

When recorded, return to:

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

SPACE ABOVE FOR RECORDER'S USE ONLY

Title of Document

**CONDITIONAL USE PERMIT NO. 2024-065**  
**(Supersedes CUP 1965-019 and CUP 2016-019)**  
**City of Salinas**  
**Community Development Department**

**WHEREAS**, the Salinas City Council, at a public hearing duly noticed and held on August 6, 2025, found that the proposed location of the use 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 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 will comply with the provisions of the Salinas Zoning Code, including the specific conditions required for the proposed use; that the proposed off-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 off-sale 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; that although the proposed off-sale alcohol-related use is located within an area of undue concentration (as defined by Business and Professions Code Sections 23958.4 and 23817.5, and administered by the State Department of Alcoholic Beverage Control), pursuant to Business and Professions Code Section 23817.7, the public convenience or necessity would be served by the issuance of the alcohol license by the ABC; and that this conditional use has been reviewed and evaluated in accordance with the California Environmental Quality Act and is considered Exempt to CEQA.

**NOW, THEREFORE**, the Salinas Planning Commission hereby grants and issues Conditional Use Permit No. 2024-065 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/PROPERTY OWNER:** Christopher R. Dabit et. al

**FOR USE:** Expand an existing convenience store with gas pumps and Type 20 off-sale

ABC alcohol related use into an existing major vehicle repair facility.

**ON PROPERTY LOCATED AT:** 201 Monterey Street

**ASSESSOR'S PARCEL NO.:** 002-231-018-000

**ZONING DISTRICT:** Mixed Use – Central City Overlay – Downtown Core Area (MX-CC-DC)

**ENVIRONMENTAL REVIEW ACTION & DATE:** Exempt from the California Environmental Quality Act (CEQA) under Section 15332 (In-Fill Development Projects) on August 6, 2025

**EXPIRATION DATE:** None, once properly established, unless the subject convenience store use ceases operation for a continuous period of six (6) months or more.

**RIGHT TO OPERATE/DEVELOP**

1. The Permittee shall have the right to expand an existing convenience store with gas pumps use with an existing off-sale alcohol related use located on the above-described property in accordance with the following exhibits incorporated herein by reference and made a part of this Permit as follows:
  - a. First Amendment to Conditional Use Permit 1965-019 (CUP 1965-019); request to expand an existing 438 square-foot convenience store with gas pumps by changing the use of an existing 802 square-foot major vehicle repair bay to convenience store for a total of 1,240 square-feet of convenience store area, construct a kitchen within the northerly portion of the building, and convert/expand an existing storage on the southerly portion of the building into a walk-in cooler; and
  - b. First Amendment to Conditional Use Permit 2016-019 (CUP 2016-019); request to expand an existing alcohol related use consisting of a Type 20 off-sale ABC license from 802 square-feet to 1,240 square-feet of convenience store area.

**Exhibit "A" Vicinity Map**

**Exhibit "B" Site Plan (Sheet G001)**

**Exhibit "C" Existing Floor Plan (Sheet A100)**

**Exhibit "D" Proposed Floor Plan (Sheet A101)**

**Exhibit "E" Existing Elevations (Sheet A200)**

**Exhibit "F" Proposed Elevations (Sheet A201)**

**Exhibit "G" Sign and elevations (Sheet A202)**

**Exhibit "H" Monument sign and elevation**

**Exhibit "I" Engineer's Report, dated July 3, 2025**

**Exhibit "J" Fire Department Requirements, dated July 7, 2025**

**Exhibit "K" Police Department Memorandum dated July 21, 2025**

## **LIMITATIONS ON USE**

2. Hours of operation of the convenience store with gas pumps shall be 24 hours per day, seven (7) days per week. Alcohol shall not be sold between the hours of 10:00 p.m. and 6:00 a.m. Coolers containing alcoholic beverages shall be locked between the hours of 10:00 p.m. and 6:00 a.m.
3. 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.
4. The Conditions of Approval stated in the Engineer's Report dated July 3, 2025 (Exhibit "H") shall be addressed prior to the issuance of a Building Permit.
5. The premises shall be maintained free of litter at all times.
6. No alcoholic beverages shall be consumed on the premises.
7. No sale or distribution of alcoholic beverages shall be made from a drive-up or walk-up window.
8. No display of alcoholic beverages shall be made from an ice tub.
9. No "single-serving" or "one-can" sales of alcoholic beverages shall be made from the premises. A sign to this effect in English and Spanish shall be maintained at the cashier station at all times.
10. No more than four (4) cooler doors shall be allocated to alcohol sales. Coolers without doors shall be limited to 32 lineal feet.
11. No alcoholic beverage shall be displayed within five feet of the cash register or within five feet of the front door of the permitted premises.
12. No self-illuminated advertising for alcoholic beverages shall be located on buildings or windows.
13. 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. Any business established after the effective date of the ordinance codified in this section shall require such training of all owners and managers 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 of this section regarding responsible beverage training shall be suspended upon a finding by the City Planner that the training is not reasonably available.

14. An electronic age verification scanner shall be installed, maintained, and utilized for all off-sale alcohol sales.
15. Signs shall be posted at the location in English and Spanish with regard to prohibitions of open containers and loitering at the location, and no loitering will be tolerated.
16. No single 40 oz. containers of beer may be sold from the premises.
17. No malt liquor or fortified wine products (wines with greater than 15% alcohol content) shall be sold.
18. Sales of wine shall be in containers of at least 750 ml.
19. Digital surveillance system shall be provided with high quality cameras focused on the location of the in-store stocked alcohol, at points of sales transactions, at entrance/exits of the store and the parking lot, with the capability to store the digital images captured.
20. Surveillance video/photos shall be made available to police upon request.
21. Ample lighting shall be provided in parking lots, exterior area of entrances/exits and situated in areas to enhance video surveillance equipment.
22. There shall be no coin operated video or arcade games and no adult magazines or videos shall be sold.
23. No pay telephone booths shall be permitted on the premises
24. 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.
25. If the subject convenience store with gas pumps use and/or alcohol related use ceases operation for a continuous period of six (6) months or more, this Conditional Use Permit shall become null and void.
26. No outdoor storage, display, or sale of merchandise of any kind will be permitted

except as authorized subject to the issuance of a Temporary Use of Land Permit in accordance with the Salinas Municipal Code.

27. As a part of the building permit process for the work authorized herein, the existing storage area located on the southern portion of the building shall be incorporated as a part of the permit and comply with all applicable building code requirements.

#### **NPDES REQUIREMENTS**

28. The development shall conform to all National Pollutant Discharge Elimination System (NPDES) and Low Impact Development (LID) requirements and standards in effect and required by the City Engineer when building permits are issued. The project will require a Storm Water Control Plan (SWCP) that identifies Stormwater Development Standards (SWDS) Compliance to be incorporated into the project (see attached Exhibit "I").

#### **FIRE PROTECTION REQUIREMENTS**

29. All applicable requirements of the Salinas Fire Department including those items identified in Exhibit "J", 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**

30. The applicant shall comply with all requirements of the Salinas Police Department dated July 21, 2025 identified in Exhibit "K".

#### **PARKING REQUIREMENTS**

31. 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 within ½ mile of a major transit stop (Salinas Transit Center). 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.
32. All off-street parking and loading areas shall be graded, paved, drained, landscaped, striped, and maintained in accordance with *Article V, Division 2: Parking, Loading, and Outdoor Lighting* of the Salinas City Code.

#### **SIGNS**

33. A Sign Permit issued in accordance with *Article V, Division 3: Signs* of the Salinas

City Code, shall be required for all signs and shall be consistent with Exhibits “G” and “H”.

34. All service station signs shall comply with Zoning Code Section 37-50.620(f) (Service Station Signs).
35. 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.

## **LANDSCAPING**

36. The street tree located along the Monterey Street frontage shall be maintained in accordance with Development and Engineering Services Department standards.

## **OUTDOOR LIGHTING**

37. Any new 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, the applicant shall submit a detailed lighting plan for review and approval by the Community Development Department.

## **BUILDING MATERIALS AND COLORS**

38. Prior to issuance of a building permit, all exterior building materials and colors shall be identified on the building plans, and a colors and materials board shall be submitted electronically by the Applicant or the successor-in-interest to the City Planner for review and approval.

## **RECYCLING AND SOLID WASTE DISPOSAL AREA**

39. Prior to issuance of a building permit, written confirmation from the City’s solid waste service provider, is required to ensure that the recycling and solid waste provisions of the project will meet the service needs of the service provider.

## **MAINTENANCE**

40. 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.
41. The Applicant, or successor-in-interest, shall eradicate graffiti painted or marked on the facility within seventy-two (72) hours of occurrence pursuant to Municipal Code Section 5-03.19(a)(4).

## **PUBLIC IMPROVEMENTS**

42. All existing damaged and hazardous sidewalks, and unused driveways shall be reconstructed to City standards prior to issuance of a Certificate of Occupancy.
43. 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**

44. 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.
45. 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 subject to review and approval by the City Planner.

## **PERMIT NOT TO SUPERSEDE OTHER REQUIRED LICENSING OR PERMITS**

46. 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.

47. 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.
48. This Permit may be subject to water and sanitary sewer allocations. The Permittee shall 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**

49. 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**

50. 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.

#### **CANCELLATION OF PREVIOUS PERMIT**

51. Upon execution of this Permit, Conditional Use Permit Nos. 1965-019 and 2016-019 shall become null and void.

#### **SUBSTANTIAL ACTION TIME LIMIT**

52. 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

53. 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

54. 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.
55. The applicant(s) shall defend, indemnify, and hold harmless the City of Salinas or 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. For Tentative Maps, this shall also apply when such claim or action is brought within the time period provided for in applicable state and/or local statutes. 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.
56. 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.
57. 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

58. 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 August 6, 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: August 19, 2025

\_\_\_\_\_  
Courtney Grossman  
Planning Manager, City of Salinas

(Signatures Listed Below on Pages 10 through 12 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: \_\_\_\_\_

\_\_\_\_\_  
Christopher Dabit  
Permittee and 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.
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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: \_\_\_\_\_

\_\_\_\_\_  
Alex Dabit  
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.
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COUNTY OF MONTEREY

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WITNESS my hand and official seal.

Signature \_\_\_\_\_

Dated:\_\_\_\_\_

\_\_\_\_\_  
Maha Nakleh Dabit  
Property Owner

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WITNESS my hand and official seal.

Signature \_\_\_\_\_

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