TO:

Mr. Heckman

Late Backup

FROM:

Mr. Jesse Lona

REGARDING:

Agenda Item #83 on January 17, 2013

Case C14-2012-0114 Monaco II

Dear Sir, I am writing to oppose the sale of alcohol on Item #83, the zoning case at 2440 Wickersham (Wickersham and East Oltorf). Please do NOT allow alcohol sales at this location.

I am a longtime resident of this area. The corner of Wickersham and East Oltorf has residential apartments on <u>all four corners</u>, and beer / alcohol sales will negatively impact our neighborhood's quality of life. We ALREADY have serious problems with crime and vagrancy and DUI in our area! <u>Zoning this property for liquor sales will hurt our neighborhood.</u>

I have collected the attached petition signatures from my concerned neighbors in this area who are opposed to alcohol sales at this location. I have received many phone calls and emails from others.

The party requesting this rezoning originally AGREED to prohibit beer / alcohol sales. They received the support of the Austin Planning Commission based on this promise. Now it seems the developer is going back on their word at the last minute and asking the City Council for permission to sell alcohol after all. This is not right, and bad for our neighborhood.

Please ask the developer to keep their word and support the recommendation of the Austin Planning Commission to NOT allow alcohol sales at 2440 Wickersham.

Thank you,

Mr. Jesse Lona 2201 Willowcreek Drive, Apt. 238 Austin, TX 78741

Phone: 512-803-5400

Email: SaveOltorf@gmail.com



Item #38 - No to Alcohol Sales of any kind!

Tanna Allen< tanna.allen@g.austincc.edu>

Tue, Jan 15, 2013 at 6:38 PM

To: "saveoltorf@gmail.com" <saveoltorf@gmail.com>

Tanna Allen 2450 Wikersham Lane 903 Austin, TX 78741 512-903-5542

I strongly oppose sales of liquor, beer, wine or any kind in our immediate neighborhood. The lot is surrounded by residences that are hoping for a safer, more appealing environment. Not to devalue what we have. Alcohol sales on that corner will only increase crime, bringing it even closer to the comfort of our homes. As a homeowner in this area, I beg you DO NOT allow the sales of alcohol at the corner of Wickersham and Oltorf.

Thanks, Tanna

Sent from my iPad



Please prevent sale of liquor at Oltorf and Wickersham development 1 message

Linda Yeatts< moonbeamweaver@yahoo.com>
Reply-To: Linda Yeatts <moonbeamweaver@yahoo.com>
To: "saveoltorf@gmail.com" <saveoltorf@gmail.com>

Wed, Jan 16, 2013 at 10:34 AM

Dear Mayor and City Council members -Thank you for all of your hard work and endeavors to make Austin a better city.

I am asking you to please prevent the sale of liquor at the proposed development at Oltorf and Wickersham as liquor is a enabler of more crime in an already high crime area. This area is part of the APD Henry Sector that is historically plagued with the highest or second highest levels of serious and miscellaneous crime in the City of Austin. Historical data studies prove this truth. We do not need to add more fire to the crime flame as this location is in the middle of leased apartments and dwellings of homeowners. Adding additional liquor sales to this area significantly increases the chance of increase in life threatening crime. I will gladily pull statistics and present to council again soon. Statistics show that severity one crimes (homicide and assualt) are committed usually as a result of passion, drug or substance abuse (comment from Chief Acevedo). We already have clubs in this area that we have had to repeatedly write/call TABC to make them stop selling liquor as there were murders in their parking lots and sales to minors. Please do not move this potential deeper into the highly populated areas of personal homeowners and renters. Wickersham and Oltor still have a high density of student renters so please consider this fact that you are also endangering students by allowing the sale of liquor at this location. There are several stores in the business areas on Riverside and Oltorf already that sell alcohol. It should not be on every block and it is not available in most neighborhoods across the city. APD is already severly understaffed and does a good job with the limited staff they have, but let's stop adding increased availabilty of liquor that can lead to more crimes in an already understaffed police force and demonstrated high crime area.

This WAS NOT part of the builders plan in negotiation with the neighborhood representatives. Please make him honor his original plan that does not include liquor or alcohol sales. It will be refreshing for you will support the neighborhood as we continue to try to fix our sector via parks, crime fighting initiavtives, etc.- or side with the business man who is not concerned about the neighborhood. The EROC population density is the highest in the city so it would be a great market - but also makes it a great threat for catastrophic rise in crime due to increase in liquor availability.

Thank you for your consideration and time, Linda Yeatts - very concerned home owner



Stop liquor sales on Oltorf and Wickersham.

KC Beck< kc.beck89@gmail.com>

Tue, Jan 15, 2013 at 10:07

PM

To: saveoltorf@gmail.com

Kenneth Beck 2450 Wickersham Lane, Austin TX 512 422 2623

I am opposing liquor sales at the corner of Oltorf and Wickersham. This is the only quiet, peaceful section of this entire neighborhood. Myself and other residents of the area would like to keep it this way.

Thank you.



opposition to alcohol sales

misha bendavid< mishabendavid@gmail.com>

Wed, Jan 16, 2013 at 6:41 AM

To: Saveoltorf@gmail.com

Phone: 577-3834

Address: 4806 Allison Cove 78741

I oppose alcohol sales at 2440 Wickersham Lane because it promotes crime, exploits lower socio-economic groups, lowers property values and generally is detrimental to the neigborhood.

shalom alechiem

Rabbi Misha ben-David

--

Rabbi Misha L. ben-David B.A./ L.C.D.C./ C.I.S.M. Pastoral Counselor * Chaplain * Officiant * Addictions Counselor And Consultant

E-mail communications are not guaranteed to be secure

Gmail - Save Oltorf



Save Oltorf< saveoltorf@gmail.com>

Save Oltorf

pachecod@me.com< pachecod@me.com>

Tue, Jan 15, 2013 at 9:29 PM

To: SaveOltorf@gmail.com

Daniel Pacheco 2450 Wickersham Lane, Unit 1319 Austin, TX 78741 512-422-6995

Reason for opposing liquor sales: Neighborhoods where bars, restaurants and liquor and other stores that sell alcohol are close together

suffer more frequent incidences of violence and other alcoholrelated problems, according to recent research by the Prevention Research Center and others. The strong connection between alcohol and violence has been clear for a long time – but now we know that this connection also relates to the location of places that sell alcohol.

Resource:

http://resources.prev.org/documents/AlcoholViolenceGruenewald.pdf



Alcohol Sales on Proposed New Development

1 message

MVTAICHI@aol.com< MVTAICHI@aol.com> To: Saveoltorf@gmail.com

Wed, Jan 16, 2013 at 2:28 PM

Dear Sirs:

As a property owner in this neighborhood for over 20 years, I have watched the steady encroachment of apartments in the area. And I actually have no beef with development of apartments and condos, although they tend to bring crime and litter with them. Still, people need housing and maybe an upscale condo would be a good fit for this area.

I understand the aim of COA is to encourage business to cohabitate with new condo developments in a mixed use format. But there are a lot of vagrants and homeless loose in our neighborhood, causing quite a bit of trouble. It seems to me that easy access to alcoholic beverages is just going to make the problems worse.

So please, no alcohol sales in the area (unless as part of a licensed food establishment.)

Regards,

M.T.Valescu 4803 Allison Cove (512) 385-8268



Oppose Alchohol Sales at Oltorf and Wickersham new construction 1 message

Carol Hirsh< chirsh7@earthlink.net>

Wed, Jan 16, 2013 at 7:17 PM

To: Saveoltorf@gmail.com, Lee.heckman@austintexas.gov

We don't need more alcohol to fuel the fire of crime and problems in the 78741 neighborhood. We really don't need more apartment/condo style living either. We are jammed in here as it is with low income and increasing traffic, and fast food, and poor shoppingchoices. Things won't improve unless there is more attention spreading out the apartments in Austin. Putting all low income in one area is a BAD idea and allowing the opening of more alcohol sales is not what we need!

Carol Hirsh

4808 Allison Cove

Austin, TX 78741 5123854938

I have lived in a home for 23 years in this neighborhood and have seen nothing but more apartments, over crowding of traffic, crime, and deterioration of structures. We have an increase of tagging too, all the problems that go with putting all the apartments in one area. Shame on Austin! Read the stats below:

THERE ARE SO MANY STORES AROUND OLTORF AND BURTON THAT SELL ALCOHOL AND AS A RESULT IT GENERATES LOTS OF CRIME, DRUG ACTIVITY AND LOITERING

IT WILL LOWER PROPERTY VALUES IN THE AREA
LAST YEAR THERE WERE 459 ALCOHOL / DWI RELATED POLICE CASES IN OUR
NEIGHBORHOOD. (BY COMPARISON TO 78745 ZIP CODE THERE WERE ONLY 115
ALCOHOL RELATED INCIDENT)

OVERALL NUMBER OF INCIDENTS REPORTED LAST YEAR WERE CLOSE TO 7000 IN OUR AREA

PETITION OPPOSING

ZONING CASE # C14-2012-0114

We do not want another convenience store or any other use that would permit the sale of alcoholic beverages for off premise consumption in our neighborhood! We ask the City Council to make the Developer live up to the agreement he made with Planning Commission and prohibit the off-premise sale of alcoholic beverages recommendation for case # C14-2012-0114for the property located at 2440 Wickersham Drive.

NAME	ADDRESS
Anna Briones	1521 Oldorf 512-746-1235
anitonia Torre	3100 Cellins CREEK DR 78745
	2900 Sunnage Dr # 404 78741
ceticia Flores	2400 Wickersham In #215 78741 512 552 2833
Du Calande	3502 E 0/torf
Desporation Bouthern	2504 HUNTWICK DE 18741
Ronald CVasey	4704 SUNRIDGE CT, 78741
	2503 E OFORF APT 11.10 51243079

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Case Number: C14-2012-0114	1
Contact: Lee Heckman, 512-974-7604	
Public Hearing: Oct 23, 2012, Planning Commissio	n
Dec 6, 2012, City Council	
Victor GenA	
Your Name (please print)	☐ I am in favor
2504 Huntwick Dr.	Tobject
Your address(es) affected by this application	
W	1-14-12
V Signature	Date
Daytime Telephone: 612 552 7265	
Comments: Would be Chime Appen: Read to Clere and Keep it Safe for a \$ 16.25.	e in the
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If you use this form to comment, it may be returned to:	
City of Austin	
Planning & Development Review Department	
Lee Heckman	
P. O. Box 1088	
Austin, TX 78767-8810	

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Case Number: C14-2012-0114 Contact: Lee Heckman, 512-974-7604 Public Hearing: Oct 23, 2012, Planning Commission Dec 6, 2012, City Council Overson 🔲 Lam in favor Your Name (please print) ☑ I object 2900 Your address(es) affected by this application Daytime Telephone: Comments: If you use this form to comment, it may be returned to: City of Austin Planning & Development Review Department Lee Heckman P. O. Box 1088 Austin, TX 78767-8810

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Contact: Lee Heckman, 512-974-7604 Public Hearing: Oct 23, 2012, Planning Commission Dec 6, 2012, City Council I am in favor Your Name (please print) ☑ I object Your address(es) affected by this application Signature Daysime Telephone: 43/1/16 Comments: If you use this form to comment, it may be returned to: City of Austin Planning & Development Review Department Lee Heckman P. O. Box 1088 Austin, TX 78767-8810

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Contact: Lee Heckman, 512-974-7604	Į
Public Hearing: Oct 23, 2012, Planning Commissio	n
Dec 6, 2012, City Council	
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Contact: Lee Heckman, 512-974-7604	
Public Hearing: Oct 23, 2012, Planning Commissio	n
Dec 6, 2012, City Council	
Pedro Mercado Jr. Your Name (please print)	☐ I am in favor ☑ I object
4404 E Olto,f	
Your address(es) affected by this application	
Daytime Telephone: 731 -695-4189	14 JAN 2013 Date
Daytime Telephone: /31 -0/3 - //0/	
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Dec 6, 2012, City Council	
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Your address(es) affected by this application Daytime Telephone: 1812-731-3962 Comments: If you use this form to comment, it may be returned to: City of Austin Planning & Development Review Department Lee Heckman P. O. Box 1088 Austin, TX 78767-8810

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Contact: Lee Heckman, 512-974-7604	
Public Hearing: Oct 23, 2012, Planning Commission)µ
Dec 6, 2012, City Council	
JOG GARGIG	
Your Name (please print)	☐ I am in favor ☐ Tobject
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Your address(es) affected by this application	
Age your's	11 JAN 13
Signature	Date
Signature Daytime Telephone: 512-389-6762	
Comments:	
	
If you use this form to comment, it may be returned to:	
City of Austin	
Planning & Development Review Department	•
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Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-2012-0114

Contact: Lee Heckman, 512-974-7604
Public Hearing: Oct 23, 2012, Planning Commission
Dec 6, 2012, City Council
3050 D7010
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Your address(es) affected by this application
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Daytime Telephone: 513 200 201 -9338
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If you use this form to comment, it may be returned to:
City of Austin
Planning & Development Review Department
Lee Heckman
P. O. Box 1088
Austin, TX 78767-8810

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

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Case Number: C14-2012-0114 Contact: Lee Heckman, 512-974-7604 Public Hearing: Oct 23, 2012, Planning Commission Dec 6, 2012, City Council Your Name (please print) ☐ I am in favor ☑ I object Your address(es) affected by this application Signature Date Daytime Telephone: Sucrit 1180 BIR 10 8025/00 Comments: If you use this form to comment, it may be returned to: City of Austin Planning & Development Review Department Lee Heckman P. O. Box 1088 Austin, TX 78767-8810

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NEIGHBORHOOD PETITION OPPOSING LIQUOR SALES AT 2440 WICKERSHAM

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	ADDRESS: 22/1 Santa Riants
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4	NAME: Norma
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	NAME: ROSALIO Zamora ADDRESS: 2504 Huntwick Drive
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	NAME: MATT BATTLG
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Please ask developers to $\underline{\text{keep their word}}$ and protect our neighborhood!

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Translating Science into Practice

How Alcohol Outlets Affect Neighborhood Violence

Kathryn Stewart



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Pacific Institute for Research and Evaluation is one of the nation's preeminent independent, nonprofit organizations merging scientific knowledge and proven practice to create solutions that improve the health, safety and well-being of individuals, communities, nations, and the world.



Introduction

Neighborhoods where bars, restaurants and liquor and other stores that sell alcohol are close together suffer more frequent incidences of violence and other alcohol-related problems, according to recent research by the Prevention Research Center and others. The strong connection between alcohol and violence has been clear for a long time – but now we know that this connection also relates to the location of places that sell alcohol.

Government agencies with authority over land-use and/or liquor licenses can help fight crime and blight and improve quality of life by controlling licenses to sell alcohol and the location of licensees. Governments can make rules that set minimum distances between alcohol outlets; they can limit new licenses for areas that already have outlets too close together; they can stop issuing licenses when a particular location goes out of business; and they can permanently close outlets that repeatedly violate liquor laws.

This paper presents some of the questions and answers about alcohol sales outlets and alcohol problems – especially the relationship between outlet location and violence.

What is the relationship between outlet density and violence?

A number of studies have found that in and near neighborhoods where there is a high density of places that sell alcohol, there is a higher rate of violence. That is, when bars, liquor stores, and other businesses that sell alcohol are close together, more assaults and other violent crimes occur.

Some of the important findings about outlet density and violence are described below.

- In a study of Camden, New Jersey, neighborhoods with alcohol outlet density had more violent crime (including homicide, rape, assault, and robbery). This association was strong even when other neighborhood characteristics such as poverty and age of residents were taken into account.
- In a study of 74 cities in Los Angeles County, California, a higher density of alcohol outlets was associated with more violence, even when levels of unemployment, age, ethnic and racial characteristics and other community characteristics were taken into account.²
- In a six-year study of changes in numbers of alcohol outlets in 551 urban and rural zip code areas in California, an increase in the number of bars and off-premise places (e.g., liquor, convenience



and grocery stores) was related to an increase in the rate of violence. These effects were largest in poor, minority areas of the state, those areas already saturated with the greatest numbers of outlets.³

- Violence committed by youth was more common in minority neighborhoods where there are
 many outlets that sell alcohol for consumption off the premises (such as liquor and convenience
 stores).⁴ This finding makes sense because underage drinkers are more likely to purchase
 alcohol in a store than in a bar or restaurant.
- In neighborhoods where there are many outlets that sell high-alcohol beer and spirits, more violent assaults occur.⁵
- Large taverns and nightclubs and similar establishments that are primarily devoted to drinking have higher rates of assaults among customers.⁶

A larger number of alcohol outlets and a higher rate of violence might be expected in poorer neighborhoods or in neighborhoods with a larger population young people. But as the research described above shows, even when levels of poverty and the age and the ethnic background of residents are taken into account, a high density of outlets is strongly related to violence regardless of a neighborhood's economic, ethnic or age status.

All of the characteristics of alcohol outlet location can be important. It is easy to see that a town with many bars, restaurants, and stores that sell alcohol could be different from one that has fewer outlets. It is also easy to see that a neighborhood that has a bar on each corner and a liquor store on each block has a completely different environment than one that has few outlets or none at all. Other characteristics of the environment make a difference, too. For example, a strip of bars near a college campus presents a different environment from a similar density of bars in an upscale city center and also different from a similar density in a poor neighborhood. But in each case, some form of increased violence would be expected as compared to comparable areas with fewer alcohol outlets. A study of changes in outlet density over time as related to violence in California found that regardless of other neighborhood characteristics, an increase in outlets increased violence. In neighborhoods with a high minority population and low incomes, the effect was more than four times greater than for the statewide sample of communities.



What accounts for the relationship between outlet density and violence?

The research that has been done so far cannot pinpoint exactly why having more outlets in a small area seems to result in more violence. Various explanations have been proposed. One is that alcohol outlets can be a source of social disorder. A liquor store parking lot full of people drinking in their cars or on the curb and broken bottles littering the area outside a bar may send a message that this is a neighborhood in which normal rules about orderly behavior are not enforced. Another possible explanation is that a neighborhood with a large number of outlets acts as a magnet for people who are more inclined to be violent or more vulnerable to being assaulted. It is also possible that a high number of outlets results in a large number of people under the influence of alcohol – which makes them both more likely to be violent and less able to defend themselves.⁷ It is most probable that all of these factors come into play.

What is the relationship of outlet density to other alcohol problems?

The density of alcohol outlets has also been found to be related to other alcohol problems such as drinking and driving, higher rates of motor vehicle-related pedestrian injuries, and child abuse and neglect.⁸⁹

How do governments regulate outlet density?

States and communities can regulate the number of bars, restaurants, and stores that sell alcohol in a given area. Sometimes the number and location of alcohol outlets is not limited at all. In some jurisdictions, the number of alcohol outlets is limited based on the population of the area – only so many outlets per thousand residents, for example. In other cases, the location of outlets is regulated – for example, some states or communities set minimum distances from schools or churches. Research increasingly finds, however, that geographic density is the key aspect of outlet location – that is, the distance between outlets. Where over-concentrations of outlets occur, greater problems arise.

Governments can use their regulatory powers to reduce violence by:

- Making rules that set minimum distances between alcohol outlets;
- Limiting new licenses for areas that already have outlets too close together;
- Not issuing a new license when a particular location goes out of business;
- Permanently closing outlets that repeatedly violate liquor laws (such as by selling alcohol to minors or to intoxicated persons or allowing illicit drug sales or prostitution on the premises).



What implications do these findings have for state and local licensing policies?

The research strongly suggests that limits on outlet density may be an effective means of reducing alcohol problems, especially violence. States and communities can use controls on the number and location of alcohol outlets as a tool for reducing violence, creating a safer and healthier alcohol environment, and improving the quality of life of a community.

What other alcohol policies are important?

Alcohol is a legal and widely consumed commodity; but it is also a commodity that can create a variety of serious health and social problems. Alcohol policies are an important tool for preventing these problems. Every day, states and communities make decisions about the sale of alcohol: who can sell it, when and where it can be sold, who it can be sold to. State and local laws and policies control many aspects of the system by which alcohol is manufactured, marketed, sold, purchased, and consumed.

Regulations serve a variety of purposes, for example, they help ensure that tax revenues are collected. But the regulation of the business of selling alcohol goes beyond economic concerns. Each element of the regulatory system provides opportunities for creating a healthier social environment with respect to alcohol. For example, regulations can prevent unsafe sales practices – such as prohibiting all-you-candrink specials that encourage intoxication. Regulations can control advertising and promotion that appeals to minors and establish the minimum age and training qualifications for people who sell and serve alcohol. Each type of regulation has the potential to ensure that alcohol is consumed in a safe and healthy manner.

What aspects of alcohol availability can be regulated?

The regulation of alcohol sales can have an impact on the availability of alcohol – that is, how easy and convenient it is to buy. Some states and communities try to make alcohol less available by selling it only in limited places – for example, state liquor stores. Other communities sell it more freely – making it available in grocery stores, convenience stores, gas stations, laundromats, drive-through windows, and so forth. States and communities can also limit the hours and days of sale, and other aspects of the conditions of sale. The regulation of availability is important because research generally shows that when alcohol is more easily available, people drink more and more alcohol problems occur.



References

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² Scribner, R. et al. (1995) The risk of assaultive violence and alcohol availability in LA County, American Journal

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³ Gruenewald, P.J. and Remer, L. Changes in outlet densities affect violence rates. In review, <u>Alcoholism: Clinical</u> and Experimental Research, 2004.

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⁸ Freisthler, B., Midanik, L.T. and Gruenewald, P.J. Alcohol outlets and child physical abuse and neglect: Applying routine activities theory to the study of child maltreatment. Journal of Studies on Alcohol, 65, 586-592, 2004. ⁹ Stockwell, T. and Gruenewald. P. (2001) Controls on Physical Availability of Alcohol, in Heather, N., Peters. T., and Stockwell, T. (eds.), International Handbook of Alcohol Dependence and Problems, John Wiley and Sons, Ltd.