

Resolution No.

STOCKTON PLANNING COMMISSION

RESOLUTION MAKING A PUBLIC CONVENIENCE OR NECESSITY FINDING TO ALLOW THE CALIFORNIA DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL TO ISSUE AN ORIGINAL TYPE 20 LICENSE TO A CONVENIENCE STORE AT 6649 EMBARCADERO DRIVE (P18-0069)

On April 26, 2018, the Planning Commission approved a Commission Use Permit (P18-0069) to allow off-sale of beer and wine in a convenience store at 6649 Embarcadero Drive, zoned Commercial General (CG). The permit included an incorrect finding which stated that a finding of public convenience or necessity was not required because the census tract was not over-concentrated; and

Under Business & Professions Code section 23817.7, which grants exceptions to the moratorium on Type 20 licenses in the City of Stockton, the California Department of Alcoholic Beverage Control (ABC) can only issue an original Type 20 license when the local governing body of the premises determines that public convenience or necessity would be served by the issuance of the applied-for license; and

Making the finding of public convenience or necessity will allow the ABC to issue an original Type 20 license to Village West Marina, LLC, permitting the use of off-sale beer and wine at a convenience store; now, therefore,

BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF STOCKTON, AS FOLLOWS:

The Planning Commission hereby makes a finding that the public convenience would be served by the issuance of the original ABC License Type 20 for a convenience store located at 6649 Embarcadero Drive, based on the following:

1. There are no other alcohol establishments in the proximity of the subject site.
2. The convenience store will offer more choices to patrons and tenants of Village West Marina, as well as area residents, many of whom are within a reasonable walking distance.

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3. The conditions of the recently approved Commission Use Permit include requirements to discourage nuisance activities and other negative impacts associated with alcohol uses.

PASSED, APPROVED, and ADOPTED August 2, 2018.

DON M. AGUILLARD, CHAIR
City of Stockton Planning Commission

ATTEST:

DAVID W. KWONG, SECRETARY
City of Stockton Planning Commission