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SCAN AND E-MAIL TO: Esther Gilliland, Lori Asuncion, Karen Costa, Christian Clegg, Florence Low, David Kwong, Richard Larrouy, Thomas Pace, David Stagnaro, and Sylvia Sandoval AND CC TO: Bonnie Paige, Geoff Aspiras, and Eliza Garza.

STOCKTON CITY COUNCIL 425 North El Dorado Street Stockton, CA 95202 Phone: (209) 937-8458

Attachment E

### San Joaquin Family Law

#### Law Office of Jacob Loyal Benguerel

10 N. California Street, Stockton, CA 95202 • (209) 478-2700 www.SanJoaquinFamilyLaw.com • JLB@SanJoaquinFamilyLaw.com

October 15, 2016

To Whom It May Concern:

I own buildings and businesses located at 10 and 19 N California Street. I am very familiar with Sharma's Market. I have also read the letters submitted by other downtown interests. However, I do not believe that the letters fairly and accurately reflect the situation at Sharma's Market. It is very true that there were individuals that loitered on the corner of California and Weber. However, there were only two people chasing those individuals away... Sharma and myself. The landlords/managers never hired security to help address the situation. They were never out on the street like Sharma and I were. The idea that Sharma is being accused of being the problem is pretty absurd. The two of us constantly put our safety at risk making people leave the area. Nobody, other than the bike patrol, ever helped.

I also think the comparison to Grand Save Market is absurd. I am very familiar with both situations and they are nothing alike. It is also insincere to say that the problem resolved itself when Sharma left. That is completely false. The problem continued after his lease was terminated and even got worse. It was only when people began to move into the building and there was a larger presence of law abiding citizens that the problem stopped. That was at least 6 weeks after Sharma left.

I understand the city's concern about the loitering and would agree that it must be made clear to Sharma that it cannot occur at his new location. It just doesn't sit right for me to hear people blame Sharma for problems at Cal-Weber when the people casting blame always refused to get their hands dirty and help to solve the problem. I have come to know Sharma personally and have witnessed the devastation that this is causing for him. He is going to lose his business. I can't sit idly by and watch that occur.

Sincerely

Jagob Benguere

To whom it may concern,

I am writing to argue in favor of allowing Sharma's Market to sell alcohol. Mr. Sharma is a kind generous man, staple of the community and a positive influence on the area. Not allowing the sale of alcohol in his store is crippling to his bottom line. He is a small business owner trying to overcome the loss of his previous store and trying to stay part of the community he is so well known in. I believe he should be allowed to sell alcohol in his new location. I for one enjoy stopping by his shop when my work has me in the area. Not allowing him the make these sales will force the shutdown of the store and a loss of a loved member of the community.

Jonathan Park.

# Sharma's Market SUNIL & SANDIA SHARMA 836 East Miner Avenue Stockton, California 95202

To: Stockton City Council

Re: <u>Use Permit to Allow Off-Sale Beer & Wine at "Sharma's Market"</u>

#### Introduction

I want to thank you for considering my appeal of the Planning Commission's denial of my use permit to continue to sell beer and wine at my convenience store. I have operated my store in Downtown Stockton for 28 years. My store was located at the corner of Hunter and Channel Streets for 18 years, until I was forced to move because of redevelopment. I moved to the corner of Weber and California where I've operated the store for the last 10 years. Now I have been forced out by the landlord, for redevelopment again.

I signed a new lease and moved my store to 836 E. Miner Avenue, between Grant and Aurora. This location is not in the Downtown core, like my other locations, and there is less foot traffic here, but it is acceptable and I am happy to continue operating my business in Stockton. The problem is that the Planning Commission has denied my use permit, they have not approved my continuing to sell beer and wine at my market.

#### The Planning Commission Recommendation

I understand that the Planning Commission says that they are denying my use permit because the area is a "high crime area." But according to the letter we got from the Community Development Department, the crime has been going down.

The Planning Commission says that one of the reasons for denying my permit is that there have been a number of calls for police service to the area of my previous store at Weber and California. But many those calls for service came from me! I've also called the Downtown Stockton Alliance for assistance.

I do not want people loitering in front of my store, it scares customers away, and creates problems with my neighbors. For most of my time at the Weber and California location I had no trouble, but beginning about the time of the renovation

of the building by the new developer, I began to have some trouble with homeless sleeping around the scaffolding and trashing the street at night. I also had some problems with some young men hanging out in front of my store. I told them they couldn't hang out there, but they wouldn't listen to me, so I called the police. By the time the police arrived, an hour or so later, these men had left. This occurred many times, but each time, the police arrived too late to do anything. I even called the Mayor to seek the city's assistance. I believe that the reconstruction and the scaffolding around the building created a bad condition that attracted people to hang out around there. I didn't have much trouble before the reconstruction.

Taking away my use permit will not result in any less alcohol being sold Downtown, people will just buy it at another store. But, what it will do it put me out of business, it is already very hard to make ends meet selling groceries, toiletries, and small market and convenience store items, for 28 years I've been able to make a go of it by maintaining my California Alcohol Beverage Control type 20 off-sale license. The Cal ABC has no problem with continuing my license in the new location.

#### Sales to Minors

I understand that one of the reasons they are recommending against approving my license because I had 2 sales to minors. I accept responsibility for that, those sales were in 2009 and in 2011, 5 years ago and more. These incidents were "sting" operations with unusual circumstances, I challenged them, but ultimately had to take a brief suspension for each. The Cal ABC does not see these as a reason to deny continuing my license at the new store.

I have not had any problem since then. I take this very seriously and I do not sell to minors. It's wrong and illegal. I do not want to go to jail or lose my ABC license. If you allow me to continue selling beer and wine at my store, I will be installing a point-of-purchase system that will require me to swipe a valid I.D. before completing any sale that includes beer or wine. I will also be taking a L.E.A.D. Class to refresh myself on the best practices.

#### High Crime Area

The report from the Planning Commission says that my permit should be denied because my store is in a high-crime reporting area. I understand this, but the new store only 6 blocks from my prior location and is in the same high-crime reporting

area. I am simply asking permission to re-locate my store, this will not make the crime issues in the area worse.

Because of the high crime in my Reporting District, the Planning Commission says the sale of beer and wine in my area is a "Problem Use" and so staff recommended against my permit because they said I failed to provide any evidence that the beer and wine sales would not negatively impact the area. The Planning Commission says my sale of beer and wine will increase deterioration and blight because there are 9 off-sales here. They say it has the potential to worsen safety problems in the neighborhood due to increased crimes, illegal activities, and drunkenness.

But I have one of the off-sale licenses, I am just trying to move 6 blocks away within the same census tract and continue my business. That won't make things worse, I think it will make them better. I think my new location which is on a street with less foot traffic and more cars, and where I have a parking lot, will be better for sales from people who stop by in their cars, instead of walking in off the street. So there's no increase in the number of licenses but less sales to people who might just hang around the neighborhood.

#### Negative Effect

They say that my sale of beer and wine will be contrary to improvement and development because my establishment has the potential to increase so-called "Alcohol-related illegal activities" that would adversely impact the quality of life for the area's residents and the future retail/commercial development in the area.

What can I do to "Prove that my business will have no negative effect?"

It's just a convenience store that sells beer and wine along with food and soft drinks and groceries and other items.

I am dedicated to preventing loitering and drinking of alcohol anywhere around my store. It is simply bad for business. As I said, I consistently called the police when it was happening outside my Weber Ave. location, and I do not tolerate it at Miner Ave. I've installed cameras and security lighting and the doors are locked behind bars at night.

I just want to provide a little full-service grocery store for the neighborhood and people who stop by in their cars too. I cannot prevent the crime, the alcohol that is sold in my store will be purchased somewhere else if I don't sell it. It will. I have 28 years of experience Downtown, and I want to work with the City and the

neighborhood to make it a vibrant safe community. I serve the people in the neighborhood and many of the people there already know me at the new location, I also have customers from the old store that still shop with me.

#### Conclusion

Taking all of this into consideration, I respectfully ask you to approve my use permit. My new business location will not have a negative impact, I already have an off-sale license in the area and I just want to move 6 blocks and continue my business. My new location has security cameras and security lighting, and I will be installing a point-of-purchase system that will require me to swipe a valid I.D. for any beer or wine sale. The new location is on a street that is less travelled by foot and more travelled by cars. My business is now directed at people in their cars, more than it was on Weber Avenue. Beer and wine sales at my new location will have less of an effect on the immediate area than my old store. Please approve my permit, I've been working hard Downtown for 28 years and now because of redevelopment I understand I have to move, but my wife and I are not going to be able to support ourselves without our type 20 license.

Respectfully,

SUNIL SHARMA

Sharma's Market

#### Attached to my letter are:

ATTACHMENT A: Letters of support from members of the neighborhood and the community.

- a. Letter from Brad Furr, Owner, Price Rite Restaurant Equipment, 706 E. Weber Ave.
- b. Letter from Fat City Auto Sales, 822 E. Miner Ave.
- c. Letter from Gerald Arnet, 133 E. Weber Ave. #325
- d. Letter from Krisneal Sharma, 8662 Trumpet Ct. Elk Grove, CA
- e. Letter from Marcos Siu, Marcos Distributing, Crystal Creamery
- f. Letter from Minnie Garcia
- g. Letter from Jessie E. Williams 5331 Virtue Arc Drive, Stockton, CA (continued)

- h. Letter from Sara Munoz, 123 Stanislaus, Street, Stockton, CA
- i. Letter from Susan Vallo
- j. Letter from Theodore G. Spain, 110 Gertrude Ave., Stockton, CA
- k. Letter from Beverly Laws, Marilyn Adler, Theresa Lictenhagen, Derimiah Watts, Lucia Russo, Charles Ray Kisee, Joey Costa, and Jennifer Cochran

ATTACHMENT B: A petition signed by 150 persons who shop in my store in support of my use permit to continue to sell beer and wine.

#### ATTACHMENT A:

Letters of support from members of the neighborhood and the community.



706 E. Weber Avenue Stockton, CA 95202 PH(209)948-5555 FX (209)465-1365

Sharmas Market 836 East Miner Ave Stockton, CA 95202

The purpose of this letter is to show my support for local business and ask that Sharma's Market receive a license to sell Beer, Wine, and groceries at their new address on Miner Ave.

Sharma's Market has been locally selling wine beer, and groceries dating back to 1988. The market has always been a great place to purchase those items. Recently Sharma's Market had to move to a new address on Miner Ave. As a local business owner myself, I stand behind small local businesses in this town. Please support Sharma's Market and issue their business a new license so they can continue their legacy here in Stockton.

Sincerely,

Brad Furr

Owner

Price Rite Restaurant Equipment

(209)948-5555

706 E. Weber Ave

Stockton, CA 95202

Attachment E

To whom it may concern, i have been a neighbor to sharmas market 836 e.miner for atleast four months. The gentlemen sharma has been a positive person in the community around his store. Very friendly and helpful to others has extended his services by giving credit, small jobs and keeping his hours of being open around commuters from train station. He provides a market for the small community and businesses in the area. Many people walk to his market and haven't experienced any type of issues with customers or parking.

Fat city auto sales 822 e.miner ave

209 462 2512

Reland O

#### Gerald Arnett

#### 133 East Weber Avenue #325

Stockton, California 95202-2721

Re: Sharma's Market Support Letter:

September 6, 2016

To whom this may concern:

I would like to request that our Sharma's Market be reconsidered for any type of business licenses such as retail to sell groceries, household supplies, cigarettes and tobacco products, beer and wine.

This location is a great location for those traveling out to the country for a weekend event and would like to buy something for the road including, for the residents that live close by in the neighborhood.

I am a college student studying Business Administration/ Law pending graduation in the near future from San Joaquin Delta College, my family really enjoys Sharma's market and pray for the existence of the appropriate permits.

Thank you for your time and attention, as I await your kindest replies, I am Sincerely, Gerald Arnett (209) 481-2361 garnett489@students.deltacollege.edu

Sheald

September 9, 2016

8662 Trumpet Ct Elk Grove, CA 95624

Dear Sir or Madam,

In regards to the recent denied request for a business licenses, it would be in great endeavour if the decision was reconsidered. Our proud business name "Sharma's Market" has been a household name and is widely known by the city of Stockton for over two decades. The owner Sunil Dutt Sharma has been persistent and committed to not only running the entity of the shop but also inspiring the younger generation that walk among his store to be someone in this world.

Moving to numerous locations has given Sunil Sharma a steady hand to fulfill his dreams as a store owner. Not a single time has he given up on his dreams nor his family. No matter what the circumstance is he always prevails whether it's for the children of Stockton, his family, or himself he always finds a way to succeed. This business licenses assures himself that he is capable of continuing to make a difference in the city of Stockton, CA. It's in a perfect location where it can be accessed by car, bus, or simply walking. Also having fresh daily products for the residents that live close by and greeted by Sunil Sharma himself with a smile that will get anyone out of having a bad day.

As for myself, I am Sunil Sharma's youngest child out of five who is certified in Travel and Tourism Professional. A recent pharmacy technician but a flight attendant in the near future and hopes that as my dreams start to exist in real world phenomenon my dad will be able to live out his dreams as a Store Owner with the necessary documents that permit him to. If you have any additional questions or concerns, please feel free to contact me at (916) 513-5550 or request to speak to any of my other siblings. We look forward to speaking with you to resolve this matter.

Sincerely,

Krisneal Sharma

To Whom it may concern:

my name is marcos siu. Iam a dairy ventor. I have been doing business with MR Sharma For almost a decade.

I have known him as a verg Trustworthy Person. He is the kind of Person that will go the extra mile for a customer, friend or Just Anybody in need

Please Consider granting any Permit, License or certificate for his new basiness. I know he will make it into a Successful Convenience store.

Thank You!

Marcos Siu.

9/3/Attachment E

To whom it concerns,...

I believe like any other stores, Sharma Market Should be able to sell Beer & Wine.

There are no other stores around The neighborhood that sell Beer + Wine.

At this location we need a grocery store. That sells Beer &

Thank you, Minnie Gagaia Munic Stancia

#209:513-5048

Lo Whom it may Concern:

Joseph Known Sharma for over Ten years. To my knowledge he is an honest and obscent human being. The is a welf monnered all around good person. He has owned Sharmas Market for many years and to my know-ledge he has never had any problems. He moved to this location a few months ago and business has been really sour! He really need a Been and wine the spenist to stay in business. Thank yow?

Sincerely yours: Jesse E. Welliams 5331 Virtue arc Dr. Stocktor, (a. 95207 (209) 649-6295

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to whom it may concern IT want to stand up in the fight for sharmas Market to obtain a permit use for sales of been and wine at his convience store Tocated at 836 East Miner Avenue in Stockton, ca being a mer

To WHOM IT MAY CONCERN This is to be a litter of reference for Mr. Real Shannes : I horse known and been friends with Mr. Shaine for new years Through business and sensonal contact. Sam a Stockton Hameowner and Security Sylice. He is a true friend and many times Lie seen him help the truly needy People at his store, a small business owner should not have to be red taped" into poverty you a simple store re-location of a Hew short blocks. a simple transfer of his Beer and Wine license should be only necessary. Not The ne-applying and added oot this entails, It's not his fault the City has dragged it's feet for his application and brought the coder up to Par.

I have worked two Jabr for over thirty years, I can see now why this city is losing so many small businesses, Please seconder this care and do the City of Stockton a Justice. Thank you Theodone G. Spain 110 M. Gestruck are Stockton, CA. 95215 AH. # 209-518-6619

To: City of Stockton We stony support the re-instatement of shamas liguor license i Shurma's MKt. has been IN the community for olmost 30 years with no problems. We appreciate having his Stare in our communistry " 15 especially for those of us who hat have lasy access to largor markete and other store owners ago in the area, feel the same Beer and Winer solls boost his sales Most people suho PURchase these tems take thousen amoral o hover for other oustomers who may purchase been a wine customers who have access to the RTD is clocated directly across the street from

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#### ATTACHMENT B:

A petition signed by 150 persons who shop in my store in support of my use permit to sell beer and wine.

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	Johnny Martinez 209-791-3727
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## Nav Inde 81737 4700 Attachment E

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Thomas Madret 299 490-8176/

Tin a 901/2018 209-808-376

NEVIN HERT 209 430-376

EDWAYD WILLIAM 209-952-7678

Carolyn Speans 209-952-7678

Aprel Mark (408) 837-343/

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Fan Stylt

Canal Herman

George Lopez 629-2489

Robert Herron 209 242-1856

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