2	4/1/2024	3/31/2025	4340 HWY 101 N	1.24.25	1.29.25	s/w 1/23 - working on app.
HIGHLANDS GOLF CLUB	382384	43991	L	LIMITED ON-PREMISES SALES		DOWNTOWN GOLF CO LLC	2	4/1/2024	3/31/2025	33260 HIGHLANDS LN	1.24.25		
MCMENAMIN'S SANDTRAP BAR & GRILL	381681	2178	F-COM	FULL ON-PREMISES SALES COMMERCIAL	Endorsement to Receive Responsible Vendor	MCMENAMIN'S INC	2	4/1/2024	3/31/2025	1157 N MARION	1.24.25		
						MCMENAMIN'S INC	2	4/1/2024	3/31/2025	1157 N MARION	1.24.25		
PACIFIC WAY CAFE & MARKETPLACE	380329	17954	L	LIMITED ON-PREMISES SALES		FRAZIER PACIFIC PARTNERS LLC	2	4/1/2024	3/31/2025	601 PACIFIC WY	1.24.25	N/A	Alan 1/24 - letting license lapse (NR)
RECREATION LANES RESTAURANT AND LOUNGE	382276	2765	F-COM	FULL ON-PREMISES SALES COMMERCIAL	Responsible Vendor	DAMARKOM INC	2	4/1/2024	3/31/2025	3518 HWY 101 N	1.24.25		
SUPERMART 11	380715	61317	O	OFF-PREMISES SALES		HARGOBIND INC	2	4/1/2024	3/31/2025	3300 HWY 101 N	1.24.25		
THE DRIFTHAVEN AT GEARHART	381964	64298	F-COM	FULL ON-PREMISES SALES COMMERCIAL		PACIFIC COTTAGES LLC	2	8/30/2024	3/31/2025	67 N COTTAGE	1.24.25		

*Owner letting lapse (NR)