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CITY OF SALINAS
Community Development Department
65 West Alisal Street, Salinas, CA 93901
Attn: Thomas Wiles, Senior Planner

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Title of Document

CONDITIONAL USE PERMIT NO. 2024-024

City of Salinas

Community Development Department

WHEREAS, the Salinas Planning Commission, at a public hearing duly noticed and held on September 3, 2025, found that the proposed location of the use and structure is in accord with the objectives of the Salinas Zoning Code and the purposes of the zoning district in which the site is located; that the location of the use and structure and the proposed conditions under which it would be operated and maintained will be consistent with the Salinas General Plan and will not be detrimental to the public health, safety, or welfare of persons residing or working in or adjacent to the neighborhood of such use, nor detrimental to properties or improvements in the vicinity or the general welfare of the City of Salinas; that the use and structure will comply with the provisions of the Salinas Zoning Code; that the use will not constitute a nuisance on adjoining properties or in the surrounding area; including the specific conditions required for the proposed alcohol related use; that the proposed on-sale alcohol-related use will neither adversely affect the welfare of the area nor of surrounding residentially zoned neighborhoods, giving due consideration to the distance of the proposed use from other alcohol-related uses, residentially zoned property, public schools, public playgrounds, and other similar uses; and giving further consideration to crime rates, calls for emergency services, and residential densities in the surrounding area; and that the conditional use has been evaluated in accordance with the California Environmental Quality Act, as amended; and that the Planning Commission has considered an exemption to the California Environmental Quality Act; and

NOW, THEREFORE, the Salinas Planning Commission hereby grants and issues Conditional Use Permit No. 2024-024 pursuant to *Article VI, Division 8: Conditional Use Permits*, of Chapter 37 of the Salinas City Code and upon the following terms and conditions and not otherwise, to wit:

ISSUED TO: Dave & Buster's

PROPERTY OWNER: Ethan Conrad Properties

FOR USE: Establish and operate a 23,412 square foot Commercial Recreation and Entertainment use (Dave & Busters)

consisting of an arcade, restaurant, and a separate bar area with on-sale alcohol sales of beer, wine, and distilled spirits (Type 47 ABC License – On-Sale General Eating Place) located within a portion of a former Sears store at the Northridge Mall Shopping Center.

ON PROPERTY LOCATED AT: 1104 Northridge Mall

ASSESSOR'S PARCEL NO.: 253-201-054-000

ZONING DISTRICT: CR (Commercial Retail)

ENVIRONMENTAL REVIEW ACTION & DATE: The project has been determined to be exempt from the California Environmental Quality Act under Section 15301 (*Existing Facilities*) on September 3, 2025.

EXPIRATION DATE: None, once properly established, unless the subject Commercial Recreation and Entertainment use and/or on-sale alcohol use, respectively and independent of one another, ceases operation for a continuous period of six (6) months or more.

RIGHT TO OPERATE/DEVELOP

1. The Permittee shall have the right to establish and operate a 23,412 square foot Commercial Recreation and Entertainment use (Dave & Buster's) consisting of an arcade, restaurant, and a separate bar area with on-sale alcohol sales of beer, wine, and distilled spirits (Type 47 ABC License – On-Sale General Eating Place) on the second floor of a former Sears store with the primary entrance on the first floor at the Northridge Mall Shopping Center located on the above-described property in accordance with the following exhibits incorporated herein by reference and made a part of this Permit:

Exhibit "A" Vicinity Map

Exhibit "B" Dave & Buster's – Proposed First Floor Plan

Exhibit "C" Dave & Buster's – Proposed Second Floor Plan

Exhibit "D" Dave & Buster's – Proposed Exterior Elevations

Exhibit "E" Dave & Buster's – Proposed Exterior Elevations (Night)

Exhibit "F" Dave & Buster's – Exterior Perspective I

Exhibit "G" Dave & Buster's – Exterior Perspective (Night)

Exhibit "H" Dave & Buster's – Exterior Perspective II

Exhibit "I" Dave & Buster's – Exterior Perspective II (Night)

Exhibit "J" Dave & Buster's – Exterior Perspective III

Exhibit "K" Dave & Buster's – Exterior Perspective III (Night)

Exhibit "L" Dave & Buster's – Digital Material Board

Exhibit "M" Dave & Buster's – Signage Details

Exhibit "N" Trash Enclosure with Republic Services letter dated June 3,

2024 (Sheet A103)

Exhibit "O" Roof Exhibit (Sheet A501)

Exhibit "P" Police Department Memorandum dated July 3, 2025

Exhibit "Q" Engineer's Report dated April 12, 2024

Exhibit "R" Fire Department comments dated April 4, 2025

Exhibit "S" Permit Center comments dated May 1, 2024

LIMITATIONS ON USE

2. Hours of operation shall be limited to 10:00 a.m. to 12:00 a.m. Sunday through Thursday and 10:00 a.m. to 2:00 a.m. Friday and Saturday. Alcohol sales and consumption shall cease at 12:00 a.m. Sunday through Thursday and by 2:00 a.m. Friday and Saturday. No alcohol sales or consumption shall occur on the premises when the use is not otherwise open for business.
3. Any alcohol license violation and/or suspension by the Alcohol Beverage Control Board or significant criminal activity, in the opinion of the City Police Chief, shall constitute grounds for review and modification or revocation of this use Permit in accordance with *Section 37-60.640: Expiration- transferability; recordation; rescission; revocation*, of the Salinas Zoning Code.
4. No alcoholic beverages shall be sold, dispensed, or offered for consumption except within the licensed premises. No off-sales of alcohol shall be allowed.
5. No live entertainment of any type including, but not limited to, live music, disc jockey, dancing, fashion shows, shall be permitted on-site. At no time shall this business allow table or chairs to be moved to create an open space which could be used as a dance floor.
6. Alcohol sale shall not occur except in conjunction with the maintenance of the premises as a "bona fide public eating place," i.e., a place which is regularly, and in a bona fide manner, used and kept open for the serving of meals to guests for compensation and which has on-site kitchen facilities for cooking an assortment of foods required for ordinary meals.
7. Pursuant to Zoning Code Section 37-50.030(f)(6), all business owners and managers shall complete a program certified by the Department of Alcoholic Beverage Control (ABC) as a qualified responsible beverage service (RBS) program prior to the commencement of the use. Such training is required within ninety days of ownership transfer or hire. Failure of managers to obtain training shall be the liability of the owner. The owner shall maintain on the premises a file containing the certificates of training and shall present the file and its contents upon request by the City at any time during normal business hours. The provisions regarding responsible beverage training shall be suspended only upon a finding by the City Planner that the training is not reasonably available.

8. The Permittee shall keep the exterior access doors closed during evening and nighttime hours. Permittee shall control parking lot noise and associated impacts generated by patrons.
9. No outdoor storage, display, or sale of merchandise of any kind shall be permitted.
10. The City Planner may conduct a review of this Permit after inauguration, and may require modifications, if appropriate. The City Planner may also schedule a review by the Salinas Planning Commission, at a public hearing, if considered necessary. In the event that a public hearing is necessary, the Permittee shall reimburse the City of Salinas for all costs and expenses required to prepare for and conduct said hearing.
11. The “Conditions of Approval” stated in the Engineer’s Report dated April 12, 2024 (Exhibit “Q”) shall be incorporated into the project.
12. If the subject Commercial Recreation and Entertainment use and/or on-sale alcohol use, respectively and independent of one another, ceases operation for a continuous period of six (6) months or more, this Conditional Use Permit shall become null and void.

FIRE PROTECTION REQUIREMENTS

13. All applicable requirements of the Salinas Fire Department including those items identified in Exhibit "R", and Titles 19, 24 and 25 of the California Administrative Code must be met and may include, but not be limited to, provisions for fire alarm systems, fire extinguishers, sprinkler systems, emergency vehicle access and installation of fire hydrants.

CRIME PREVENTION REQUIREMENTS

14. Prior to the issuance of any building permit, the Permittee shall collaborate with the Salinas Police Department on safety and awareness training for the Police Reporting District (PRD). Written confirmation from the Salinas Police Department demonstrating compliance with this condition shall be submitted to the Community Development Department prior to issuance of a building permit.
15. The Permittee shall comply with all requirements of the Salinas Police Department identified in Exhibit “P” Police Department Comments, dated July 3, 2025.

PARKING REQUIREMENTS

16. Bicycle parking (rack) shall be provided in accordance with Zoning Code Section 37-50.400. Install a bicycle rack on a concrete pad located near the building’s main entrance, without impacting pedestrian access.

17. Assembly Bill 2097 (AB 2097) prohibits a public agency from imposing any minimum automobile parking requirement on any residential, commercial, or other development project that is located within ½ mile of a major transit stop. The project site is located adjacent to the Northridge Mall Transit Stop, which is identified as a major transit stop within ½ mile of the subject site. Therefore, the provided off street parking for this project is considered optional, but must meet the development standards including, but not limited to, minimum dimensions, landscaping requirements, and lighting.

SIGNS

18. A Sign Permit issued in accordance with the Northridge Mall Master Sign Plan, Planned Unit Development Permit 2024-001 (PUD 2024-001), and *Article V, Division 3: Signs* of the Salinas City Code, shall be required for all signs.
19. No canvas signs, banners, pennants, flags, streamers, balloons or other temporary or wind signs; no mobile, A-frame, or portable signs; no roof or canopy signs extending above a building roof; no signs that resemble any official marker erected by the city, state or any governmental agency, or that by reason of position, shape, color or illumination would conflict with the proper functioning of any traffic sign or signal or would be a hazard to vehicular or pedestrian traffic; no signs which produce odor, sound, smoke, fire or other such emissions; and no animated, flashing, moving or rotating signs shall be permitted unless permitted in accordance with *Article 5, Division 3: Signs* of the Salinas Zoning Code, as may be amended from time to time.

OUTDOOR LIGHTING

20. Exterior lighting may be installed in accordance with Zoning Code Section 37-50.480 under the following limitations:
 - a. No floodlighting will be allowed on any structure.
 - b. Parking lot lighting shall be shielded to confine light spread to within the site boundaries and shall not exceed 25 feet in height.
 - c. Prior to the issuance of a Building Permit, for any new exterior lighting, the applicant shall submit a detailed lighting plan for review and approval by the Community Development Department.

BUILDING MATERIALS AND COLORS

21. Prior to the issuance of a building permit, the materials and colors shall be identified on the plans in accordance with Planned Unit Development Permit 2024-001 (PUD 2024-001).

LANDSCAPING

22. On-site landscaping shall comply with the requirements of *Article V, Division 4* of the Salinas Zoning Code, including, but not limited to, standards, drought resistant plants and turf, irrigation, parking lot landscaping and installation and maintenance.

RECYCLING AND SOLID WASTE DISPOSAL AREA

23. Recycling and solid waste provisions have been met through shared services through Northridge Mall with capacity adequate to achieve 50 percent recycling of the total recyclable wastes generated onsite (see Exhibit "N").

MAINTENANCE

24. All parking areas, driveways, other paved surfaces, accessways and grounds shall be regularly maintained and kept free of weeds, litter, and debris. All traffic signs and pavement markings shall be clear and legible at all times. All landscaped areas shall be maintained free of weeds, trash, and debris, and all plant material shall be continuously maintained in a healthy, growing condition. All exterior building and wall surfaces shall be regularly maintained, and any damage caused by weathering, vandalism, or other factors shall be repaired in conformance with the terms and conditions of this Permit.

PUBLIC IMPROVEMENTS

25. All existing damaged and hazardous sidewalks, and unused driveways shall be reconstructed to City standards prior to issuance of a Certificate of Occupancy.
26. Public improvements to serve the development shall be reviewed and approved by the City Engineer and shall be installed in accordance with City standards. All utilities shall be installed underground with details to be included on the final improvement plans.

UTILITIES/EQUIPMENT SCREENING

27. All new utility lines shall be placed underground and all new power transformers shall be placed underground where permitted by the utility company. Where transformers must be pad-mounted above ground, they shall be located away from the general public view or shall be effectively concealed by landscaping or a screen fence of a design approved by the utility company and the City Planner.
28. All new mechanical equipment and appurtenances (i.e. gas, water meters, electrical boxes, HVAC systems, refrigeration equipment, etc.), building or ground mounted, shall be screened from public view and adjacent properties. Roof vents shall be painted to blend with roof materials. Details shall be shown on the final construction and/or land plans and are subject to the approval of the City Planner.

PERMIT NOT TO SUPERSEDE OTHER REQUIRED LICENSING OR PERMITS

29. The issuance of this Permit is required in addition to the issuance of an alcoholic beverage sales license from the State Alcoholic Beverage Control Board.
30. The issuance of this Permit shall not relieve the Permittee of any requirement to obtain permits or licensing from any county, regional, state or federal agencies. If applicable, a City Business License shall be obtained prior to commencement of use.
31. This Permit may be subject to water and sanitary sewer allocations. The Permittee will proceed at their own risk as water and sanitary sewer allocation may not be available at the time requested.

MODIFICATION OF APPROVED USE AND PLANS

32. Any modification to the terms and conditions of this Permit are subject to the issuance of a new Permit. The City Planner may approve minor modifications to this Permit if the City Planner finds the modification to be in substantial compliance with the original approval.

VIOLATION; REVOCATION

33. Use of the property shall be conducted in such a way that it does not constitute a nuisance to the use and enjoyment of surrounding properties or the City. Any permittee, person, firm, corporation, whether as principal, agent, employee or otherwise, violating, causing or maintaining the violation of any of the provision of this Permit shall be guilty of a misdemeanor or an infraction, as charged. Alternatively, any violation of this Permit may be prosecuted administratively pursuant to the City's Administrative Remedies Ordinance and/or other applicable laws, regulations or codes. Upon determination by the City Planner that there are reasonable grounds for revocation of this Permit, a revocation hearing shall be set to be heard before the Salinas Planning Commission in accordance with *Article VI, Division 18: Enforcement and Penalties* of the Salinas Zoning Code or such codes as may be subsequently adopted.

SUBSTANTIAL ACTION TIME LIMIT

34. This Permit shall expire one year after its effective date unless:
 - a. A building permit has been issued and construction diligently pursued;
 - b. A certificate of occupancy has been issued;
 - c. The use is established in conformance with the provisions of the Zoning Code;
 - or
 - d. The City Planner determines that substantial action has commenced to carry out

the terms and intent of the Conditional Use Permit.

PERMIT VALIDATION

35. Pursuant to Zoning Code Section 37-60.530, this Permit shall be null and void and all terms and conditions shall have no force or effect unless this Permit is signed by the Permittee(s) and returned to City of Salinas Community Development Department within 90 days of approval. ***It is the applicant's responsibility to track the 90-day expiration date. No notice will be sent.***

STANDARD CONDITIONS

36. Pursuant to **Salinas City Code Section 1-8.1: Civil action enforcement**, and **Section 1-8.2: Liability for costs**, permittee shall reimburse the City of Salinas for all costs and expenses (including but not limited to fees and charges of architects, engineers, attorneys, and other professionals, and court costs) incurred by the City in enforcing the provisions of this Permit.
37. The applicant(s) shall defend, indemnify, and hold harmless the City of Salinas and any of its boards, commissions, agents, officers, and employees from any claim, action or proceeding against the City, its boards, commissions, agents, officers, or employees to attack, set aside, void, or annul, the approval of this project/use. The City shall promptly notify the applicant(s) of any such claim, action, or proceeding. The City shall cooperate in the defense. Nothing contained in this condition shall prohibit the City from participation in a defense of any claim, action, or proceeding if the City bears its own attorney's fees and costs, and the City defends the action in good faith.
38. Notwithstanding any of the provisions in this permit, all improvements and uses shall comply with all other ordinances and regulations of the City of Salinas and all local, state and federal laws and regulations.
39. No further development other than that shown on this permit or attached exhibits shall be allowed unless or until an amendment to this permit has been approved. Requests for a minor modification of an approved permit may be granted by the City Planner provided the modification is substantially in compliance with the original approval and conditions.

NOTICE OF CHALLENGE LIMITATIONS

40. Code of Civil Procedure Section 1094.6 requires all Court challenges to the decision to grant this Permit be initiated within 90 days of the final decision of the City in this matter.

EXECUTIONS

THIS CONDITIONAL USE PERMIT was approved by action of the Salinas Planning Commission on September 3, 2025 and shall become effective on the following date unless appealed to the City Council of the City of Salinas in accordance with Article VI, Division 17: Appeals:

Effective Date: September 16, 2025

Courtney Grossman
Planning Manager, City of Salinas

(Signatures Listed Below on Pages 9 through 10 Must Be Notarized)

THIS CONDITIONAL USE PERMIT is hereby accepted upon the express terms and conditions hereof, and the undersigned Permittee agrees to strictly conform to and comply with each and all of this Permit's terms and conditions.

Dated: _____

Lisa Warren, Vice President
Dave & Buster's, Permittee

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA
COUNTY OF MONTEREY

On _____ 202__, before me, _____, Notary Public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____

CONSENT is hereby granted to the Permittee to carry out the terms and conditions of this Conditional Use Permit.

Dated: _____

Ethan Conrad
Ethan Conrad Properties, Property Owner

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA
COUNTY OF MONTEREY

On _____ 202__, before me, _____, Notary Public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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WITNESS my hand and official seal.

Signature _____

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