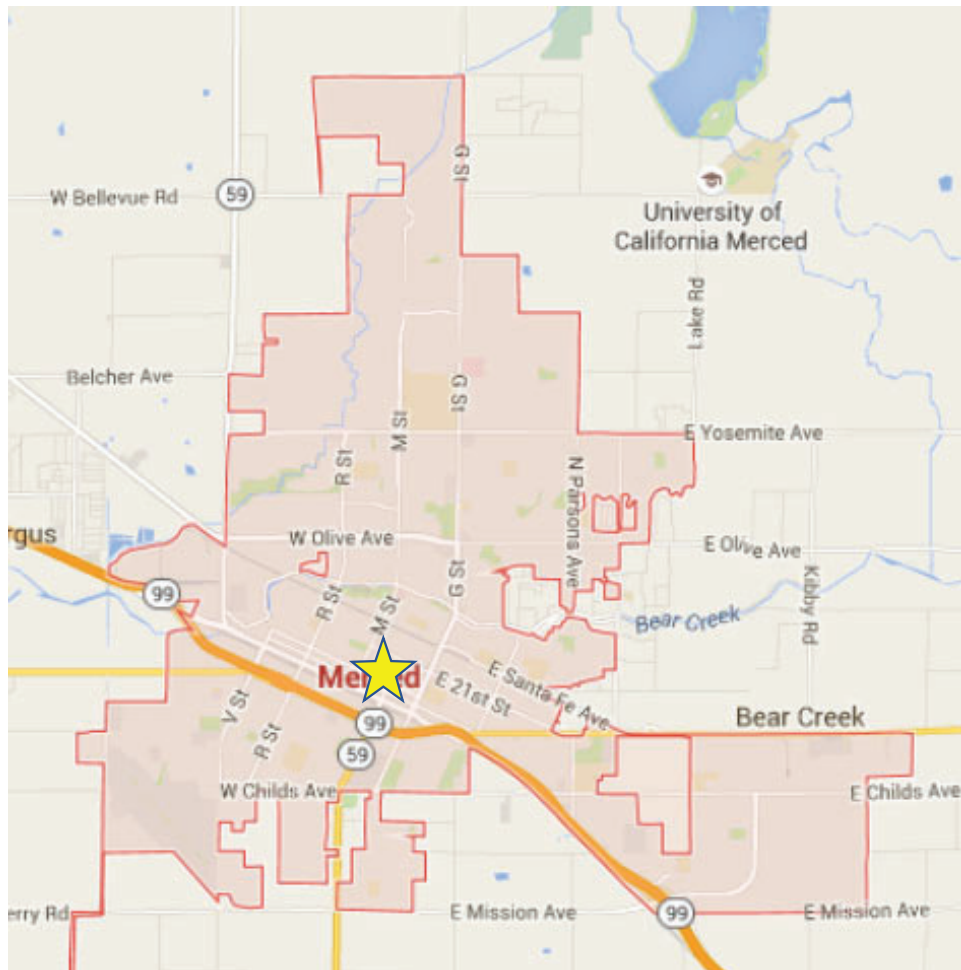




CUP #1272
New Convenience Market
(W/Alcohol Sales)
429 W. Main Street

City-Scale Map

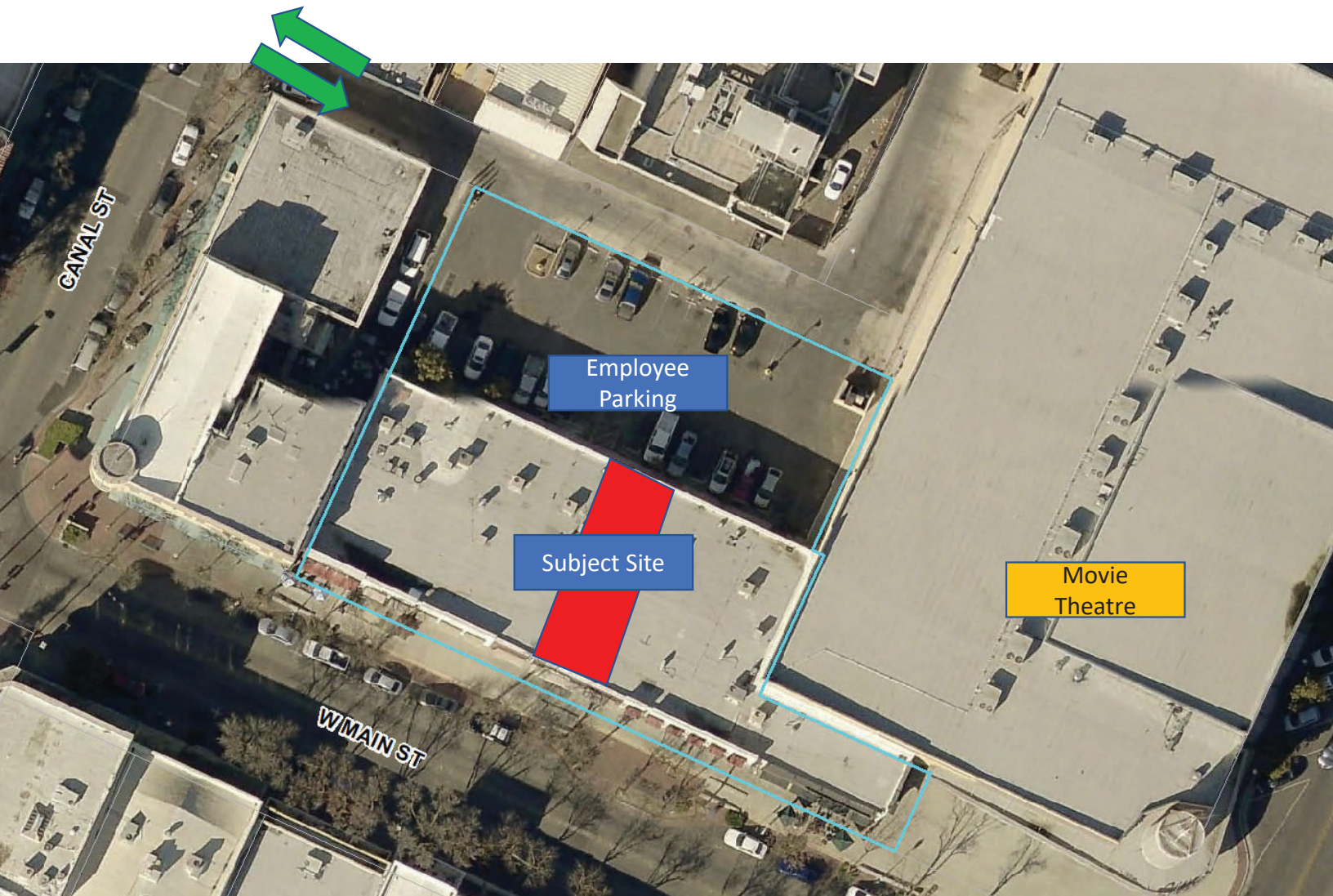


Land Use Policy & Design Review Boundary

- **MMC 20.10-1** – Permitted Land Uses in the Commercial Zoning District has a convenience market as a principally permitted use for the Central Commercial (C-C) Zone
- **MMC 20.44.010** – Requires Conditional Use Permit for selling alcohol for off-site if the building under 20,000-s.f. (which the subject site is under). This regulation is meant to generally exempt larger grocery stores where alcohol is a smaller percentage of sales.
- **Finding of Public Convenience or Necessity** is required because subject site is within a Census Tract determined to be overconcentrated with alcohol licenses by the State department of Alcoholic Beverage Control (this is a subsequent step reviewed and approved by City Council).

Location Map



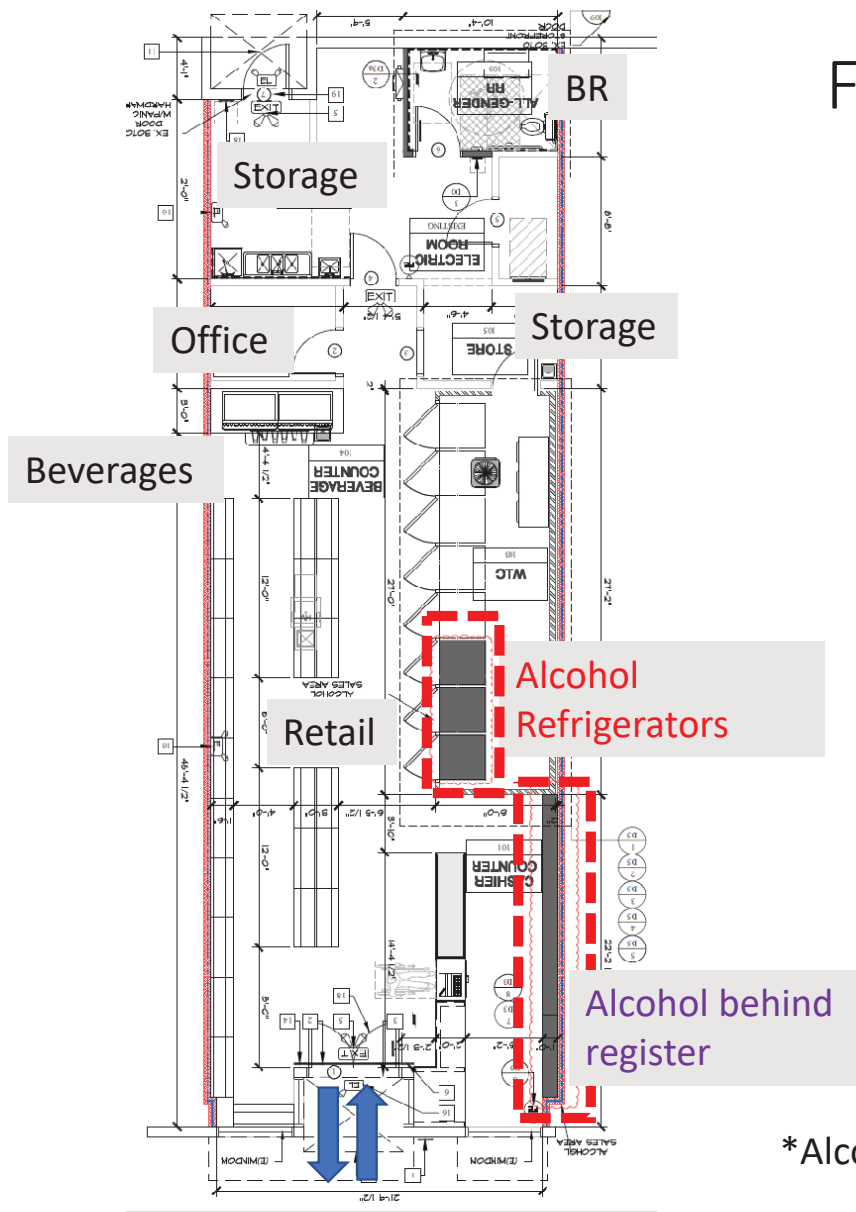


Street View (Main Street)



Floor Plan/Program

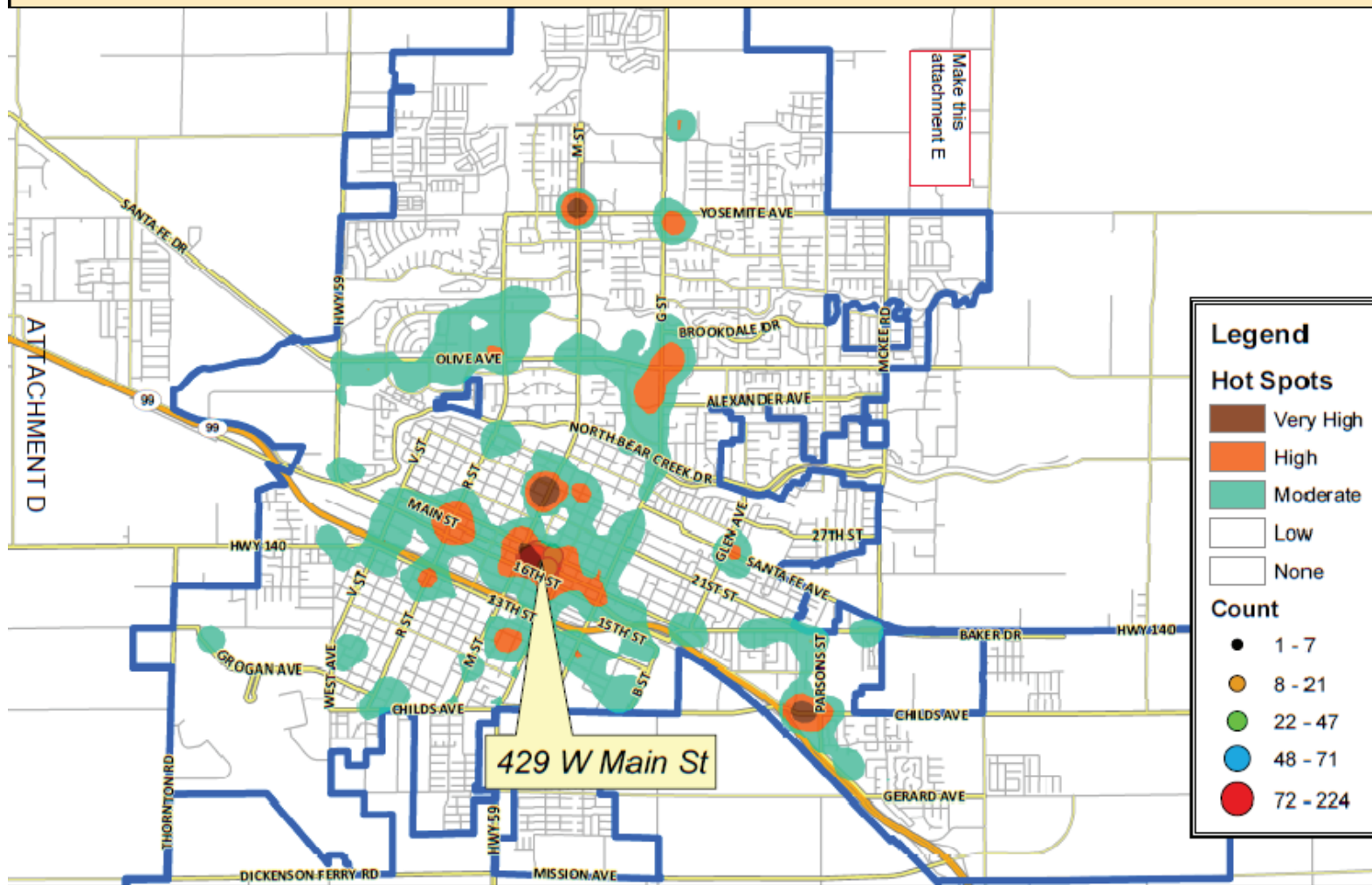
- Recently created suite (1,750 s.f.)
- No exterior modifications (future exterior modifications such as paint or signage could be processed with a staff level design review permit)
- Customer Parking – Not required because subject site is within the City's Parking District (but there is an employee parking lot behind the building)
- Hours of Operation(with alcohol sales):
 - Sunday-Thursday=9:00 a.m. – 12:00 a.m.
 - Friday-Saturday=9:00 a.m. – 2:00 a.m.



Floor Plan

* Alcohol Sales=165 s.f.

HOT SPOTS of ALL POLICE INCIDENTS for 6/1/22 to 6/7/23 73,000+ incidents city wide



Disclaimer: This document was prepared for general review only. The City of Mansfield makes no warranty, representation, or guarantee regarding the accuracy of this map. The City of Mansfield is not responsible for any errors or omissions.

1,000+ Incidents within 500ft of 429 W Main ST
for period of 6/1/22 to 6/7/23



Incident Types

Incident Type	Number of Incidents
Disturbance	127
Public Intoxication	7
Narcotics	5
MMC*	0

POLICE DEPARTMENT



- The Police Department does not have any issues with this request.
- The conditions of approval are typical for this use.
- Based on their crime analysis, the Police Department does not expect this project to adversely affect the surrounding neighborhood or be a burden on Police resources.

Neighborhood Impact

- Entertainment businesses are common throughout the neighborhood with the **Merced Theater (live performance), 17th Street Public House (pub), Vinho's Wine Lounge, The Den (hookah lounge), Regal Hollywood (movie theatre), The Partisan (pub), O'Ryleigh's Tavern (pub), Casino Merced, Merced Playhouse Merced (live theatre), El Palacio Night Club, Tioga Sequoia (tap room), and Hi-Fi Wine (wine bar)** all located within **1,400 feet of the subject site**.
- Given the abundance of alcohol sales and entertainment businesses in the Downtown area, and the fact that this site was previously approved for a nightclub with alcohol sales, staff does not anticipate that this approval would create any unusual circumstances for the neighborhood.
- Public Hearing Notice was published in Merced County Times and mailed to property owners within 300 feet of subject site 3 weeks prior to this meeting. Staff received **1** letter from public about this project with concerns about single container sales and loitering.

Background

- This item was continued from the Planning Commission Meeting of July 5th, 2023.
- Planning Commission requested additional research to find out how many businesses within 400 feet of the subject site currently sell alcohol for off-site consumption.
- Staff reached out to the Department of Alcoholic Beverage Control and found that there are no such licenses within a 400-foot-radius of the subject site. The nearest such license is located approximately 1,000 feet south at 1425 MLK Jr Way (Smart & Final).
- Planning Commission also request Condition #25 be adjusted to regulate the size of liquor bottles that could be sold.
- Condition #25 was adjusted to allow the sale of liquor bottles at or over 100 ml.

Conditions of Approval

- **Conditions #17:** Employees selling alcohol between 10 p.m. and 2 a.m. shall be at least 21 years of age.
- **Condition #19:** Alcohol sales shall be limited to 165 square feet (as shown on the proposed floor plan).
- **Condition #22:** Prior to selling alcohol, the applicant shall obtain a Finding of Public Convenience or Necessity from City Council.
- **Condition #23:** Approval is subject to owner being in good standing with the State department of Alcoholic Beverage Control.
- **Condition #25:** Single-serving alcohol containers may not be sold separately unless authorized by the Police Department (wine over 750 ml or liquor over 100 ml are exempt).

Planning Commission Action

After Holding the Public Hearing, the Commission may:

Approve/Disapprove/Modify

- Environmental Review #23-18 (Categorical Exemption)
- Conditional Use Permit #1272 (Subject to the Conditions in the Staff Report)