

Attachment C

Findings of Approval for Use Permit

General Findings

1. The subject use, a liquor store with the off-sale of general alcoholic beverages at 8315 West Lane ("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, per Stockton Municipal Code (SMC) ("the Development Code") Section 16.20.020, Table 2-2. The proposed use complies with all other applicable provisions of the Development Code, including those contained in SMC Section 16.80.040 with regard to separation from schools, which decreases students' potential exposure to social pressures on their way to and from school.

2. The subject use, as conditioned, would maintain the integrity and character of the surrounding neighborhood. The subject use would operate in an existing commercial building in the CG zoning district and be compatible with the existing retail and office uses 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. The project site has a General Plan Land Use designation of Commercial. The use of the site as a liquor store with the off-sale of general alcohol is consistent with the following General Plan's policies.

LU-4.1 – The City shall encourage the upgrading, beautification, revitalization, and appropriate reuse of existing commercial areas and shopping centers.

LU-4.10 – The City shall encourage the clustering of commercial uses and discourage the splitting of commercial clusters or centers by arterial roadways.

4. The subject site would be physically suitable for the type and density/intensity of the use being proposed, 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 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 location proposed and for the time period(s) identified, if applicable, 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 use would be subject to conditions of approval that address hours of operation, blight and deterioration, and security concerns.

6. The design, location, size, and operating characteristics of the subject use are expected to be compatible with existing and future land uses on-site and in the vicinity of the subject property, because the liquor store, classified as a retail trade 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 liquor store are similar to those of adjacent commercial uses.

7. The proposed action is expected to be in compliance with the 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 a 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 would require the operator to install a video surveillance system in the commercial building that would decrease crime or similar impacts associated with problem uses in the vicinity area of the project site.

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. The operator and employees involved in the sale of alcoholic beverages would be required, by the conditions of approval, to participate in a Licensing Education of Alcohol and Drugs training course offered by ABC, which includes the reduction of blight and deterioration.

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 is not any recognized or City-sanctioned neighborhood conservation, improvement, or redevelopment program applicable to the project site or in the immediate area.