

Findings of Approval

General Findings

1. The subject use, the sale of general alcoholic beverages in a mini-mart, ("Alcohol beverage sales, Off-Sale" use type), is allowed in the CG (Commercial, General) Zoning District with the approval of a Use Permit from the Planning Commission, as per Stockton Municipal Code (SMC; known as the Development Code) Section 16.20.020, Table 2-2. The subject use complies with all other applicable provisions of the Development Code, including those prescribed in SMC Section 16.80.040, regarding the minimum separation of off-sale alcohol uses from schools.
2. The subject use, as conditioned, would maintain the integrity and character of the surrounding neighborhood and the subject site's CG zoning district, because the proposed use would occur within an existing commercial building that would be authorized for the off-sale of alcoholic beverages, subject to the Use Permit's Conditions of Approval. The existing building would be visually and operationally compatible with surrounding commercial buildings in the shopping center.
3. The subject use, as conditioned, would be consistent with the general land uses, objectives, policies and programs of the General Plan, because the project site has a General Plan Land Use designation of Commercial. The use of the site as a mini-mart with the off-sale of general alcoholic beverages is consistent with the following General Plan policy:

LU-4.1 – The City shall encourage the upgrading, beautification, revitalization, and appropriate reuse of existing commercial areas and shopping centers.
4. The subject site would be physically suitable for the type and density/intensity of the subject use, including the provision of services (e.g., sanitation and water), public access and the absence of physical constraints (e.g., earth movement, flooding, etc.), because the subject site is located within an established commercial building that is provided with adequate access and services and is not hindered by physical constraints.
5. The establishment, maintenance or operation of the subject use at the subject site and for the time period(s) identified is not expected to endanger, jeopardize or otherwise constitute a hazard to the public convenience, health, interest, safety or general welfare of persons residing or working in the neighborhood of the subject use, because the subject use is not expected to adversely affect the

public health or safety of people in the neighborhood of the subject site since conditions of approval have been developed to address security concerns.

6. The design, location, size and operating characteristics of the subject use are expected to be compatible with the existing and future land uses on-site and in the vicinity of the subject property, because the mini-mart, classified as a retail land use in accordance with Table 2-2 (Allowable Land Uses and Permit Requirements) of the Development Code, is compatible with the other retail uses already in place in the vicinity of the subject use. The anticipated customer base, traffic patterns, noise levels and general operational conditions of the mini-mart with the off-sale of general alcoholic beverages are expected to be similar to those of adjacent commercial land uses.
7. The proposed action is expected to be in compliance with applicable provisions of the California Environmental Quality Act (CEQA) and the City's CEQA Guidelines, because the project is categorically exempt pursuant to Section 15301 of the CEQA Guidelines as the reuse of an existing facility.

Problem Use Findings— Alcoholic Beverage Sales, Off-Sale

8. The subject use, as conditioned, is not expected to interfere with the comfortable enjoyment of life or property in the area because the approved conditions will require improved performance and training by the operator and employees and because the installation of cameras and signs will serve as deterrents to crime or similar impacts associated with problem uses.
9. The subject use, as conditioned, is not expected to increase or encourage the deterioration of blight of the area because the use will be contained wholly within the existing commercial building.
10. The subject use, as conditioned, is not expected to be contrary to any program of neighborhood conservation, improvement or redevelopment plan, either residential or non-residential, because there are no recognized or City-sanctioned neighborhood conservation, improvement or redevelopment programs applicable to the project site or in the immediate area.