

Re: **Revised** Application for Commission Use Permit for Proposed Bar and Nightclub use with Alcoholic Beverage Sales at 2161 E Main Street (APN 157-150-12; Application No. P19-0267)

Supplemental Submissions and Rebuttal to Staff Recommendation

1. **Revised Site Plan:** see attachment
2. **Revised Floor Plan:** see attachment
3. **Design Review:** see attachment
4. **Revised Description:**

The pending Use Permit Application is for a new alcoholic beverage sales establishment. Initially the business will start with four employees. The hours of operation will be: Monday thru Thursday 3:00 PM to 12:00am, Friday from 3:00pm to 2:00am, Saturday and Sunday from 12:00pm to 2:00am. Hours of operation may be adjusted to match demand. Trash management to be provided by local garbage and recycling services. Security measures: prior to opening, the business will implement a security camera system with 30 days recording retention, there will also be a scissor gate system implemented to secure the building when closed. There will be additional outdoor lighting to cover front sidewalk and additional interior lighting. At this time there is no plan to incorporate a pool table. The business will install one wall mounted, coin operated, soft tip dart board as well as one wall mounted coin/bill operated juke-box.

Addressing the provision to Stockton Municipal Code (SMC) §16.80.040(D)(5).

- a. On-Sale Alcoholic Beverage Establishment
 - i. **Pay Telephone.** As a pay telephone is required to meet this standard, the business will contact the local phone company and make the request to have one installed, as per the law's requirements.
 - ii. **Program.** If the City request us to have a complaint response community relation program established, the business will provide those services.
 - iii. **Posting and Presentation of Documents.** All required documents, permits; all licenses are going to be in a conspicuous location behind the bar where everyone can see them.

- iv. **Hours of Operation.** If the City requires the business to adjust the hours of operation, we can accommodate them without incident. At this time the planned hours of operation Monday thru Thursday 3:00 PM to 12:00am, Friday from 3:00pm to 2:00am, Saturday and Sunday from 12:00pm to 2:00am. Adjusting hours of operation to fit customers demand.
- v. **Security Cameras.** Planned security measures include internal and external security camera system with recording setting for 24 hours a day recording with 30-day recording retention. The parking lot(s) and all entrances and exits will be covered by this system.
- vi. **Security Guards.** If the City so requires us to use security guards, the business will meet that requirement. We plan to have an inside door person in place to check customer's IDs when entering the bar to confirm the person is 21 years old or older, this person will also provide assistance to the bartenders as needed. This staff person is going to be working mainly at night and during special events.
- vii. **Loitering.** All employees will monitor the outside and inside patrons to make sure that no one is loitering.
- viii. **Lighting.** The business will install extra lights in front of building to provide a safe area for people. We will add any additional lighting that the City requires.
- ix. **Expiration.** We understand this requirement and plan to adhere to any ruling.
- x. **Mitigating Alcohol-Related Problems.** Dealing with alcohol related problems is going to be a day to day part of owning a bar, we are going to be checking everyone's ID's when entering the bar, making certain that customers are leaving safely, using the security cameras to monitor outside areas doing daily inspection for trash and garbage around the building. Taking the time to talk with our neighbors to make certain that no issues are affecting the neighborhood around their homes. The business will strive to have a good relationship with other local business, in order to work together watch out for each other's business.
- xi. **Training Program.** All employees are going to complete RBS or ABC approved training with in the required time.

5. Parking Requirement:

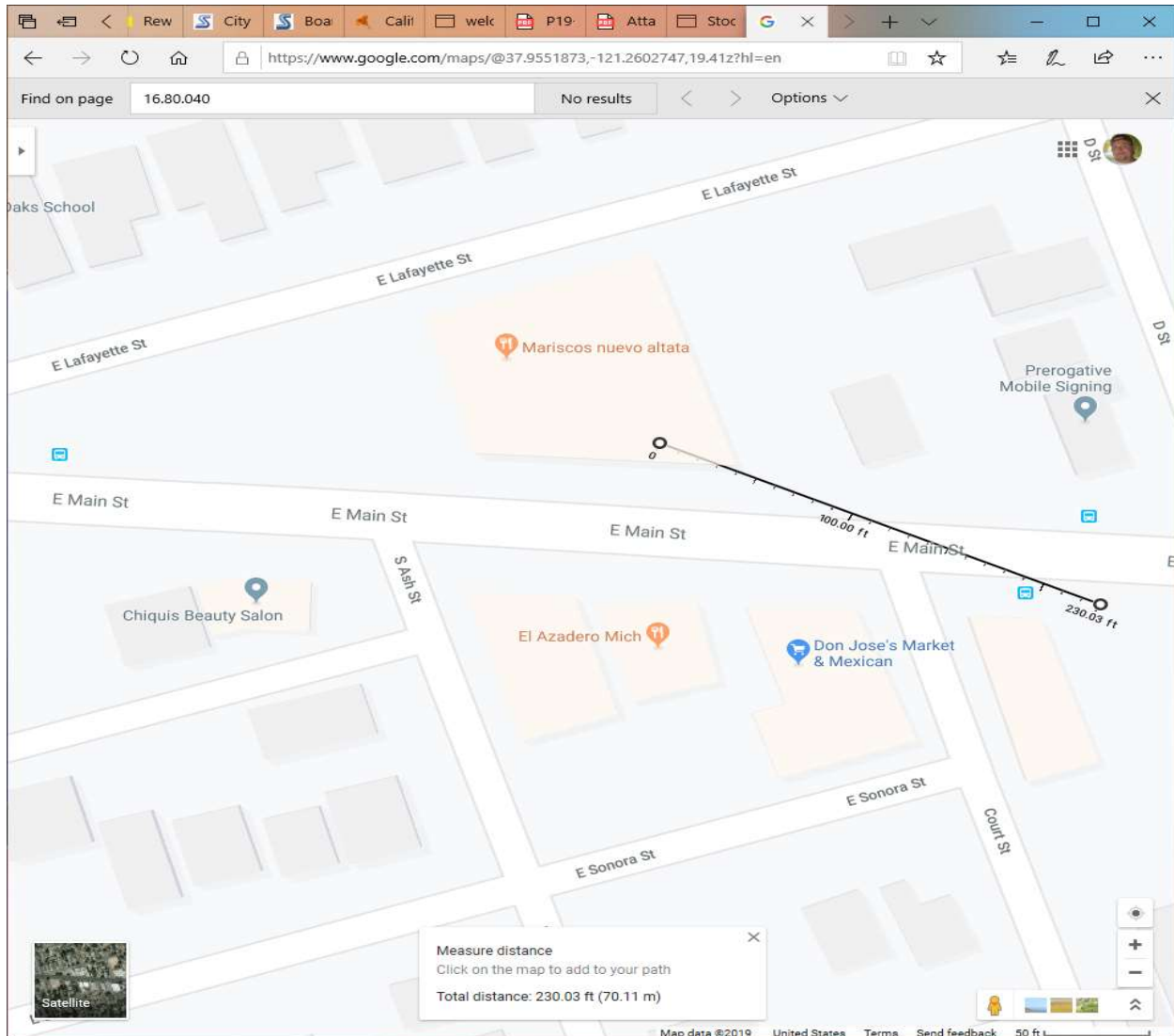
- a. After talking with our building owner, the owner informed us he also owns a building at 2222 E Main Street, Stockton CA 95205 he has given us permission to use the parking lot at that location if that helps us comply with parking requirement. Spaces at this location are 15 space available to use this area is located across the street and east about 230 feet. See Google Map on next page.
- b. Building space is 1028 Sq. ft.
- c. If we cannot use the above parking lot can we get a waiver from the Director to allow us to use on-street parking there is six on street parking in front of the building.

6. Alcohol License Information: Use Permit Application is for a New Alcoholic Beverage Sales Permit from ABC. Type 42 On-Sale Beer and Wine for Public Premises.

7. Application Merits: The location is across the street at 2184 E Main Street, it is a restaurant that sales beer with food, (Type 40 ABC license) is active at this location. The next location mentioned is 2151 E Main Street (Type 41 ABC license) this license shows to be suspended and by the date, it shows to be expired on **5/31/2019**, on the ABC web site see below. Also, after talking with the building owner of 2151 E. Main St. The owner informed me that he was not going to renew the lease with tenant that owned the restaurant. Notice to evict was on the front door. Now that there is only one business in this area that is selling beer, we can open a new bar to server beer and wine to allow people a place to relax and have a controlled place to have fun. Adding a new Type 42 On-Sale Beer and Wine for Public Premises is allowing for a complete market for this area. Over the course of these three months of planning and location visits we have spoken with a number of people that live in the neighborhood behind the location and around this location and these people are excited about having a sports bar at this location.

544223	SUSPEN	41	6/10/2014	5/31/2019	MARISCOS NUEVO ALTATA RESTAURANT	OROPEZA, FIDELIA P
517431	ACTIVE	40	2/21/2012	2/29/2020	JESUS LOPEZ RESTAURANT	J & T LOPEZ ENTERPRISES, INC

Parking lot aerial view:



10/20/19

RE: Design Review for a Proposed Bar in an Existing Commercial Building at 2161 E Main Street (APN 157-150-12; Application No. P19-0267)

Ms. Liaw:

I reviewed the letter you sent Michael Reeves and Monica Aguilar my tenets that are opening the bar at 2162 E Main St. below are my response to the recommendation made by the Architectural Review Committee.

1. Removal of the awnings above the residential units and ground floor awning. The awning where in place when we bought this building many years ago and removal would present a problem with letting in all the sun light from the southern sky during the day. The awning on the ground floor also protect patrons when walking into the business when it is raining. Also a few years back the city noticed that the awning was falling and at that time the city told me to fix it not to remove them so I don't understand why it is a problem now. I also read the Citywide Design Review Guidelines and, in the guide, it talks about using awning to help breakup the build to show. "Architectural elements such as bay windows, porches, projecting eaves, awnings, and similar elements that add visual interest to the development are strongly encouraged."

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4. Storefront entries should promote a sense of entry into the structure as well as provide a sense of shelter by incorporating elements such as overhangs, canopies, awnings, and recesses.

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Use awnings to add interest, color, and protection from the elements. These awnings fit well within the building's window and door openings.

A. Awnings

The use of awnings, canopies, and marquees are encouraged. They provide protection for pedestrians, add interest and color to buildings, and allow placement of pedestrian – oriented signs.

1. **Awnings at both the ground level and upper floors should be designed to be compatible with the overall façade of the building and the window and door openings they are associated with. The color of the awnings should be compatible with the rest of the color scheme of the building.**
2. **Where the façade is divided into distinct bays or sections by vertical architectural elements, awnings should be placed within the elements rather than overlapping them. Awning placement should fit with the scale, proportion, and rhythm created by these elements, and should not cover piers, pilasters, clerestory windows, and other architectural features.**

2. The security bars are on the inside of the windows on this building.
3. All ready removing the old paint from the lower half of the building brick.

Sincerely,

Evangelina R. Garibay

Owner

2230-2222 E main St. and 2161 E Main St.

Stockton CA. 95205