

City of Salinas

200 Lincoln Ave., Salinas, CA 93901

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Meeting Agenda - Final

Wednesday, November 6, 2024

4:00 PM

City Council Rotunda

Planning Commission

Commissioners:

Tyler J. Burrola, Mayor's Appointee

Rosa Gonzalez, District 1 - John Meeks, District 2

Lorisa McKelvey Daye, District 3 - Andrea Manzo, District 4

Carissa Purnell, District 5 - Oscar Ramos, District 6

Lisa Brinton, Community Development Director

Courtney Grossman, Planning Manager

Christopher A. Callihan, City Attorney

Community Development Department Office: (831) 758-7206

PLEDGE OF ALLEGIANCE**ROLL CALL****PUBLIC COMMENT TIME RESTRICTIONS**

Public comments generally are limited to two minutes per speaker; the Chair may further limit the time for public comments depending on the agenda schedule.

GENERAL PUBLIC COMMENTS

Receive public communications from the audience on items that are not on the agenda and that are in the City of Salinas' subject matter jurisdiction. Comments on Consent or Consideration items should be held until the items are reached. The public may request that the committee consider adding an item for consideration on a future agenda. The public may comment on scheduled agenda items as they are considered. In order to be respectful of all speakers' views and to avoid disruption of the meeting, the audience shall refrain from applauding or jeering speakers who have been recognized by the Chair.

CALIFORNIA GOVERNMENT CODE §84308 - LEVINE ACT

Government Code § 84308. Parties to any proceeding involving a license, permit or other entitlement for use pending before the legislative body must disclose any campaign contributions over \$250 (aggregated) within the preceding 12 months made by the party, their agent, and those required to be aggregated with their contributions under Government Code § 82015.5. The disclosure must include the amount contributed and the name(s) of the contributor(s).

CONSENT[ID#24-627](#)**Minutes**

Recommendation: Approve minutes of October 16, 2024.

PUBLIC HEARINGS[ID#24-603](#)

Conditional Use Permit 2024-022; Request to establish and operate a proposed Off-sale Alcohol Related use (Type 20 ABC license) in a proposed Convenience Store with Gas Pumps located at 1012 and 1016 Abbott Street in the IGC (Industrial-General Commercial) Zoning District.

Recommendation: Approve a resolution finding the project exempt pursuant to Sections 15061(b)(3) of the CEQA Guidelines, affirming the findings, and approving Conditional Use Permit 2024-022.

OTHER BUSINESS

General Plan Steering Committee Update

FOLLOW UP REPORTS

FUTURE AGENDA ITEMS

ADJOURNMENT

Confirmation of attendance at next meeting prior to adjournment.

Maira Robles, Administrative Aide

AGENDA MATERIAL / ADDENDUM

Any addendums will be posted within 72 hours of regular meetings or 24 hours of special meetings and in accordance with Californian Government Code Section 54954.2 and 54956. City Commission/Board/Committee agenda reports and other writings distributed to the legislative body may be viewed at the Salinas City Clerk's Office, 200 Lincoln Avenue, Salinas, and are posted on the City's website at www.cityofsalinas.org in accordance with California Government Code section 54597.5. The Commission/Board/Committee may take action that is different than the proposed action reflected on the agenda.

Disability-related modification or accommodation, including auxiliary aids or services, may be requested by any person with a disability who requires a modification or accommodation in order to participate in the meeting. Language interpretation may be requested as soon as possible but by no later than 5 p.m. of the last business day prior to the meeting. Requests should be referred to the City Clerk's Office At 200 Lincoln Avenue, Salinas, 758-7381, as soon as possible but by no later than 5 p.m. of the last business day prior to the meeting. Hearing impaired or TTY/TDD text telephone users may contact the city by dialing 711 for the California Relay Service (CRS) or by telephoning any other service providers' CRS telephone number.

PUBLIC NOTIFICATION

This agenda was posted on Friday, November 1, 2024, in the Salinas Rotunda and City's website.

Meetings are streamed live at <https://salinas.legistar.com/Calendar.aspx> and televised live on Channel 25 on the date of the regularly scheduled meeting and will be broadcast throughout week following the meeting. or the most up-to-date Broadcast Schedule for The Salinas Channel on Comcast 25, please visit or subscribe to our Google Calendar located at <http://tinyurl.com/SalinasChannel25>. All past City Council meetings may also be viewed on the Salinas Channel on YouTube at <http://www.youtube.com/thesalinaschannel>.



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Legislation Text

File #: ID#24-627, **Version:** 1

Minutes

Approve minutes of October 16, 2024.

**UNOFFICIAL MINUTES
OF THE
SALINAS PLANNING COMMISSION
October 16, 2024**

The meeting was called to order at 4:02 p.m. in the City Council Chamber Rotunda.

PLEDGE OF ALLEGIANCE

ROLL CALL

WELCOME AND STAFF INTRODUCTIONS

PRESENT: Chairperson McKelvey Daye and Commissioners Gonzalez, Manzo, Meeks, and Purnell

ABSENT: Commissioners Burrola and Ramos

STAFF: Community Development Director, Lisa Brinton; Planning Manager, Courtney Grossman; Senior Planner, Thomas Wiles; and Administrative Aide, Maira Robles

COMMENTS FROM THE PUBLIC FOR ITEMS NOT ON THE AGENDA

Chairperson McKelvey Daye opened for public comment at 4:03 p.m.

No public comments were received.

Chairperson McKelvey Daye closed for public comment at 4:03 p.m.

CONSENT

ID# 24-580 Approval Of The Minutes: September 18, 2024

Upon motion by Commissioner Meeks, and a second by Commissioner Purnell, the minutes of September 18, 2024, were approved. The motion carried by the following vote:

AYES: Chairperson McKelvey Daye and Commissioners Gonzalez, Meeks, and Purnell

NOES: None

ABSTAIN: Commissioner Manzo

ABSENT: Commissioners Burrola and Ramos

PUBLIC HEARINGS

ID#24-578 Planned Unit Development Permit 2024-001; Third Amendment to Planned Unit Development Permit 2014-001 to change the exterior building elevations, add additional exterior colors to the approved colors and materials board, add new exterior signs, and increase maximum allowed sign area in connection with a proposal to create multiple tenants within the former two-story 137,366 square-foot sears store on a 2.85-acre project site located at the Northridge Mall Shopping Center at 1100 Northridge Mall in the Commercial Retail (CR) Zoning District

Received report from Thomas Wiles, Senior Planner, regarding the request for a third amendment to Planned Unit Development Permit 2014-004 (PUD 2014-001) to change the exterior building elevations, add additional exterior colors to the approved colors and materials board, add new exterior signs, and exceed the maximum allowed sign area in connection with a proposal to create multiple tenants within the former two-story 137,366 square-foot Sears store on a 2.85-acre project site located at the Northridge Mall Shopping Center at 1100 Northridge Mall in the Commercial Retail (CR) Zoning District. Development at the Northridge Mall is regulated by PUD 2014-001.

The Planning Commission discussed the following with regard to the project:

1. Potential implications to neighboring developments;
2. Parking and Reciprocal Easement Agreement (REA) requirements;
3. Maximum sign allowance area;
4. Approval process for Conditional Use Permit for Dave and Buster's;
5. Potential cost for redesign of the Sears building; and
6. Structural condition of the former Sears building.

Chairperson McKelvey Daye opened for public comment at 4:17 p.m.

Bronc Hughes, President for Ethan Conrad Construction, answered questions regarding proposed signage and the structural condition of the former Sears building.

Chairperson McKelvey Daye closed for public comment for 4:18 p.m.

Commissioner Manzo motioned to approve a Resolution recommending that the City Council find the project categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15332 and approve a Resolution approving Planned Unit Development Permit 2024-001 to change the exterior building elevations, add additional exterior colors to the approved colors and materials board, add new exterior signs, and increase maximum sign area by 136.15 square-feet above the maximum allowed 675.48 square-feet for a total of 811.63 square-feet of sign area in

connection with a proposal to create multiple tenants within the former two-story 137,366 square-foot Sears store on a 2.85-acre project site located at the Northridge Mall Shopping Center at 1100 Northridge Mall. Commissioner Gonzalez seconded the motion. The motion carried by the following vote:

AYES: Chairperson McKelvey Daye and Commissioners Gonzalez, Manzo, Meeks, and Purnell

NOES: None

ABSTAIN: None

ABSENT: Commissioners Burrola and Ramos

OTHER BUSINESS

General Plan Steering Committee Update

Lisa Brinton, Community Development Director, indicated that due to the upcoming City Council elections occurring in November 2024, the public review draft of the General Plan Update will be delayed for release until Spring of 2025. The new release date will allow time for the new City Council to be briefed on the updated plan prior to releasing the document for public review.

FOLLOW-UP REPORTS

No follow-up items were discussed.

FUTURE AGENDA ITEMS

Mr. Grossman informed that on November 6, 2024, the Planning Commission will be presented with a request for an off-sale alcohol use (Type 20) in a new convenience store with gas pumps in conjunction with Site Plan Review 2024-007 (SPR 2024-007) and Resubdivision 2024-001 (RS2024-001).

ADJOURNMENT

Chairperson McKelvey Daye reviewed for quorum for the November 6, 2024, meeting and adjourned at 4:22 p.m.

LORISA MCKELVEY DAYE
Chairperson

COURTNEY GROSSMAN
Executive Secretary



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Legislation Text

File #: ID#24-603, Version: 1

Conditional Use Permit 2024-022; Request to establish and operate a proposed Off-sale Alcohol Related use (Type 20 ABC license) in a proposed Convenience Store with Gas Pumps located at 1012 and 1016 Abbott Street in the IGC (Industrial-General Commercial) Zoning District.

Approve a resolution finding the project exempt pursuant to Sections 15061(b)(3) of the CEQA Guidelines, affirming the findings, and approving Conditional Use Permit 2024-022.



**CITY OF SALINAS
PLANNING COMMISSION REPORT**

DATE: NOVEMBER 6, 2024

TO: PLANNING COMMISSION

FROM: COURTNEY GROSSMAN, PLANNING MANAGER

BY: BOBBY LATINO, ASSOCIATE PLANNER

TITLE: **CONDITIONAL USE PERMIT 2024-022; REQUEST TO ESTABLISH AND OPERATE A PROPOSED OFF-SALE ALCOHOL RELATED USE (TYPE 20 ABC LICENSE) IN A PROPOSED CONVENIENCE STORE WITH GAS PUMPS LOCATED AT 1012 AND 1016 ABBOTT STREET IN THE IGC (INDUSTRIAL-GENERAL COMMERCIAL) ZONING DISTRICT**

RECOMMENDED MOTION:

A motion to approve a resolution finding the project exempt pursuant to Sections 15061(b)(3) of the CEQA Guidelines, affirming the findings, and approving Conditional Use Permit 2024-022.

EXECUTIVE SUMMARY:

Morton & Pitalo is proposing to establish and operate an off-sale alcohol related use (Type 20 ABC license) in a proposed Convenience Store with Gas Pumps (Circle K). Site Plan Review 2024-007 was approved for the construction of a 3,710 square foot Convenience Store building with six Gas Pumps (Circle K), construction of 1,270 square foot Food and Beverage Sales building with a drive-through (Starbucks) and an approximately 168 square foot mural on the Starbucks building. A related Lot Line Adjustment (Resubdivision 2024-001) was approved to adjust existing lot lines for two separate lots.

DISCUSSION:

Background:

Morton & Pitalo is proposing to establish and operate an off-sale alcohol related use (Type 20 ABC license) which includes sales of beer and wine in a proposed Convenience Store with Gas Pumps (Circle K). Property ownership consists of 5 different Trusts and two individuals. The proposed alcohol related use would be located in a proposed 3,710 square foot Convenience Store

with Gas Pumps (see attached Site Plan and Floor Plans). A related Site Plan Review 2024-007 was approved for the construction of the 3,710 square foot Convenience Store building with six Gas Pumps (Circle K), construction of 1,270 square foot Food and Beverage Sales building with a drive-through (Starbucks) and an approximately 168 square foot mural on the Starbucks building. Two existing buildings consisting of 6,027 square feet and 2,480 square feet are proposed to be demolished. A related Lot Line Adjustment (RS 2024-001) was approved to adjust existing lot lines for two separate lots. Proposed Condition No. 22, SPR 2024-007 and RS 2024-001 requires completion of the improvements per the SPR prior to operation of the off-sale alcohol related use.

The property is located in the IGC (Industrial – General Commercial) Zoning District. The following provides an overview of the land uses and zoning districts adjacent to the project site:

North: Agricultural processing facility / Industrial – General (IG)
 South: California Highway Patrol facility / Public/Semipublic (PS)
 East: Restaurant / Commercial Retail (CR)
 West: Industry, Limited use / Industrial – General Commercial (IGC)

Analysis:

Undue Concentration

Concerning off-sale alcohol-related uses, “undue concentration” is defined per California Business and Professions Code Section 23958.4 as either: (1) the ratio of off-sale retail licenses to population in the census tract or census division in which the premises are located exceeds the ratio of off-sale retail licenses to population in the county in which the premises is located: or (2) the premises are located in a crime reporting district that has a 20 percent greater number of reported crimes (i.e., the most recent yearly compilation by the local law enforcement agency of reported offenses of criminal homicide, forcible rape, robbery, aggravated assault, burglary, larceny, theft, and motor vehicle theft, combined with all arrests for other crimes, both felonies and misdemeanors, except traffic violations) than the average number of reported crimes as determined from all crime reporting districts within the jurisdiction of the local law enforcement agency.

The proposed location is within Census Tract 13 (CT 13). Per ABC, there are currently six (6) active off-sale licenses within CT 13 which are shown below:

<u>Name of Licensee</u>	<u>Address</u>	<u>Distance from Project Site</u>
1. Star Market (Type 21)	1275 South Main Street	6,647 feet
2. Salinas AM PM (Type 20)	970 Work Street	2,921 feet
3. Central Gas Valero (Type 20)	1163 Terven Avenue	3,419 feet
4. El Toro Liquor & Taqueria (Type 21)	124 Abbott Street	5,873 feet
5. AS Convenience & Energy (Type 20)	945 Abbott Street	376 feet
6. Michoacan Produce (Type 20)	241 John Street	5,880 feet

Per ABC, two (2) off-sale licenses are authorized in CT 13. Currently, the subject CT 13 has undue concentration as there are six (6) active off-sale alcohol licenses, which is three times higher than the two authorized. Approval of the proposed Type 21 off-sale alcohol license would result in 7 off-sale alcohol licenses in a census tract that is already undue concentrated for the number of off-sale alcohol licenses. ABC records incorrectly identify the number of off-sale alcohol licenses in CT 13, which has been corrected in this report.

The attached Map of off-sale Alcohol Licenses from 2019 shows the location of the proposed off-sale alcohol license to other off-sale alcohol licenses. The closest off-sale license to the project site is located at 945 Abbott Street (AS Convenience & Energy), which is located in CT 13 and is approximately 376 feet to the northeast of the project site. The average distance to off-sale alcohol outlets in CT 13 is 4,186 feet, which is greater than the average of 956 feet for approved off-sale alcohol CUPs in a CT since 2010 (see Table 1 below).

Table 1: Comparison to Off-sale Alcohol Conditional Use Permits Since 2010

	Distance to residentially zoned property (feet)	Distance to public schools (feet)	Distance to parks/playgrounds (feet)	Average Distance to off-sale alcohol outlets in CT (feet)	Alcohol outlets in Census Tract (%) - proposed/allowed	Crime rate in PRD (%) (120% = undue concentration)	Number of crimes reported
Average	484	1,900	1,919	956	119%	146%	56.65
Minimum	0	450	400	1,200	40%	29%	2
Maximum	3,200	5,800	5,400	6,960	800%	386%	259
CUP 2024-022	1,416	3,896	3,542	4,186	300%	30%	22

Salinas Police Department reports an average of 56.65 reported crimes across all PRDs for 2020, the most recent date of PRD records. Adding 20%, the formula allows for no more than 67.98 reported crimes within this PRD to avoid the “undue concentration” designation. The 2020 Salinas Police Department (SPD) crime statistics indicated 22 reported crimes in PRD 108, which is below the 67.02 threshold, indicating that it is appropriate to label the site *not* within an area of undue concentration. Per the Police Department comments, the site is well below the average crime rate and the Salinas Police Department does not object to the approval of Conditional Use Permit 2024-022 with conditions of approval (see attached Salinas Police Department memorandum dated August 30, 2024).

Because the proposed site is located within an area of undue concentration due to number of alcohol licenses in the CT 13, a finding that Public Convenience or Necessity is served by approving the off-sale alcohol use is required should the Planning Commission determine to approve the CUP. A finding of Public Convenience or Necessity could be determined as customers would be able to complete their shopping needs without having to travel to a range of retail outlets.

Proximity to Residences, Parks, and Schools

The closest residences and residentially zoned land are located approximately 1,416 feet to the west of the site of the alcohol related use (691 Santa Cruz Avenue). The nearest park is Claremont Manor Neighborhood Park (1220 San Fernando Drive), which is located approximately 3,542 feet to the southwest of the subject site. The nearest public school is Monterey Park Elementary School (410 San Miguel Avenue), which is located approximately 3,896 feet southwest from the subject site.

The subject property is located less than the average distance to residences, residentially zoned properties, parks, and other public schools than other CUP applications (approved, denied, or expired) dating back to the year 2010. The subject property is above average in minimum distance concerning its location to, residences, schools, and parks/playgrounds in comparison with other off-sale alcohol CUP applications.

As stated above, the project site is in a Census Tract that if this is CUP is approved, would exceed the number of allowed off-sale alcohol outlets. As shown on the above table, the average level of undue concentration for Conditional Use Permits processed since 2010 is 119%. The crime rate for the subject PRD is 30% under the average rate considered as undue concentration for crime (30% vs. 120%).

One-for-One Policy

The Planning Commission had previously determined that a One-for-One policy should be required for off-sale licenses located in areas of undue concentration. A One-for-One policy would require the elimination of one existing, active off-sale alcohol-related use located within City limits to be either from an area of “undue concentration” (based on either the number of retail off-sale ABC licenses or the number of reported crimes) or a nonconforming use (i.e., without a Conditional Use Permit). The One-for-One Policy was originally established in 2007 by the City Council to limit the number of off-sale alcohol outlets in the City, by requiring new outlets to retire an existing license within the City of Salinas. However, the policy was eliminated by City Council on July 9, 2013. The Application has requested not to acquire the transfer an off-sale license because the policy has been eliminated by the City Council.

The table below shows completed 54 Conditional Use Permit (CUP) applications for alcohol related uses that have been processed since 2010. Per Table 2 below, five (5) off-sale alcohol related CUPs located in an area of undue concentration have been required to comply with the City’s former one-for-one policy.

Table 2: Conditional Use Permit Applications for Alcohol Related Uses

No.	Project Number	Status	Type	Address	Approval Date	Approval Body	1:1 Req?	Off-sale?
1.	CUP 2010-004	Approved	Off-Sale Alcohol	970 Work St.	4/19/2011	City Council	Yes	Yes

2.	CUP 2010-006	Expired	Off-Sale Alcohol	1532 N. Main St.	6/14/2011	City Council	Yes	Yes
3.	CUP 2010-007	Approved	Off-Sale Alcohol	615 W. Laurel Dr.	6/6/2010	Planning Commission	Yes	Yes
4.	CUP 2010-013	Approved	Off-Sale Alcohol	306 N. Main St.	10/12/2010	City Planner	No	Yes
5.	CUP 2010-018	Approved	On Site Alcohol	242 Williams Rd.	8/2/2011	City Planner		No
6.	CUP 2011-005	Denied	Off-Sale Alcohol	575 N. Sanborn Rd.	N/A			
7.	CUP 2011-009	Approved	Off-Sale Alcohol	1375 N. Davis Rd.	6/1/2011	Planning Commission	Yes	Yes
8.	CUP 2011-010	Approved	Off-Sale Alcohol	1800 N. Main St.	6/14/2011	City Council	Yes	Yes
9.	CUP 2011-022	Approved	On-Sale Alcohol	1730 N. Main St.	10/10/2011	City Planner		No
10.	CUP 2011-023	Withdrawn	Off-Sale Alcohol	1730 N. Main St.	N/A			
11.	CUP 2012-001	Approved	On-Sale Alcohol	1391 N. Davis Rd.	2/12/2012	City Planner		No
12.	CUP 2012-003	Approved	On-Sale Alcohol	1748 N. Main St.	3/27/2012	City Planner		No
13.	CUP 2012-005	Denied	Off-Sale Alcohol	8 Williams Rd.	N/A			
14.	CUP 2013-003	Approved	Off-Sale Alcohol	1045 N. Main St.	9/24/2013	City Council	No	Yes
15.	CUP 2013-006	Approved	On-Sale Alcohol	1988 N. Main St.	7/1/2013	City Planner		No
16.	CUP 2014-004	Withdrawn	On-Sale Alcohol	242 Williams Rd.	N/A			
17.	CUP 2014-025	Denied	Off-Sale Alcohol	1532 N. Main St.	N/A			
18.	CUP 2015-004	Approved	On-Sale Alcohol	124 Abbott St.	8/4/2015	City Planner		No
19.	CUP 2015-011	Approved	On-Sale Alcohol	1938 N Main St.	6/9/2015	City Planner		No
20.	CUP 2015-016	Approved	Off-Sale Alcohol	215 E. Alisal St.	9/16/2015	Planning Commission	No	Yes
21.	CUP 2015-023	Denied	Off-Sale Alcohol	602 Williams Rd.	N/A			
22.	CUP 2015-034	Denied	Off-Sale Alcohol	170 E. Laurel Dr.	N/A			
23.	CUP 2016-002	Withdrawn	On-Sale Alcohol	242 Williams Rd.	N/A			
24.	CUP 2016-005	Approved	On-Sale Alcohol	66 W. Alisal St.	6/7/2016	City Planner		No
25.	CUP	Approved	Off-Sale	150 Main	6/24/2016	City Planner		N/A

	2016-006		Alcohol	St.				
26.	CUP 2016-013	Withdrawn	Off-Sale Alcohol	1000 Market St.	N/A			
27.	CUP 2016-019	Approved	Off-Sale Alcohol	201 Monterey St.	3/21/2017	City Council	No	
28.	CUP 2016-020	Approved	On-Sale Alcohol	1000 Davis Rd.	12/12/2016	City Planner		No
29.	CUP 2017-003	Approved	On-Sale Alcohol	350 Northridge Mall	4/7/2017	City Planner		No
30.	CUP 2017-005	Withdrawn	Off-Sale (Type 20 To 21)	980 Acosta Plaza.	N/A			
31.	CUP 2017-014	Withdrawn	On-Sale Alcohol	309 Williams Rd.	N/A			
32.	CUP 2018-001	Approved	On-Sale Alcohol	1600 Northridge Mall	2/27/2018	City Planner		No
33.	CUP 2018-002	Approved	On-Sale Alcohol	723 Alisal St.	10/12/2018	City Planner		No
34.	CUP 2018-003	Expired	On-Sale Alcohol	1220 S. Main St.	2/26/2018	City Planner		No
35.	CUP 2018-005	Approved	Off-Sale Alcohol	1764 N. Main St.	10/2/2019	Planning Commission	No	Yes
36.	CUP 2018-008	Expired	Off-Sale Alcohol	1438 S. Main St.	N/A			
37.	CUP 2018-012	Withdrawn	On-Sale Alcohol	1366 s. Main St.	N/A			
38.	CUP 2018-023	Approved	On-Sale Alcohol	309 Williams Rd.	1/9/2019	City Planner		No
39.	CUP 2018-024	Approved	On-Sale Alcohol	213 Monterey St.	11/27/2018	City Planner		No
40.	CUP 2018-025	Approved	On-Sale Alcohol	242 Williams Rd.	4/30/2019	City Planner		No
41.	CUP 2018-029	Approved	On-Sale Alcohol	1790 Northridge Mall	2/20/2029	City Planner		No
42.	CUP 2019-009	Approved	On-Sale Alcohol	210 Main St.	8/22/2019	City Planner		Not deter mined
43.	CUP 2019-020	Approved	On-Sale Alcohol	1582 Constitutio n Blvd.	1/7/2020	City Planner		No
44.	CUP 2020-015	Approved	Off-Sale Alcohol	1264 De La Torre	10/23/2020	City Planner	No (Not Und.)	Yes

45.	CUP 2021-008	Approved	On-Sale Alcohol	1220 S. Main St.	4/2/2021	City Planner		No
46.	CUP 2021-022	Approved	Off-Sale Alcohol	1640 N. Main St.	9/15/2021	Planning Commission	No	Yes
47.	CUP 2021-025	Approved	On-Sale Alcohol	835 S. Main St.	12/15/2021	Planning Commission		No
48.	CUP 2021-029	Approved	On-Sale Alcohol	822 E. Alisal St.	1/3/2022	City Planner		No
49.	CUP 2021-030	Approved	On-Sale Alcohol	1259 De La Torre St.	12/20/2021	City Planner		No
50.	CUP 2022-026	Approved	On-Sale Alcohol	66 W. Alisal St.	5/6/2022	City Planner		No
51.	CUP 2022-030	Approved	On-Sale Alcohol	215 Monterey St.	8/15/2022	City Planner		No
52.	CUP 2022-054	Approved	Off-Sale Alcohol	933 W. Alisal St.	12/21/2022	Planning Commission	No	Yes
53.	CUP 2022-061	Approved	On-Sale Alcohol	344 Main St.	2/28/2023	City Planner		No
54.	CUP 2023-017	Approved	Off-Sale Alcohol	1050 N. Davis Rd.	10/4/2023	Planning Commission	No	Yes

Conditions of Approval

The City generally requires a CUP for alcohol-related uses (Salinas City Code §37-50.030) and may lawfully regulate through its land use and zoning authority the potentially negative social and environmental effects of alcohol serving businesses. In this regard, the City's Zoning Code imposes a variety of specific requirements for alcohol-related uses and for all alcohol-related uses located in areas of undue concentration, which are discussed in turn below.

Pursuant to Zoning Code Section 37-50.030(f), if the Planning Commission determines that the public convenience or necessity would be served by the approval of the CUP and the subsequent issuance of an alcohol license by ABC, the CUP would contain the following conditions of approval:

1. 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.
2. The premises shall be maintained free of litter at all times.
3. No sale or distribution of alcoholic beverages shall be made from a drive-up or walk-up window.
4. No display of alcoholic beverages shall be made from an ice tub.
5. 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.

6. No alcoholic beverage shall be displayed within five feet of the cash register or the front door of the premises unless displayed in a permanently affixed cooler.
7. No self-illuminated advertising for alcoholic beverages shall be located on buildings or windows.
8. 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.
9. An electronic age verification scanner shall be installed, maintained, and utilized for all off-sale alcohol sales.
10. 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.
11. No single 40 oz. containers of beer may be sold from premises.
12. No malt liquor or fortified wine products (wines with greater than 15% alcohol content) shall be sold.
13. Sales of wine shall be in containers of at least 750 ml.
14. No coin operated video or arcade games and no adult magazines or videos shall be sold.
15. No pay telephone booths shall be permitted on the premises.
16. 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.

Additional conditions could be added, including those recommended by the Salinas Police Department per the attached comments dated August 30, 2024 (Exhibit “H” of CUP 2024-022):

1. Digital surveillance system with high quality cameras focused on the points of sales, entrances/exits of the business and the parking lot, with the capability to store the digital images captured. The video/photos must be retained for 30 days and be made available to Police upon request.
2. Ample lighting in the parking lots, exterior area of entrances/exits and situated in areas to enhance video surveillance equipment.

The Applicant has provided a “Justification for a Determination of Public Convenience or Necessity” which was received by staff on October 10, 2024 and is attached. Per the document, the Applicant states that the Salinas Police Department is supportive of the proposed off-sale alcohol use CUP based on low crime statistics in the area and with the proposed conditions provided by Police and the proposed off-sales of alcohol will not be detrimental to the public and will provide convenience to the public that allows customers to avoid additional trips to other stores to purchase beer and wine which minimizes additional trips on the street network.

Findings:

The Planning Commission may approve an application for Conditional Use Permit to establish and operate an Off-sale alcohol related use (Type 20 ABC license) in a proposed Convenience Store with Gas Pumps (Circle K) if all the findings set forth in the proposed Planning Commission Resolution are established.

CEQA CONSIDERATION:

The environmental impacts of the project have been analyzed in accordance with the California Environmental Quality Act (CEQA). The project has been determined to be exempt from the California Environmental Quality Act (CEQA) under Section 15061(b)(3) of the CEQA Guidelines. The proposed project is exempt because the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing significant effect on the environment. Where it can be seen that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

TIME CONSIDERATION:

The project was deemed complete on October 23, 2024. Final action is required by December 22, 2024, pursuant to the Permit Streamlining Act.

ALTERNATIVES AVAILABLE TO THE COMMISSION:

The Planning Commission has the following alternatives:

1. Affirm the findings set forth in the attached Resolution, find the application exempt from the California Environmental Quality Act (CEQA), and approve Conditional Use Permit 2024-022 with modifications; or
2. Find that the proposal is not appropriate and establish findings at the public hearing stating the reasons for not approving Conditional Use Permit 2024-022.

ATTACHMENTS:

Proposed Planning Commission Resolution

Draft Conditional Use Permit 2024-022 with the following exhibits:

- Exhibit "A" Vicinity Map
- Exhibit "B" Site Plan (Sheet SP-1)
- Exhibit "C" Convenience Store Floor Plan (Sheet 1)
- Exhibit "D" Convenience Store Color Elevations (Sheet 2)
- Exhibit "E" Canopy Color Elevations
- Exhibit "F" Convenience Store - Recycling and Solid Waste Enclosure Details and Color Elevation (Sheet 4)
- Exhibit "G" Convenience Store Renderings (Sheet 6)
- Exhibit "H" Police Department Memorandum, dated August 30, 2024

Map of Areas of Undue Concentration of Off-sale Licenses and Reported Crimes (Combined)

Map of Census Tracts with Undue Concentration of Off-sale Alcohol Licenses

Map of PRDs with Undue Concentration of 20% Greater Number of Reported Crimes than the Average Number of Reported Crimes

Map of off-sale Alcohol Licenses

“Justification for a Determination of Public Convenience or Necessity” from Circle K received on October 10, 2024

Cc: Morton & Pitalo, Applicant
Other interested parties

I:\ComDev\Planning Share Space\1012 and 1016 Abbott St\CUP 2024-022 - 1012 and 1016 Abbott St\PC\CUP 2024-022 PC Staff Report.docx

**SALINAS PLANNING COMMISSION
RESOLUTION NO. 2024-__**

**RESOLUTION APPROVING CONDITIONAL USE PERMIT FOR CONDITIONAL
USE PERMIT TO ESTABLISH AND OPERATE A PROPOSED OFF-SALE ALCOHOL
USE (TYPE 20 ABC LICENSE) IN A PROPOSED CONVENIENCE STORE WITH GAS
PUMPS LOCATED AT 1012 AND 1016 ABBOTT STREET IN THE IGC (INDUSTRIAL-
GENERAL COMMERCIAL)
(CUP 2024-022)**

WHEREAS, on November 6, 2024, the Salinas Planning Commission, at the request of the Applicant, Morton & Pitalo, held a duly noticed public hearing to consider Conditional Use Permit 2024-022 to establish and operate a proposed off-sale alcohol related use (Type 20 ABC license) in a proposed 3,710 square foot Convenience Store with Gas Pumps (Circle K) located at 1012 and 1016 Abbott Street (Assessor's Parcel Numbers 002-881-043-000 and 002-881-015-000); and

WHEREAS, the Planning Commission weighed the evidence presented at said public hearing, including the Staff Report which is on file at the Community Development Department together with the record of environmental review; and

NOW, THEREFORE, BE IT RESOLVED by the Salinas Planning Commission that the Commission finds the project to be Exempt from the California Environmental Quality Act (CEQA) and approves Conditional Use Permit 2024-022; and

BE IT FURTHER RESOLVED that the Salinas Planning Commission adopts the following findings as the basis for its determination, and that the foregoing recitations are true and correct, and are included herein by reference as findings:

- 1. *The project has been found to be Exempt pursuant to Sections 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines;***

The project has been determined to be exempt from the California Environmental Quality Act (CEQA) under Section 15061(b)(3) of the CEQA Guidelines. The proposed project is exempt because the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing significant effect on the environment. Where it can be seen that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

- 2. *The proposed location of the use is in accordance with the objectives of the Salinas General Plan, this Zoning Code and the purposes of the district in which the site is located;***

The site is designated General Commercial/Light Industrial by the 2002 Salinas General Plan. The proposed use is consistent with General Plan Goals and Policies. Retail sales of beer and wine for off-site consumption at the existing retail sales use would provide City residents in the community with opportunities for jobs and shopping, consistent with Land Use Goal LU-1 and Policy LU-1.1. By providing a new off-sale alcohol use it would be consistent with Economic Development Element Policy ED-LU-1.17, which identifies and promotes opportunities for new

investment in property and land development.

Per Section 37-50.030(a), the purpose of Alcohol License Review regulations is to provide for the orderly integration of alcohol-related uses in the City. In accordance with Section 37-50.030(c), the proposed off-sale alcohol-related use at 1012 and 1016 Abbott Street would be regulated by a Conditional Use Permit (CUP). As shown on the official Zoning Map, the site is located in the IGC (Industrial-General Commercial) District. Per Zoning Code Section 37-30.300(e)(1), the IGC district provides for a range of retail, wholesale, and service businesses not generally suitable in commercial districts because they attract heavy automobile and truck traffic or have certain adverse impacts; and to provide opportunities for certain limited manufacturing uses that have impacts comparable to those of retail and service.

3. ***The proposed location of the conditional use and the proposed conditions under which it would be operated or maintained are 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; and***

The site is designated General Commercial/Light Industrial by the 2002 Salinas General Plan. The proposed use is consistent with General Plan Goals and Policies. Retail sales of beer and wine for off-site consumption at the existing retail sales use would provide City residents in the community with opportunities for jobs and shopping, consistent with Land Use Goal LU-1 and Policy LU-1.1. By providing a new off-sale alcohol use it would be consistent with Economic Development Element Policy ED-LU-1.17, which identifies and promotes opportunities for new investment in property and land development.

4. ***The proposed conditional use will comply with the provisions of the Salinas Zoning Code, including any specific conditions required for the proposed use.***

Conditions have been recommended for this permit to ensure that, when implemented, the project will conform and comply with the provisions of the Salinas Zoning Code. Per Zoning Code Section 37-50.030(f), conditions required for an off-sale alcohol-related use include but are not limited to the following: the premises shall be maintained free of litter at all times; and, 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.

5. ***The 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

Concerning off-sale alcohol-related uses, “undue concentration” is defined per California Business and Professions Code Section 23958.4 as either: (1) the ratio of off-sale retail licenses to population in the census tract or census division in which the premises are located exceeds the ratio of off-sale retail licenses to population in the county in which the premises is located: or (2) the premises are located in a crime reporting district that has a 20 percent greater number of reported crimes (i.e., the most recent yearly compilation by the local law enforcement agency of reported offenses of criminal homicide, forcible rape, robbery, aggravated assault, burglary, larceny, theft, and motor vehicle theft, combined with all arrests for other crimes, both felonies and misdemeanors, except traffic violations) than the average number of reported crimes as determined from all crime reporting districts within the jurisdiction of the local law enforcement agency.

The proposed location is within Census Tract 13 (CT 13). Per ABC, there are currently six (6) active off-sale licenses within CT 13 which are shown below:

<u>Name of Licensee</u>	<u>Address</u>
1. Star Market (Type 21)	1275 South Main Street
2. Salinas AM PM (Type 20)	970 Work Street
3. Central Gas Valero (Type 20)	1163 Terven Avenue
4. El Toro Liquor & Taqueria (Type 21)	124 Abbott Street
5. AS Convenience & Energy (Type 20)	945 Abbott Street
6. Michoacan Produce (Type 20)	241 John Street

Per ABC, two (2) off-sale licenses are authorized in CT 13. Currently, the subject CT 13 is undue concentrated for the number of off-sale alcohol licenses (2 authorized, 6 active). Approval of the proposed Type 20 off-sale alcohol license would result in 7 off-sale alcohol licenses in census tract that is already undue concentrated in terms of the number of off-sale alcohol licenses. Note that ABC records incorrectly indicate the number of existing off-sale alcohol licenses in CT 13, which has been corrected in this report.

The closest off-sale license to the project site is located at 945 Abbott Street (AS Convenience & Energy), which is located in CT 13 and is approximately 376 feet to the northeast of the project site. The average distance to off-sale alcohol outlets in CT 13 is 4,186 feet, which is greater than the average of 956 feet for approved off-sale alcohol CUPs in a Census Tract since 2010.

Salinas Police Department reports an average of 56.65 reported crimes across all PRDs for 2020, the most recent date of PRD records. Adding 20%, the formula allows for no more than 67.98 reported crimes within this PRD to avoid the “undue

concentration” designation. The 2020 Salinas Police Department (SPD) crime statistics indicated 22 reported crimes in PRD 108, which is below the 67.02 threshold, indicating that it is appropriate to label the site not within an area of undue concentration. Per the Police Department comments, the site is well below the average crime rate. Because the proposed site is located within an area of undue concentration due to number of alcohol licenses in the census tract, a finding that Public Convenience or Necessity is served by approving the off-sale alcohol use is required should the Planning Commission determine to approve the CUP. A finding of Public Convenience or Necessity could be determined because the proposed off-sale alcohol related use would provide convenience to the public that allows customers to avoid additional trips to other stores to purchase beer and wine which minimizes additional trips on the street network.

The Salinas Police Department does not object to the approval of Conditional Use Permit 2024-022 per a Police Department memorandum dated August 30, 2024, as long as the following recommended conditions are required, which are included as conditions of approval in the Conditional Use Permit:

1. Digital surveillance system with high quality cameras focused on the points of sales, entrances/exits of the business and the parking lot, with the capability to store the digital images captured. The video/photos must be retained for 30 days and be made available to police upon request.
2. Ample lighting in the parking lots, exterior area of entrances/exits and situated in areas to enhance video surveillance equipment.

The closest residences and residentially zoned land are located approximately 1,416 feet to the west of the site of the alcohol related use (691 Santa Cruz Avenue). The nearest park is Claremont Manor Neighborhood Park (1220 San Fernando Drive), which is located approximately 3,542 feet to the southwest of the subject site. The nearest public school is Monterey Park Elementary School (410 San Miguel Avenue), which is located approximately 3,896 feet southwest from the subject site.

The subject property is located less than the average distance to residences, residentially zoned properties, parks, and other public schools than other CUP applications (approved, denied, or expired) dating back to the year 2010. The subject property is above average in minimum distance concerning its location to, residences, schools, and parks/playgrounds in comparison with other off-sale alcohol CUP applications. For the above reasons, the proposed project will neither adversely affect the welfare of the area nor of surrounding residentially zoned neighborhoods.

6. ***The location of 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 administered by the State Department of Alcoholic Beverage Control), pursuant to Business and Professions Code Sections 23817.7,***

the public convenience or necessity would be served by the issuance of the alcohol license by the ABC.

Concerning off-sale alcohol-related uses, “undue concentration” is defined per California Business and Professions Code Section 23958.4 as either: (1) the ratio of off-sale retail licenses to population in the census tract or census division in which the premises are located exceeds the ratio of off-sale retail licenses to population in the county in which the premises is located: or (2) the premises are located in a crime reporting district that has a 20 percent greater number of reported crimes (i.e., the most recent yearly compilation by the local law enforcement agency of reported offenses of criminal homicide, forcible rape, robbery, aggravated assault, burglary, larceny, theft, and motor vehicle theft, combined with all arrests for other crimes, both felonies and misdemeanors, except traffic violations) than the average number of reported crimes as determined from all crime reporting districts within the jurisdiction of the local law enforcement agency.

The proposed project is in an area of undue concentration due to the number of off-sale retail licenses within the census tract. The Salinas Police Department does not object to the approval of Conditional Use Permit 2024-022 as long as the comments stated in their memorandum dated August 30, 2024, are included as conditions of approval in the Conditional Use Permit. Public convenience or necessity would be served by the issuance of the license by the ABC because it would provide a convenience to the public that allows customers to avoid additional trips to other stores to purchase beer and wine which minimizes additional trips on the street network.

PASSED AND APPROVED this 6th day of November 2024, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

THIS IS TO CERTIFY that the foregoing is a full, true, and correct copy of a Resolution of the Planning Commission of the City of Salinas, that said Resolution was passed and approved by the affirmative and majority vote of said Planning Commission at a meeting held on November 6, 2024, and that said Resolution has not been modified, amended, or rescinded, and is now in full force and effect.

SALINAS PLANNING COMMISSION

Date: _____

Courtney Grossman
Secretary

When recorded, return to:

CITY OF SALINAS
Community Development Department
65 West Alisal Street, Salinas, CA 93901
Attn: Bobby Latino, Associate Planner

SPACE ABOVE FOR RECORDER'S USE ONLY

Title of Document

CONDITIONAL USE PERMIT NO. 2024-022

City of Salinas

Community Development Department

WHEREAS, the Salinas Planning Commission, at a public hearing duly noticed and held on November 6, 2024, 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. 2024-022 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: Morton & Pitalo

PROPERTY OWNER: For APN: 002-881-043-000:

Stanley A. Braga and Valerie A. Braga, Trustees of the Braga Revocable Living Trust U/T/A dated July 30, 2001,

as to an undivided 1/4 interest;

David M. O’Grady, Trustee of the 2015 DAVID M. O’GRADY REVOCABLE TRUST U/D/T dated July 7, 2015, as to an undivided 1/12 interest;

Russell J. Yoshimaru and Kathleen M. Yoshimaru, Trustees of the 2004 YOSHIMARU REVOCABLE TRUST U/D/T dated February 6, 2004, as to an undivided 1/8 interest;

Douglas Joseph Waters aka Douglas J. Waters, Trustee of THE DOUGLAS AND VICKY WATERS TRUST as his sole and separate property, as to an undivided 1/4 interest;

Stephen N. Jensen and Patricia A. Jensen, Trustees of the STEPHEN N. JENSEN and PATRICIA A. JENSEN FAMILY TRUST U/D/T dated April 11, 2001, as to an undivided 1/8 interest;

Marilyn O’Grady, a married woman, as her sole and separate property, as to an undivided 1/12 interest; and

Kathryn Marie O’Grady, an unmarried woman, as to an undivided 1/12 interest.

For APN: 002-881-015-000:

Stephen N. Jensen and Patricia A. Jensen, Trustees of THE STEPHEN N. JENSEN AND PATRICIA A. JENSEN FAMILY TRUST U/D/T dated April 11, 2001, as to an undivided one-half (1/2) interest; and

Russell J. Yoshimaru and Kathleen M. Yoshimaru, Trustees of THE 2004 YOSHIMARU REVOCABLE TRUST U/D/T dated February 6, 2004, as to an undivided one-half (1/2) interest.

FOR USE:

Establish and operate a proposed Off-sale alcohol related use (Type 20 ABC license) in a proposed Convenience Store with Gas Pumps.

ON PROPERTY LOCATED AT: 1012 and 1016 Abbott Street

ASSESSOR'S PARCEL NO.: 002-881-043-000 and 002-881-015-000

ZONING DISTRICT: IGC (Industrial-General Commercial)

ENVIRONMENTAL REVIEW ACTION & DATE: Exempt from the California Environmental Quality Act (CEQA) under Sections 15061(b)(3) on November 6, 2024.

EXPIRATION DATE: None, once properly established, unless the subject off-sale alcohol related 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 establish and operate a proposed Off-sale alcohol related use (Type 20 ABC license) in a proposed 3,710 square foot Convenience Store with six (6) Gas Pumps 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" Site Plan (Sheet SP-1)

Exhibit "C" Convenience Store Floor Plan (Sheet 1)

Exhibit "D" Convenience Store Color Elevations (Sheet 2)

Exhibit "E" Canopy Color Elevations

Exhibit "F" Convenience Store - Recycling and Solid Waste Enclosure Details and Color Elevation (Sheet 4)

Exhibit "G" Convenience Store Renderings (Sheet 6)

Exhibit "H" Police Department Memorandum, dated August 30, 2024

LIMITATIONS ON USE

2. 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 premises shall be maintained free of litter at all times.
4. No alcoholic beverages shall be consumed on the premises.
5. No sale or distribution of alcoholic beverages shall be made from a drive-up or walk-up window.
6. No display of alcoholic beverages shall be made from an ice tub.
7. 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. Exception: "single serving" or "one-can" non-chilled or non-refrigerated alcoholic beverages may be sold from those premises with at least eight thousand square feet of gross floor area and located in a shopping center with a minimum of ninety thousand square feet of gross floor area.

8. No more than four (4) cooler doors shall be allocated to alcohol sales. Coolers without doors shall be limited to 32 lineal feet.
9. 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.
10. No self-illuminated advertising for alcoholic beverages shall be located on buildings or windows.
11. 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.
12. An electronic age verification scanner shall be installed, maintained, and utilized for all off-sale alcohol sales.
13. 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 shall be tolerated.
14. No single 40 oz. containers of beer may be sold from the premises.
15. No malt liquor or fortified wine products (wines with greater than 15% alcohol content) shall be sold.
16. Sales of wine shall be in containers of at least 750 ml.
17. 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 37-60.540: Expiration- transferability; recordation; rescission; revocation*, of the Salinas Zoning Code.
18. 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.

19. If the subject off-sale alcohol related use ceases operation for a continuous period of six (6) months or more, this Conditional Use Permit shall become null and void.
20. 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.
21. Prior to operation of the off-sale alcohol related use, related Site Plan Review 2024-007 (SPR 2024-007) and Resubdivision 2024-001 (RS 2024-001) improvements shall be complete.

CRIME PREVENTION REQUIREMENTS

22. The applicant shall comply with all requirements of the Salinas Police Department identified in Exhibit "H".

MAINTENANCE

23. 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.
24. 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).

PERMIT NOT TO SUPERSEDE OTHER REQUIRED LICENSING OR PERMITS

25. 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.
26. 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.

MODIFICATION OF APPROVED USE AND PLANS

27. 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

28. 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

29. This Permit shall expire one year after its effective date unless:
 - a. The use is established in conformance with the provisions of the Zoning Code;
or
 - b. The City Planner determines that substantial action has commenced to carry out the terms and intent of the Conditional Use Permit.

PERMIT VALIDATION

30. 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

31. 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.

32. 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.
33. 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.
34. 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

35. 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 November 6, 2024, 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: November 19, 2024

 Courtney Grossman
 Planning Manager, City of Salinas

(Signatures Listed Below on Pages 8 through 22 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: _____

Greg Bardini, authorized signatory
Morton & Pitalo
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.

Date _____

Stanley A. Braga, Trustee of the Braga Revocable
Living Trust U/T/A
Property Owner of APN: 002-881-043-000

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 _____

Date _____

Valerie A. Braga, Trustee of the Braga Revocable
Living Trust U/T/A
Property Owner of APN: 002-881-043-000

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 _____

Date _____

David M. O'Grady, Trustee of the 2015 DAVID M.
O'GRADY REVOCABLE TRUST U/D/T
Property Owner of APN: 002-881-043-000

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WITNESS my hand and official seal.

Signature _____

Date _____

Douglas Joseph Waters aka Douglas J. Waters,
Trustee of THE DOUGLAS AND VICKY
WATERS TRUST
Property Owner of APN: 002-881-043-000

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WITNESS my hand and official seal.

Signature _____

Date _____

Russell J. Yoshimaru, Trustee of the 2004
YOSHIMARU REVOCABLE TRUST U/D/T
Property Owner of APN: 002-881-043-000

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Signature _____

Date _____

Kathleen M. Yoshimaru, Trustee of the 2004
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Property Owner of APN: 002-881-043-000

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Signature _____

Date _____

Stephen N. Jensen, Trustee of the STEPHEN N.
JENSEN and PATRICIA A. JENSEN FAMILY
TRUST U/D/T
Property Owner of APN: 002-881-043-000

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Signature _____

Date _____

Patricia A. Jensen, Trustee of the STEPHEN N.
JENSEN and PATRICIA A. JENSEN FAMILY
TRUST U/D/T
Property Owner of APN: 002-881-043-000

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WITNESS my hand and official seal.

Signature _____

Date _____

Marilyn O'Grady
Property Owner of APN: 002-881-043-000

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WITNESS my hand and official seal.

Signature _____

Date _____

Kathryn Marie O'Grady
Property Owner of APN: 002-881-043-000

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WITNESS my hand and official seal.

Signature _____

Date _____

Stephen N. Jensen, Trustee of the STEPHEN N.
JENSEN and PATRICIA A. JENSEN FAMILY
TRUST U/D/T
Property Owner of APN: 002-881-015-000

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COUNTY OF MONTEREY

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Signature _____

Date _____

Patricia A. Jensen, Trustee of the STEPHEN N.
JENSEN and PATRICIA A. JENSEN FAMILY
TRUST U/D/T
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Date _____

Russell J. Yoshimaru, Trustee of the 2004
YOSHIMARU REVOCABLE TRUST U/D/T
Property Owner of APN: 002-881-015-000

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COUNTY OF MONTEREY

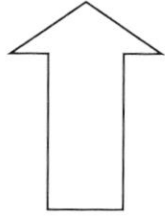
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I:\ComDev\Planning Share Space\1012 and 1016 Abbott St\CUP 2024-022 - 1012 and 1016 Abbott St\PC\CUP 2024-022 - 1012 Abbott St..docx



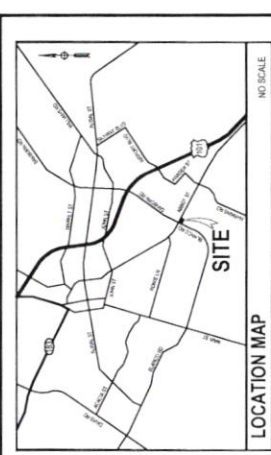
North

Vicinity Map



CONDITIONAL USE PERMIT 2024-022 1012 and 1016 Abbott Street

Exhibit A



CITY OF BALTIMORE

LOT AREA
EXISTING: 70,267 SF (1.62 ACRES), 0 ACRES
APN: 002-081-003; 83,244 SF (1.45 ACRES)
PROPOSED: 70,267 SF (1.62 ACRES)
PARCEL 2: 25,416 SF (0.58 ACRES)

NUMBER OF LOTS
EXISTING: 2
PROPOSED: 2

PROPOSED BUILDING TYPE
PROPOSED: TYPE V-B (CIRCLE K)
PROPOSED: TYPE V-B (STARBUCKS)

OCCUPATION TYPE
PROPOSED: RESTAURANT (STARBUCKS)
PROPOSED: RETAIL (CIRCLE K)

ALLOWABLE FLOOR AREA
PROPOSED: MAX ALLOW TO B OCCUPANCY IS 9,000 SF (STARBUCKS)
PROPOSED: MAX ALLOW TO B OCCUPANCY IS 9,000 SF (CIRCLE K)

NUMBER OF BUILDINGS
EXISTING: 2
PROPOSED: 2

HEIGHT OF BUILDINGS
EXISTING: 27 FEET & 20 FEET
PROPOSED: 25' 4" (CIRCLE K)
PROPOSED: 25' 4" (STARBUCKS)

NUMBER OF STORIES
EXISTING: 1 STORY
PROPOSED: 1 STORY

EXISTENCE
EXISTING: 6,237 SF A & 2,480 SF
PROPOSED: 3,700 SF A & 1,270 SF

ZONING
CURRENT: ITC INDUSTRIAL/GENERAL COMMERCIAL
PROPOSED: ITC INDUSTRIAL/GENERAL COMMERCIAL

LAND USE
CURRENT: GENERAL COMMERCIAL/LIGHT INDUSTRIAL
PROPOSED: FOOD AND BEVERAGE SALES WITH DRIVE THRU

FAR
CURRENT: 0.4
PROPOSED: 0.1 (CIRCLE K), 0.06 (STARBUCKS)

SETBACKS
REAR: 0 FEET
SIDE: 0 FEET

BUILDING SETBACK LIMITS
REAR: 0 FEET
SIDE: 0 FEET

PARKING
TOTAL AND BEVERAGE SALES: 1,200 SF
REQUIRE 5 SPACES
REQUIRE 5 SPACES

CONVENIENCE STORES: 1,200 SF
REQUIRE 10 SPACES
REQUIRE 10 SPACES

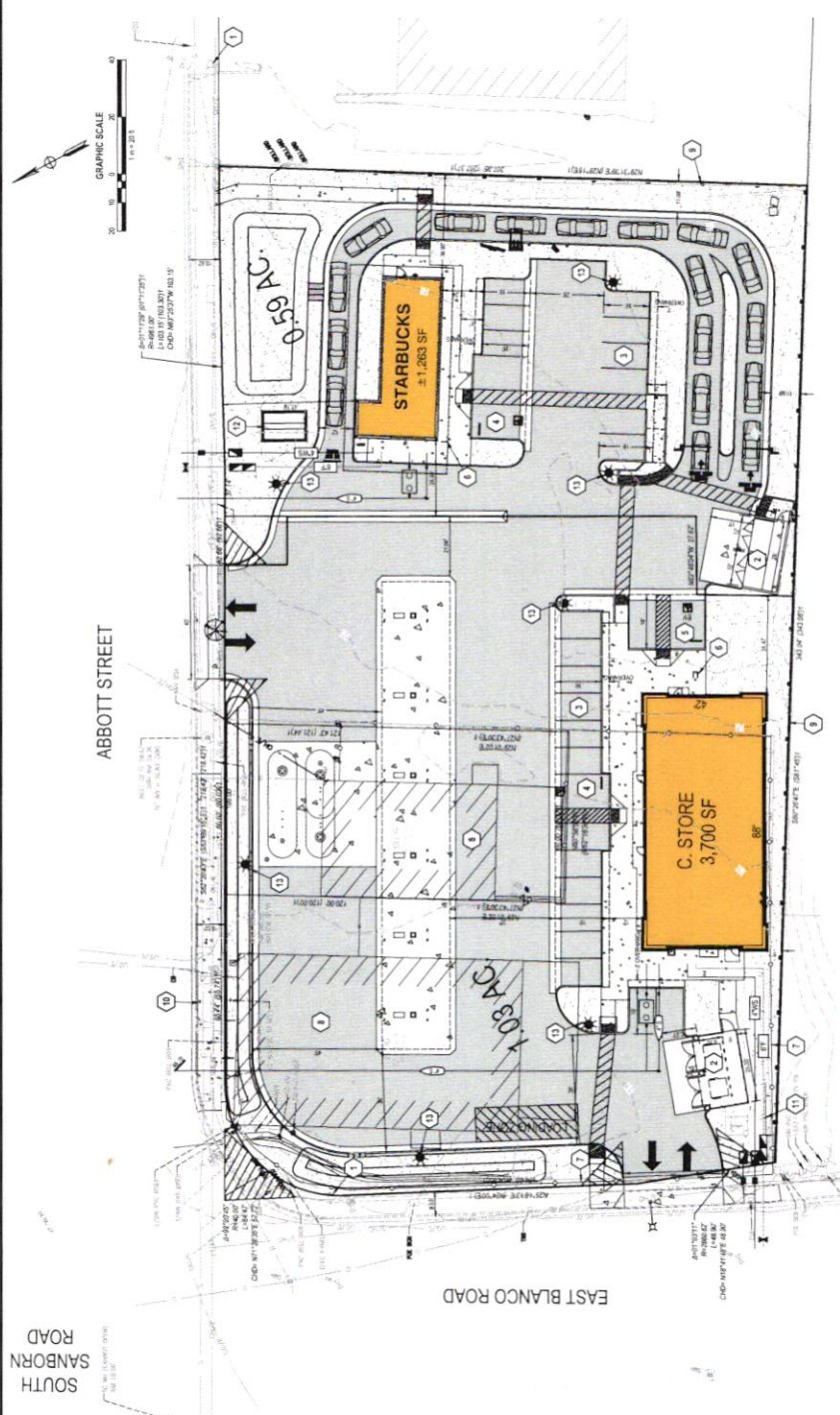
PARKING STALLS: 8 FEET WIDE
STALL WIDTH: 8 FEET
STALL LENGTH: 24 FEET

BICYCLE PARKING
(10) SF IS REQUIRED - 1 BICYCLE SPACE
(10) SF IS REQUIRED - 2 BICYCLE SPACES

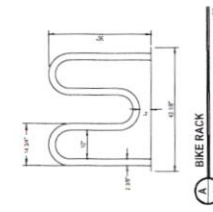
TRASH AND RECYCLING ENCLOSURE
REQUIRE 10 SPACES
REQUIRE 10 SPACES

TOTAL TRUCK AREAS
EXISTING: 0 SF (ON LOT)
PROPOSED: 0 SF (ON LOT)

APPROXIMATE BUILDINGS
1500 LINDA CDT
1000 LINDA CDT
1000 CINDY TILL



- 1 EXISTING FIRE HYDRANT
- 2 TRASH AND RECYCLING ENCLOSURE PER CITY STANDARD
- 3 PARKING STALL
- 4 ADA PARKING STALL
- 5 EV PARKING STALL
- 6 BICYCLE PARKING PER DETAIL 'A' THIS SHEET
- 7 EXISTING 6" CHAINLINK FENCE TO BE REMOVED
- 8 EXISTING BUILDING TO BE REMOVED
- 9 PROPOSED 6" TALL CHAINLINK FENCE ALONG THE SOUTH AND EAST PROPERTY LINES
- 10 PROPOSED CURB, GUTTER AND SIDEWALK REPLACEMENT OF EXISTING DRIVEWAYS
- 11 EXISTING BILLBOARD TO BE REMOVED
- 12 EXISTING BILLBOARD TO REMAIN
- 13 PROPOSED PARKING LOT LIGHTS

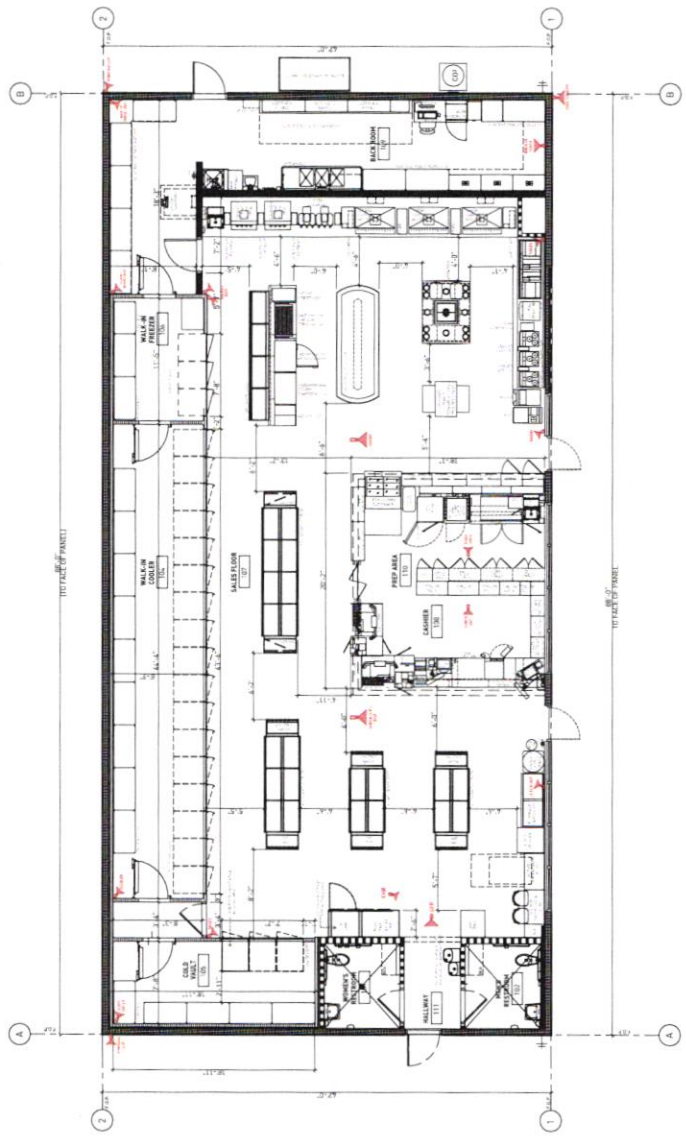


DATE: AUGUST 15, 2024	SHEET: SP-1	OF: 5
CIRCLE K & STARBUCKS ABBOTT STREET & BLANCO ROAD SITE PLAN		
CITY OF BALTIMORE		
MORTON & PITALO, INC. CIVIL ENGINEERING • LAND PLANNING • LAND SURVEYING 400 Colshire Drive, Suite #140 Towson, CA 21286 TEL: 410-289-1100 WWW.MORTONANDPITALO.COM		
SCALE:	COMPILED:	
HORIZ. 1" = 20'	DESIGNED:	
VERT. 1" = 20'	DRAWN:	
	PROJ. ENGR:	



LEGEND

-  SECURITY CAMERA
-  CAMERA DIRECTION



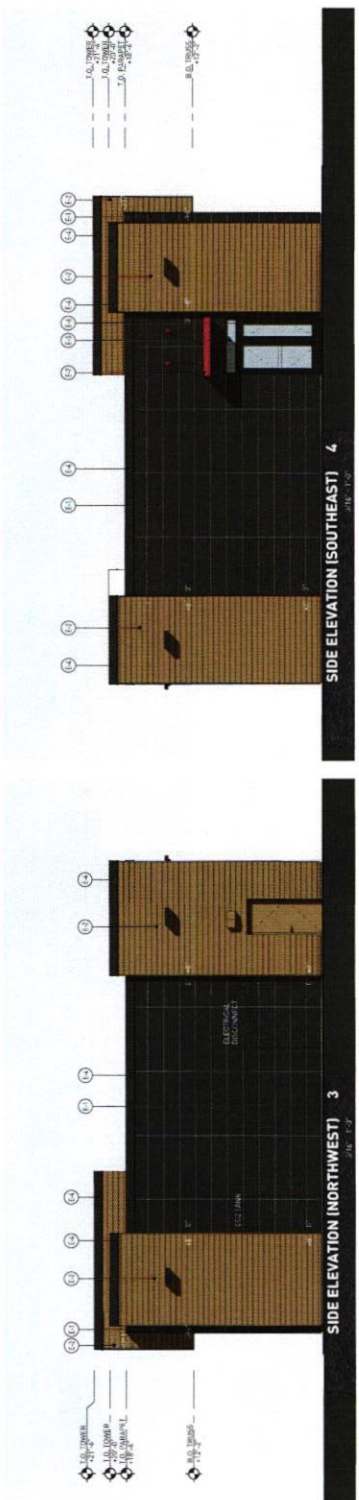
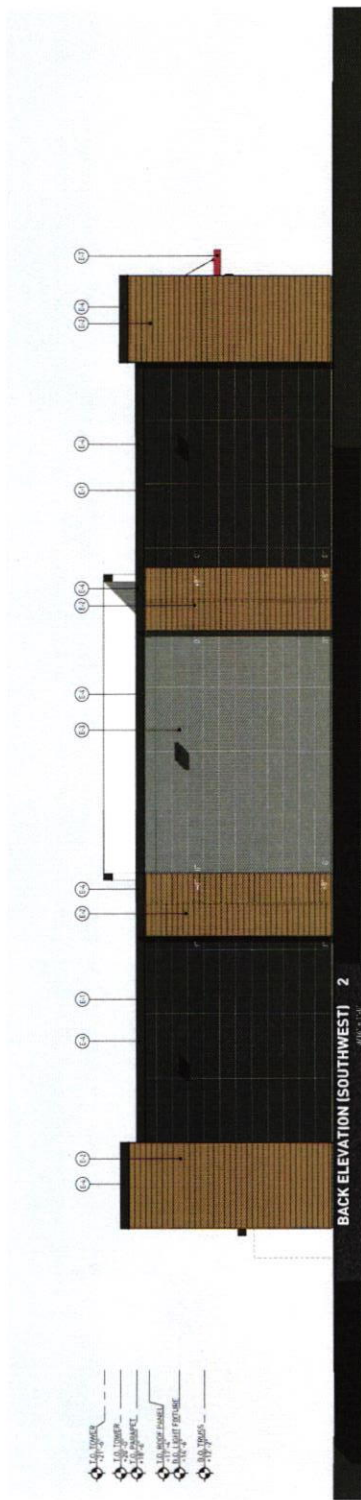
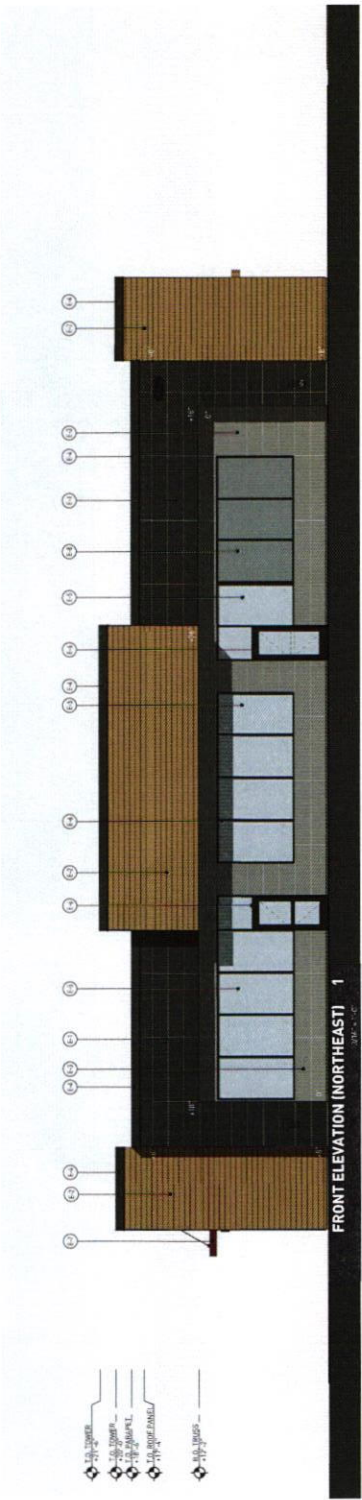
FLOOR PLAN 1



MATERIAL LEGEND

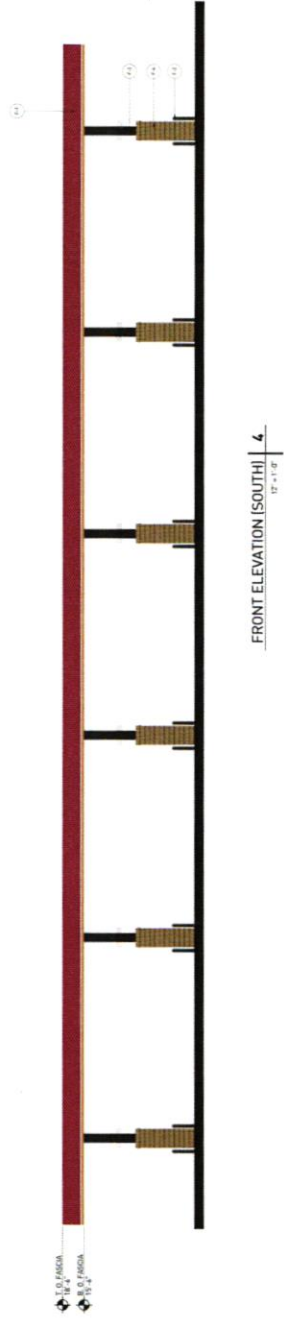
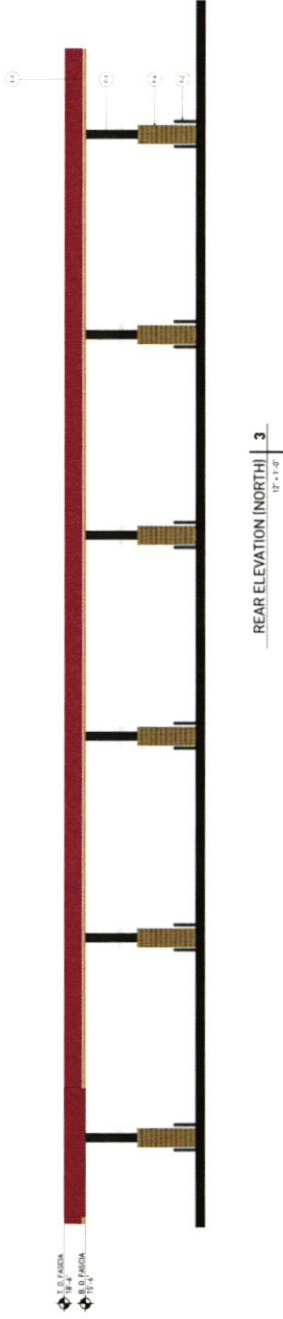
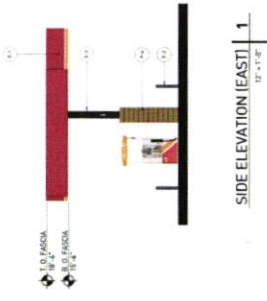
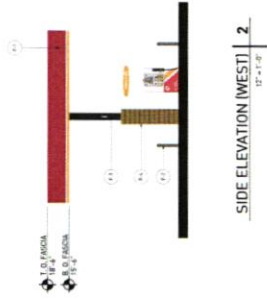
- E.6. SPANDREL GLASS
- E.7. ALUMINUM FINISHING
- E.8. ANODIZED ALUMINUM WINDOW FRAME
- E.9. TINTED CLEAR GLASS
- E.10. METALLIC FINISH
- E.11. MICROMA TUFF BLOCK
- E.12. MICROMA VINYLAGE WOOD
- E.13. MICROMA TUFF BLOCK

NOTES:
 1. ALL MATERIALS AND FINISHES ARE TO BE USED EXCEPT WHERE SHOWN OTHERWISE.
 2. ALL MATERIALS AND FINISHES ARE TO BE USED EXCEPT WHERE SHOWN OTHERWISE.
 3. ALL MATERIALS AND FINISHES ARE TO BE USED EXCEPT WHERE SHOWN OTHERWISE.



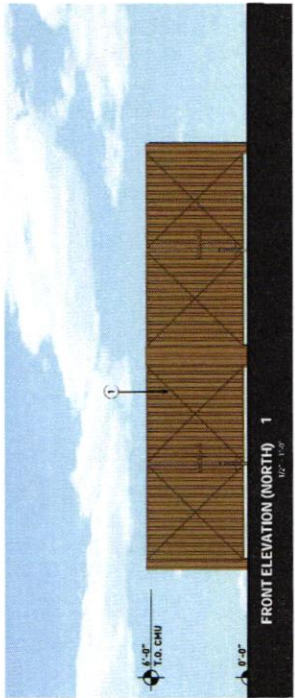
	F-4. NICHIAH W/SL. FINISH
	F-1. SOLID PINK 'TILE CORE'
	F-3. STEEL COLUMN WITH PAINT FINISH
	F-2. PINE BOLLARD SLIPE

MATERIAL LEGEND
N.T.S.

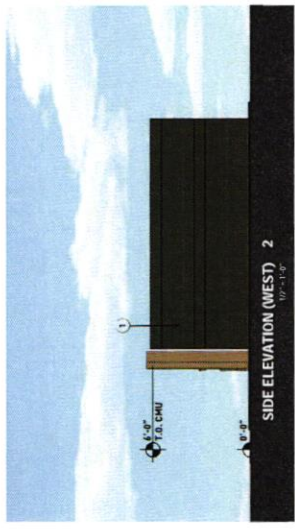


MATERIAL LEGEND

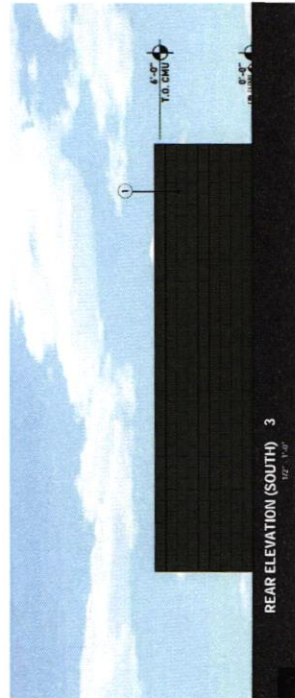
-  F-2 PAINTED METAL GATE
100% POLYURETHANE FINISH
-  F-1 SMOOTH FACE PAINTED CMU BRICK
100% POLYURETHANE FINISH



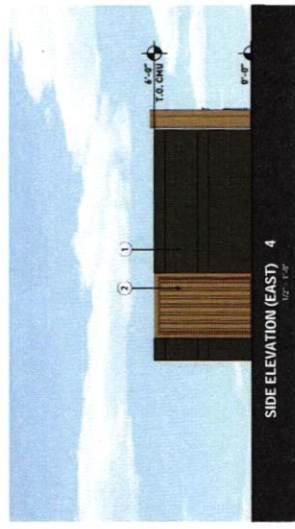
FRONT ELEVATION (NORTH) 1
1/2" = 1'-0"



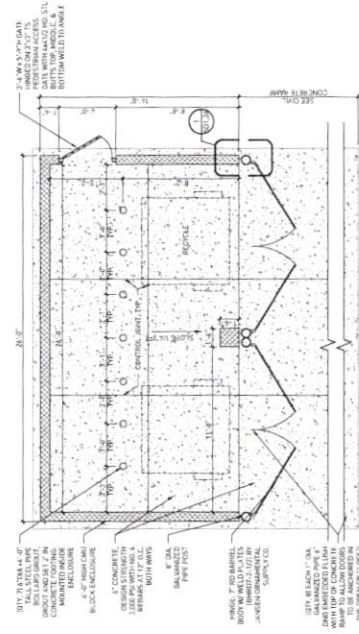
SIDE ELEVATION (WEST) 2
1/2" = 1'-0"



REAR ELEVATION (SOUTH) 3
1/2" = 1'-0"



SIDE ELEVATION (EAST) 4
1/2" = 1'-0"



TRASH ENCLOSURE PLAN
1/2" = 1'-0"

NOTE:
COLORS SHOWN ON THESE ELEVATIONS
FOR FACTUAL COLORS, REFER TO
MANUFACTURER'S SAMPLE.

TRASH ENCLOSURE ELEVATIONS
PROPOSED COLOR ELEVATIONS

06/21/24
rdc. | CIRCLE K - SALINAS, CA - SEC ABBOT ST. & BLANCO RD.



06/21/24
rdc. | CIRCLE K - SALINAS, CA - SEC ABBOT ST. & BLANCO RD.

EXTERIOR 3D RENDERING
PROPOSED COLOR ELEVATIONS



CITY OF SALINAS
POLICE DEPARTMENT
MEMORANDUM

DATE: August 30, 2024
TO: Robert Latino, Associate Planner
FROM: Gerardo Magana/ Sergeant
SUBJECT: CUP 2024-022 (1016 Abbott St.)

I have researched information for CUP 2024-022 regarding the proposed application for off-sale alcohol use.

This location is in Police Reporting District (PRD) #108. The police department's statistics office provided me with an overall 2022 average crime rate of 61.21 per PRD. According to the police department's statistics office, the 2022 crime statistics for PRD #108 is 22, well below the PRD average. The applicable crime statistic of 22 for PRD # 108 is below 73.45 (PRD average of 61.21 + 20%), therefore making the subject site not in area of undue concentration for crime statistics per California Code, Business and Professions Code-BPC § 23958.4.

Table with 2 columns: Crime Category and Count. Title: City of Salinas PRD #108 Year 2022. Rows include Murder (0), Robbery (0), Burglary (4), Rape (0), Aggravated Assault (0), Simple Assault (2), Stolen Vehicles (1), Larceny (2), Part Two Crimes (13), Arson (0), and TOTAL (22). Footer: ***all charges include attempted**

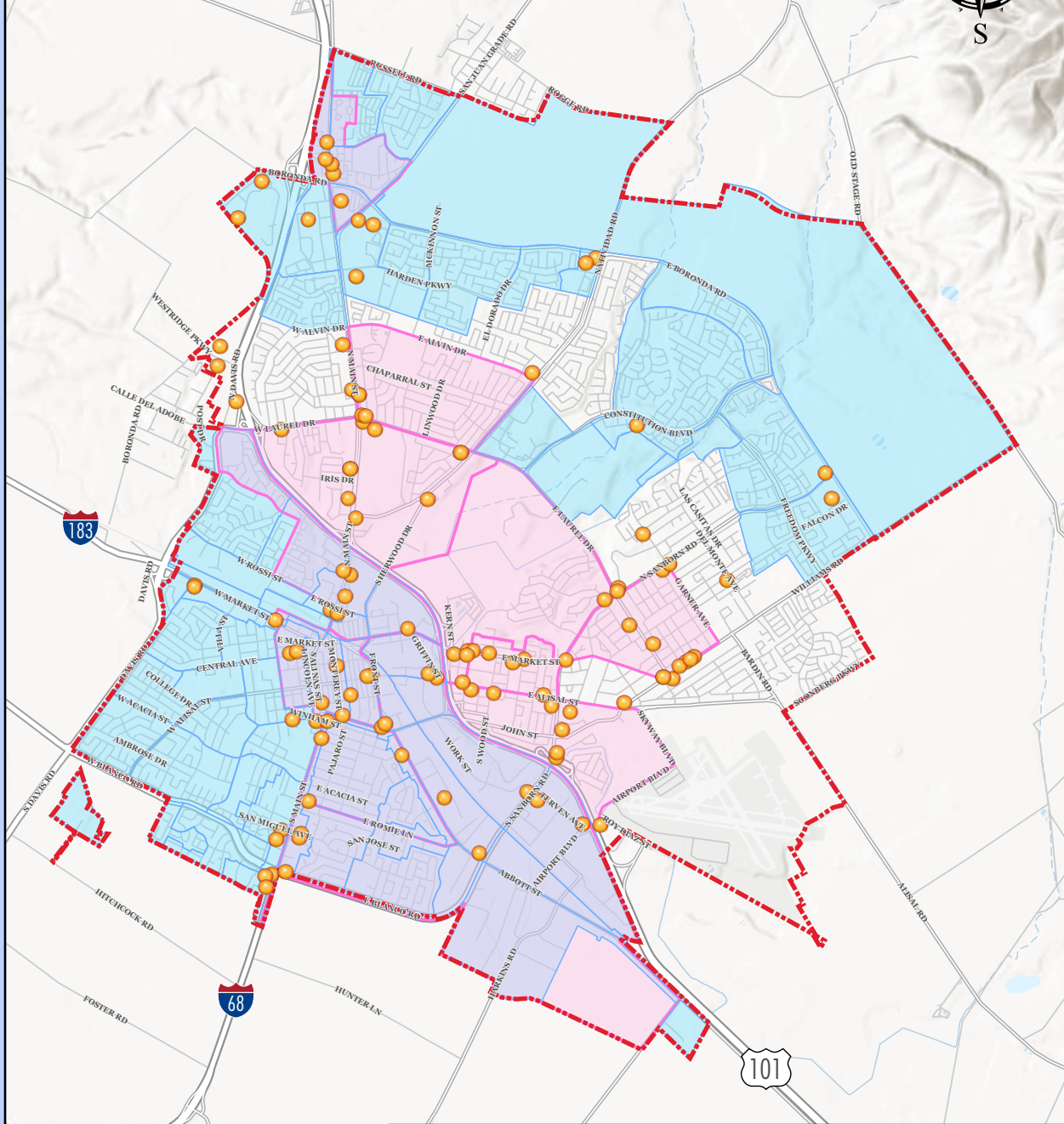
PRD #108 is located within the area heavy commercial district. A majority of the crimes that occur in this area are Part Two crimes which include burglary, simple assault, theft and larceny. In this area are some unhoused population that reside along the Union Pacific railroad tracks near the South Sanborn bridge.

It is my opinion that there may not be an increase for police services for this project.

The Salinas Police Department does not object to the approval of CUP 2024-044, subject to the following recommendations:

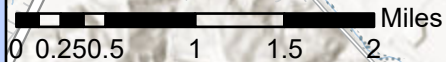
- Digital surveillance system with **high quality** cameras focused on the points of sales, entrances/exits of the business and the parking lot, with the capability to store the digital images captured. The video/photos must be retained for 30 days and be made available to police upon request.
- Ample lighting in the parking lots, exterior area of entrances/exits and situated in areas to enhance video surveillance equipment.

Areas of Undue Concentration of Off-sale Licenses and Reported Crimes (Combined)

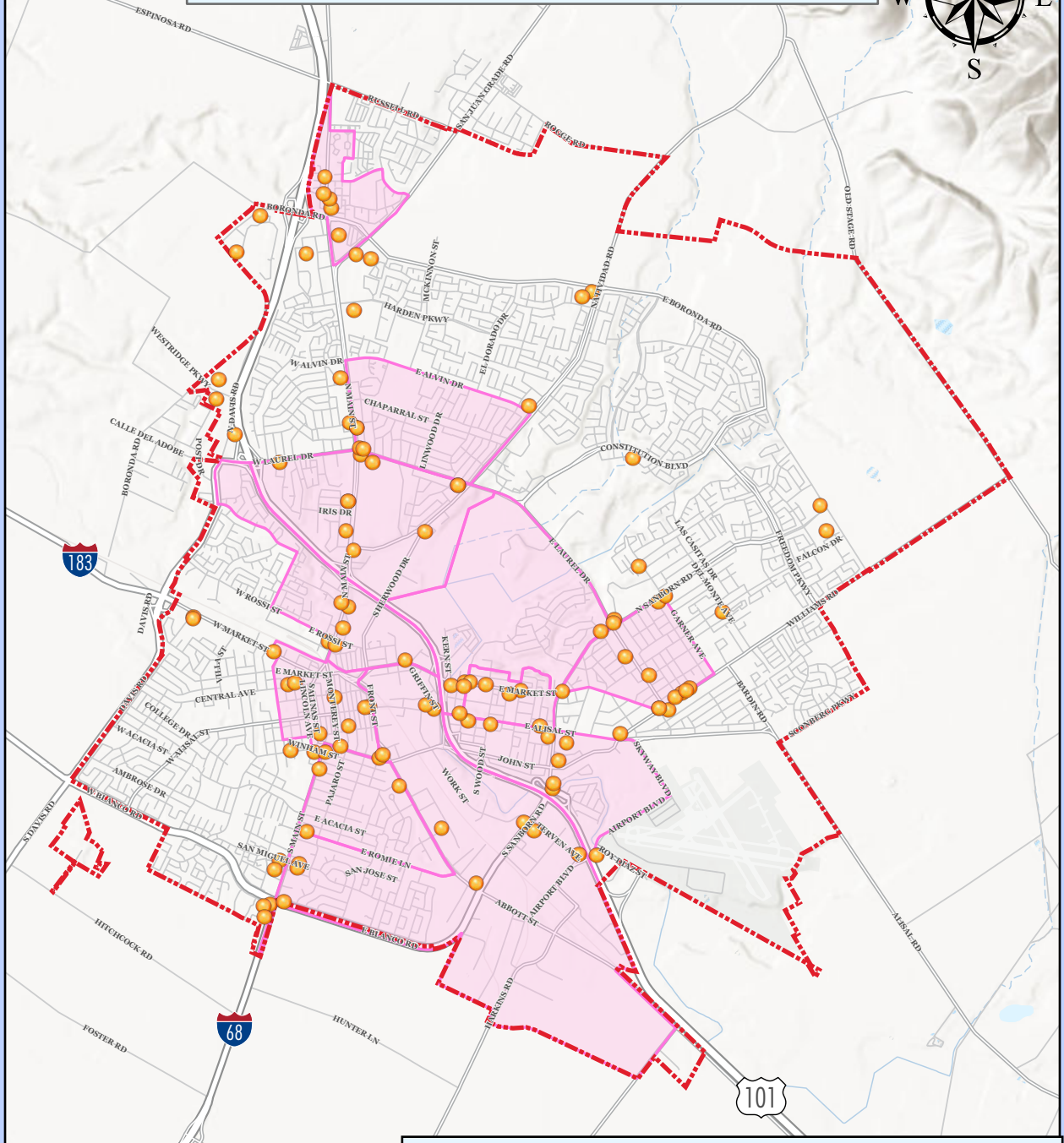


Legend

- Off-sale License Location
- PRDs w/ Undue Concentration (107.15 Reported Crimes (89.29+20%)) [As of 2018]
- Census Tracts w/ Undue Concentration [As of Oct. 2019]
- City of Salinas Boundary

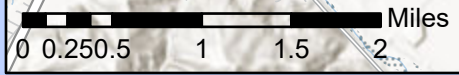


Census Tracts with Undue Concentration of Off-sale Alcohol Licenses

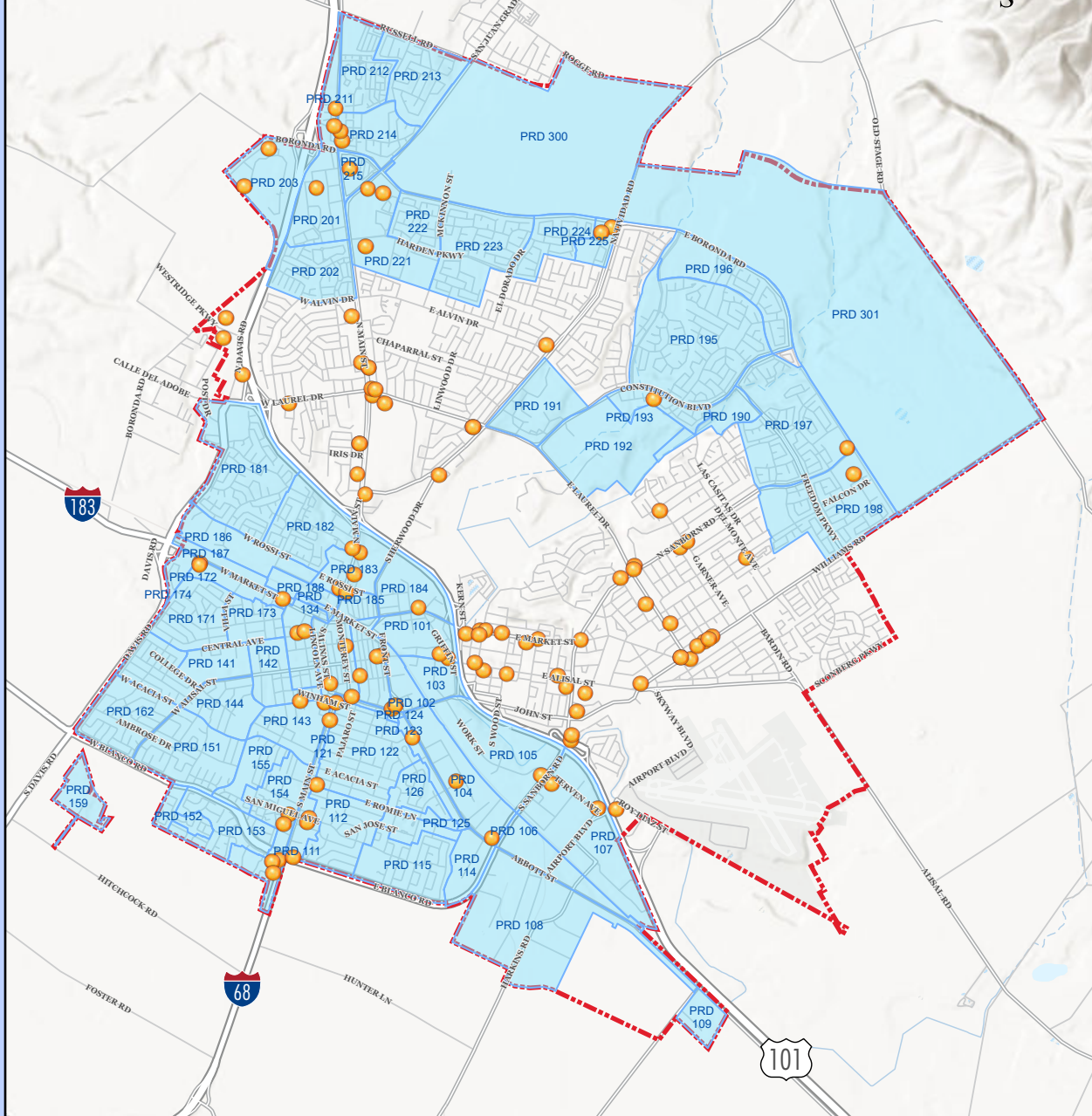


Legend

- Off-sale License Locations
- Census Tracts w/ Undue Concentration [As of Oct. 2019]
- City of Salinas Boundary



Police Reporting Districts with Undue Concentration of 20% Greater Number of Reported Crimes than the Average Number of Reported Crimes

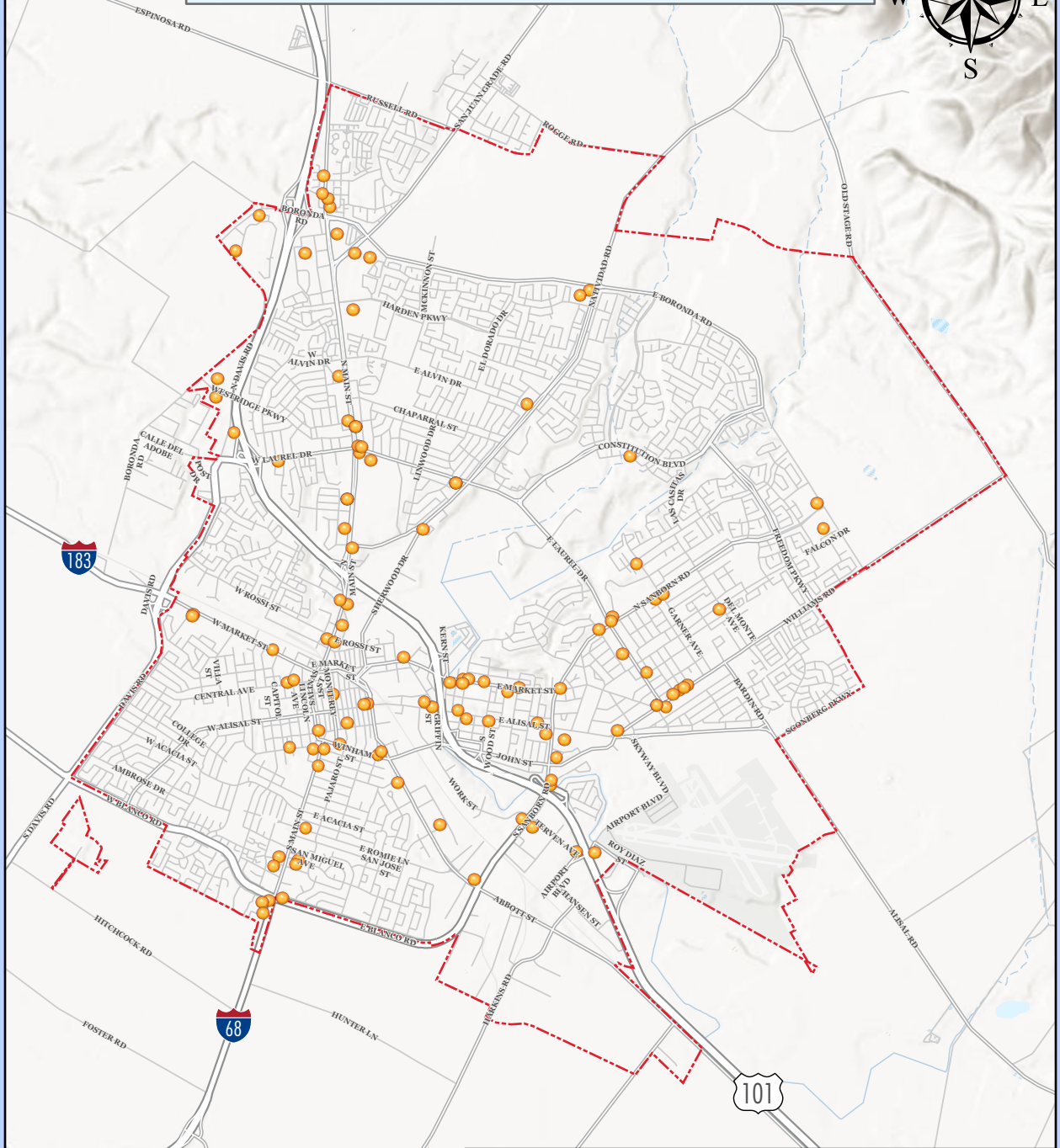


Legend

- Off-sale License Location
- PRDs w/ Undue Concentration (107.15 Reported Crimes ($89.29+20\%$)) [As of 2018]
- City of Salinas Boundary



Off-sale Alcohol Licenses



Legend

- Off-sale License Locations, Oct 2019 (111)
- ▭ City of Salinas Boundary





Sandra Agraz
Development Manager
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October 9, 2024

VIA EMAIL : robertl@ci.salinas.ca.us

Robert Latino
City of Salinas
Title: Associate Planner

RE: Proposed Circle K
East Blanco Road & Abbott Street SEC
Salinas, California

Dear Mr. Latino,

Circle K's business strategy to operate a successful store on East Blanco Road & Abbott Street SEC that includes the sale of beer and wine products as allowed under a Type 20 License. The purpose of this narrative is to provide you with justification for the proposed type 20 beer and wine sales for Circle K at the above location. We understand that this will require a CUP for the alcohol sales along with a PCN approval.

As shown on the attached letter from the City's Police Department, they are supportive of this CUP based on crime statistics in the area and we will be agreeing to the proposed conditions in this letter. It is also important to note that there are no adjacent residential surrounding uses.

Furthermore, Circle K provides extensive training to its employees and knows about the severity of obeying all ABC rules and regulations (selling to minors, properly identifying individuals, etc.)

This beer and wine component is a vital economic part of the project and will also allow us to remain competitive with the other gas stations and convenience stores in the area. Circle K corporation firmly believes that this beer and wine component is a necessity for the long-term viability and life of this project.

We will be restricted to the number of cooler doors that will be selling beer and wine and we are NOT proposing hard alcohol. Finally, we believe that this will not be detrimental to the public and will provide convenience to the public that allows customers to avoid additional trips to other stores to purchase beer and wine which minimizes additional trips on the street network

Thank you ahead of time for your prompt attention to this matter. If you should have any questions or comments, please feel free to contact me at 626.712.5941.

Respectfully,

Sandra Agraz,
Real Estate Development Manager



CITY OF SALINAS

POLICE DEPARTMENT MEMORANDUM

DATE: August 30, 2024
TO: Robert Latino, Associate Planner
FROM: Gerardo Magana/ Sergeant
SUBJECT: CUP 2024-022 (1016 Abbott St.)

I have researched information for CUP 2024-022 regarding the proposed application for off-sale alcohol use.

This location is in Police Reporting District (PRD) #108. The police department's statistics office provided me with an overall 2022 average crime rate of 61.21 per PRD. According to the police department's statistics office, the 2022 crime statistics for PRD #108 is 22, **well below the PRD average**. The applicable crime statistic of 22 for PRD # 108 is below 73.45 (PRD average of 61.21 + 20%), therefore making the subject site not in area of undue concentration for crime statistics per California Code, Business and Professions Code-BPC § 23958.4.

City of Salinas PRD #108 Year 2022	
Murder	0
Robbery	0
Burglary	4
Rape	0
Aggravated Assault	0
Simple Assault	2
Stolen Vehicles	1
Larceny	2
Part Two Crimes	13
Arson	0
TOTAL	22

***all charges include attempted**

PRD #108 is located within the area heavy commercial district. A majority of the crimes that occur in this area are Part Two crimes which include burglary, simple assault, theft and larceny. In this area are some unhoused population that reside along the Union Pacific railroad tracks near the South Sanborn bridge.

It is my opinion that there may not be an increase for police services for this project.

The Salinas Police Department does not object to the approval of CUP 2024-044, subject to the following recommendations:

- Digital surveillance system with **high quality** cameras focused on the points of sales, entrances/exits of the business and the parking lot, with the capability to store the digital images captured. The video/photos must be retained for 30 days and be made available to police upon request.
- Ample lighting in the parking lots, exterior area of entrances/exits and situated in areas to enhance video surveillance equipment.