



CITY OF SALINAS PLANNING COMMISSION REPORT

DATE: AUGUST 6, 2025

TO: PLANNING COMMISSION

FROM: COURTNEY GROSSMAN, PLANNING MANAGER

BY: THOMAS WILES, SENIOR PLANNER

TITLE: **CONDITIONAL USE PERMIT 2024-065; REQUEST TO EXPAND AN EXISTING CONVENIENCE STORE WITH A TYPE 20 OFF-SALE ABC LICENSE INTO AN EXISTING VEHICLE REPAIR BAY LOCATED AT 201 MONTEREY STREET IN THE MIXED USE – CENTRAL CITY OVERLAY – DOWNTOWN CORE OVERLAY AREA (MX-CC-DC) ZONING DISTRICT**

RECOMMENDED MOTION:

A motion to approve a resolution finding the project exempt pursuant to Section 15332 of the CEQA Guidelines, affirming the findings, and approving Conditional Use Permit 2024-065.

EXECUTIVE SUMMARY:

Jay Zapata of ZPROUT, and Sherrie Olson of PLRC, on behalf of Christopher R. Dabit et. al., are requesting approval to expand an existing 438 square-foot convenience store with gas pumps located at 201 Monterey Street in the Mixed Use – Central City Overlay – Downtown Core Overlay area (MX-CC-DC) Zoning District. The expansion includes changing 802 square-feet vehicle repair use to convenience store use for a total of 1,240 square-feet of convenience store area. The request includes expanding an existing alcohol related use consisting of a Type 20 off-sale ABC license from 802 square-feet to 1,240 square-feet and construction of a kitchen within the northerly portion of the building and conversion/expansion of storage areas on the southerly portion of the building into a walk-in cooler. The project is exempt from CEQA pursuant to Section 15332 (*In-Fill Development Projects*).

DISCUSSION:

Background:

Jay Zapata of ZPROUT, and Sherrie Olson of PLRC, on behalf of Christopher R. Dabit et. al., are requesting approval of the following:

1. 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 area on the southerly portion of the building into a walk-in cooler; and
2. 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.

CUP 1965-019 was approved by the Salinas Planning Commission on March 29, 1965, and authorized demolition of an existing service station and construction of a new service station.

CUP 2016-019 was approved by City Council on March 21, 2017, per attached Resolution 21136. However, prior to Council approval, the Planning Commission denied CUP 2016-019 on January 18, 2017, per attached Resolution No. 2017-01. The Applicant appealed the denial decision of the Planning Commission to the Council. The Type 20 (Off-Sale Beer and Wine) ABC License No. 575625 was issued on December 27, 2017, and expires on November 30, 2025. Per the ABC, existing license number No. 575625 is in good standing with no operating restrictions, active disciplinary actions, or disciplinary history (see attachments).

Two administrative Site Plan Reviews are applicable to the site:

1. Site Plan Review 2004-038 which approved installation of a 500-gallon propane tank on September 30, 2004; and
2. Site Plan Review 2017-017 which approved construction of a new aluminum canopy on July 19, 2018.

On March 21, 2017, the City Council approved Conditional Use Permit 2016-019 (CUP 2016-019) to establish and operate an ABC Type 20 (Beer and Wine) alcohol related use. The proposed project would expand the floor plan and relocate the alcohol sales to coolers at the south end of the building opposite the counter and front entrance. An Amendment to CUP 2016-019 is required because of the request to change the floor plan. The project was originally submitted as two separate applications, one for an Amendment to CUP 1965-019 (CUP 2024-060) and another for an Amendment to CUP 2016-019 (the current CUP number). It was determined the two amendments could be merged into one to streamline the process.

The property is located in the Mixed Use – Central City Overlay – Downtown Core Area (MX-CC-DC) Zoning District. The following provides an overview of the land uses and zoning districts adjacent to the project site:

North:	Retail / MX-CC-DC (Mixed Use – Central City Overlay – Downtown Core Area)
South:	Restaurant & Parking / MX-CC-DC (Mixed Use – Central City Overlay – Downtown Core Area)
East:	Residential / MX-CC-DN (Mixed Use – Central City Overlay – Downtown Neighborhood Area)
West:	Commercial / MX-CC-DC (Mixed Use – Central City Overlay – Downtown Core Area)

DISCUSSION:

The Applicant is proposing to eliminate existing service bays and expand the convenience store and gas pump use. The project includes a full kitchen to serve prepared food for off-site consumption. There will be no on-site seating. The project includes a modification to the exterior architectural building elevations to infill existing structural openings including an enhancement of exterior finishes with a new storefront and stone veneer and stucco to match existing finishes. The existing canopy, fuel dispenser, and gas propane tank will not be changed.

Analysis:

Convenience store with gas pumps use:

Per Zoning Code Section 37-30.240, Table 37-30.110, convenience stores with gas pumps require consideration of a Conditional Use Permit (CUP) in the underlying Mixed Use District. Per Zoning Code Section 37-30.240, Table 37-30.110, Footnote 28, convenience stores with gas pumps (including sales, display, storage, restrooms, etc.) are limited to a maximum of 2,500 square-feet of gross floor area. The proposed Amendment would not expand the floor area of the building, except for select and incidental storage areas which appear to have been built without benefit of a permit. The original CUP 1965-017 approval document does not show the existing storage areas. On June 20, 1983, Building Permit 83-B332 approved a new storage enclosure on the northeastern portion of the building and relocation of the trash enclosure. The plans for 83-B332 referenced that the storage located on southern portion of the building was built in 1979. However, City records do not show an approved building permit for the southern storage area. Therefore, the CUP requires that the southern storage area shall be legalized as a part of the subsequent building permit process (see Condition No. 27 of draft CUP 2024-065). Total proposed floor area is 1,240 square-feet, which is less than the maximum allowed 2,500 square-feet.

Off-sale Alcohol Related Use

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 is located exceeds the ratio of off-sale retail licenses to population in the county in which the premises is located: or (2) the premises is located in a crime reporting district that has a twenty percent (20%) 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 0013.00 (CT 13). Currently, CT 13 is classified as undue concentration. Per California Department of Alcoholic Beverage Control (ABC), two (2) off-sale licenses are authorized in CT 13. Per ABC records there are currently eighteen (18) active off-sale licenses (including the existing off-sale license) within CT 13. However, the Census Tract of the ABC licenses has not been updated. Per City records there are eight (8) off-sale licenses (including the existing on-site off-sale license) in Census Tract 13 (See map attached). Below is the location and distance from the project site of the other seven (7) off-sale licenses in CT 13:

<u>Name of Licensee</u>	<u>Address</u>	<u>Distance from Project Site</u>
1. Valley Guild (Type 20)	132 Central Avenue	1,520 feet
2. Central Gas Valero (Type 20)	47 John Street	1,600 feet
3. Grapes & Grain (Type 21)	385 Salinas Street	1,210 feet
4. Gabilan Wine Company LLC (Type 20)	335 Pajaro Street #A	1,010 feet
5. Central Liquor (Type 21)	118 Central Avenue	1,340 feet
6. Fresh Market & Produce (Type 20)	201 East Alisal Street	970 feet
7. Central Gas Salinas (Type 20)	215 East Alisal Street	1,120 feet

Below are an additional ten (10) off-sale licenses that ABC records state are located in Census Tract 13, but per City records are located in Census Tract 145 with the distance from the project site:

<u>Name of Licensee</u>	<u>Address</u>	<u>Distance from Project Site</u>
1. AM/PM (Type 20) (CT 145)	385 East Alisal Street	3,420 feet
2. Salinas AM/PM (Type 20) (CT 145)	970 Work Street	7,688 feet

3.	Michoacan Produce (Type 20) (CT 145)	241 John Street	2,600 feet
4.	AS Conv. & Energy (Type 20) (CT 145)	945 Abbott Street	8,050 feet
5.	CVS Pharmacy Store (Type 21) (CT 145)	347 East Alisal Street	3,050 feet
6.	Star Market (Type 21) (CT 145)	1275 South Main Street	7,210 feet
7.	Central Gas Valero (Type 20) (CT 145)	1163 Terven Avenue	9,990 feet
8.	Tokyo Oriental Food & Gifts (Type 20) (CT 145)	20 San Miguel Avenue	6,000 feet
9.	San Miguel Market (Type 21) (CT 145)	51 San Miguel Avenue	5,800 feet
10.	7 Eleven Inc. (Type 20) (CT 145)	1020 Terven Avenue	8,200 feet

Nonetheless, per ABC and City records, the project site is classified as undue concentration due to number of off-sale outlets. However, approval to modify the existing Type 20 off-sale alcohol license would not increase undue concentration, because the project expands the sales area and would not increase the number of off-sale outlets. Because the site is located within an area of undue concentration, the Planning Commission is required to establish a finding that Public Convenience or Necessity is served by the expansion of the existing off-sale alcohol use.

Per the attached map showing off-sale alcohol sales in CT 13, the closest off-sale license to the project site is located at 201 East Alisal Street (Fresh Market & Produce), which is approximately 980 feet to the east of the project site. The average distance to off-sale alcohol outlets in CT 13 is 1,254 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).

The subject property is located less than the average distance to residentially zoned properties than the other CUP applications (approved, denied, or expired) since 2010. While not zoned residential, there are residential uses located adjacent to the east of the subject property across Lodge Alley. The subject site is about average concerning its location to public schools in comparison with other off-sale alcohol CUP applications (1,970 feet vs. 1,900 average - see Table 1 below). However, the project site is located approximately 140 and 1,670 feet from two private schools. The project site is closer to parks and playgrounds and to other off-sale alcohol outlets than other off-sale alcohol CUP's (780 feet vs. 1,919 feet average – see Table 1 below).

Undue Concentration - Crime

As described above, undue concentration is also measured by crimes reported in the Police Reporting District (PRD) compared to city-wide. State law allows the City to analyze off-site alcohol sales proposals for undue concentration based on reported crimes in PRD 132 where the proposed site is located. For this analysis, “undue concentration” is analyzed under a different provision of state law, California Business and Professions Code Section 23958.4(a)(1), as a premises located in a crime reporting district that has a 20% greater number of reported crimes than the average number of crimes reported by the police department across all PRD's. This is measured by examining the most recent yearly statistics of violent and non-violent enumerated crimes, both felonies and misdemeanors (except traffic violations) with the average number of reported crimes from all PRDs within the jurisdiction.

Per a Salinas Police Memorandum dated July 21, 2025, in 2024, the total reported crimes in PRD 132 was 118, which exceeds the overall 2024 crime rate of 73.43 per PRD (60% above the average). As shown on Table 1 below, the average level of undue concentration for Conditional Use Permits processed since 2010 is 119%. The proposed project exceeds this number (400% vs. 119%). The crime rate for the subject PRD in 2023 is 133% under the average rate considered as undue concentration for crime (133% vs. 146%). Per Police Department's records, in 2024, there were 118 reported crimes in PRD 132. The 2024 PRD average was 73.43 and an undue concentration of 88.12 (73.43 x 1.2).

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)	Average Alcohol outlets in Salinas CT's (% - proposed/allowed)	Crime rate in PRD's (%) (20% = undue concentration)	Number of crimes reported in 2024
Average	484	1,900	1,919	956	119%	146%	73.43
Minimum	0	450	400	1,200	40%	Unk.	Unk.
Maximum	3,200	5,800	5,400	6,960	800%	Unk.	Unk.
CUP 2024-065	350	1,970	780	1,254	400% (8/2)	133% (118/88.12) (2024 PRD)	118

Staff notes that per the Salinas Police Department Memorandum dated July 21, 2025, the Police Department does not object to the approval of Conditional Use Permit 2024-065 subject to the following recommendations, which have been included as Exhibit "K" and Conditions of Approval for the CUP Amendment (see CUP 2024-065 approval document):

1. Digital surveillance system with high quality cameras focused on the points of sales, entrances/exits of the store 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 exterior area of entrances/exits and situated in areas to enhance video surveillance equipment; and
3. All legal requirements be met so that the business be posted for trespassing and enforceable by the police department for Salinas City Code (SCC) 21-35.

Proximity to Residences, Parks, and Schools

The closest residences are located to the immediate east of the subject site, across Lodge Alley, approximately 140-feet from the front entrance of the convenience store. The nearest residentially zoned land is located approximately 350 feet to the east. Other commercial uses (restaurant and retail) and parking are located to the north, west, and south of the subject site. The nearest park is Bataan Memorial Park (15 East Market Street), which is located approximately 780 feet to the

northwest of the subject site. The nearest public school is Roosevelt School (120 Capitol Street), which is located approximately 1,970 feet west from the subject site. The nearest private schools are Temple Philadelphia Christian Academy (160 Pajaro Street), which is located approximately 140 feet to the northeast of the subject site and Sacred Heart School (123 West Market Street), which is located approximately 1,670 feet to the northwest of the subject site.

Table 2 below lists the 60 Conditional Use Permit (CUP) applications for alcohol related uses that have been processed since 2010. 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 2016-006	Approved	Off-Sale Alcohol	150 Main St.	6/24/2016	City Planner		N/A
26.	CUP 2016-013	Withdrawn	Off-Sale Alcohol	1000 Market St.	N/A			
27.	CUP 2016-019	Approved	Off-Sale Alcohol	201 Monterey St.	03/21/2017	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	04/07/2017	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	02/27/2018	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.	02/26/2018	City Planner		No
35.	CUP 2018-005	Approved	Off-Sale Alcohol	1764 N. Main St.	10/02/2019	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.	01/09/2019	City Planner		No
39.	CUP 2018-024	Approved	On-Sale Alcohol	213 Monterey St.	11/27/2018	City Planner		No
40.	CUP	Approved	On-Sale	242	04/30/2019	City Planner		No

	2018-025		Alcohol	Williams Rd.				
41.	CUP 2018-029	Approved	On-Sale Alcohol	1790 Northridge Mall	02/20/2029	City Planner		No
42.	CUP 2019-009	Approved	On-Sale Alcohol	210 Main St.	08/22/2019	City Planner		Not determined
43.	CUP 2019-020	Approved	On-Sale Alcohol	1582 Constitution Blvd.	01/07/2020	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.	04/02/2021	City Planner		No
46.	CUP 2021-022	Approved	Off-Sale Alcohol	1640 N. Main St.	09/15/2021	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.	01/03/2022	City Planner		No
49.	CUP 2021-030	Approved	On-Sale Alcohol	1259 De La Torre St.	12/20/2021	City Planner		No
50.	CUP 2022-017	Approved	On-Sale Alcohol	216 John St.	04/01/2022	City Planner		No
51.	CUP 2022-026	Approved	On-Sale Alcohol	66 W. Alisal St.	05/06/2022	City Planner		No
52.	CUP 2022-030	Approved	On-Sale Alcohol	215 Monterey St.	08/15/2022	City Planner		No
53.	CUP 2022-054	Approved	Off-Sale Alcohol	933 W. Alisal St.	12/21/2022	Planning Commission	No	Yes
54.	CUP 2022-061	Approved	On-Sale Alcohol	344 Main St.	02/28/2023	City Planner		No
55.	CUP 2023-017	Approved	Off-Sale Alcohol	1050 N. Davis Rd.	10/04/2023	Planning Commission	No	Yes
56.	CUP 2023-038	Approved	On-Sale Alcohol	1447 N. Main St.	09/09/2024	City Planner		No
57.	CUP 2023-047	Approved	On-Sale Alcohol	1002 Del Monte Ave. Ste. A	09/17/2024	City Planner		No
58.	CUP 2024-054	Approved	On-Sale Alcohol	66 W. Alisal St.	10/01/2024	City Planner		No
59.	CUP 2024-022	Approved	Off-Sale Alcohol	1012 Abbott St.	11/19/2024	Planning Commission	No	Yes
60.	CUP 2024-058	Denied	Off-Sale Alcohol	695 East Alisal Street	N/A			

ABC Licensing

As stated above, the Applicant currently has a Type 20 off-sale alcohol license. Following approval of the CUP Amendment, the applicant will be required to comply with all applicable ABC regulations to either modify the existing license or obtain a new license from ABC in order to continue the off-site sales of alcohol; however, state law prohibits such a license without specific findings from the Planning Commission. State law dictates that ABC shall deny an application in an area of undue concentration unless the local governing body (such as the Planning Commission) determines that “public convenience or necessity would be served by the issuance” (Cal. Business & Professions Code §23958.4(b)(2)).

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 proposed CUP Amendment and the subsequent issuance of an alcohol license by ABC, the CUP Amendment would contain the following conditions of approval, which were also a part of the original CUP 2016-019 approval document:

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 alcoholic beverages shall be consumed on the premises.
4. No sale or distribution of alcoholic beverages shall be made from a drive-up or walk-up window.
5. No display of alcoholic beverages shall be made from an ice tub.
6. 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 always maintained at the cashier station.
7. 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.
8. No self-illuminated advertising for alcoholic beverages shall be located on buildings or windows.
9. 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.

10. An electronic age verification scanner shall be installed, maintained, and utilized for all off-sale alcohol sales.
11. 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.
12. No single 40 oz. containers of beer may be sold from premises.
13. No malt liquor or fortified wine products (wines with greater than 15% alcohol content) shall be sold.
14. Sales of wine shall be in containers of at least 750 ml.
15. 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, and at entrance/exits of the store and the parking lot, with the capability to store the digital images captured. Surveillance video/photos shall be made available to police upon request.
16. Ample lighting shall be provided in parking lots, exterior area of entrances/exits and situated in areas to enhance video surveillance equipment.
17. There shall be no coin operated video or arcade games, and no adult magazines or videos shall be sold.
18. No pay telephone booths shall be permitted on the premises.
19. 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.

Findings:

The Planning Commission may approve an application for a First Amendment to Conditional Use Permit 1965-019 to expand an existing 438 square-foot convenience store with gas pumps into an 802 square-foot major vehicle repair facility for a total of 1,240 square-feet and a First Amendment to Conditional Use Permit 2016-019 to modify an existing Type 20 alcohol related use for an existing convenience store with gas pumps use located at 201 Monterey Street, if all the findings set forth in the proposed Planning Commission Resolution are established.

CEQA CONSIDERATION:

The project has been determined to be exempt from the California Environmental Quality Act (CEQA) under Section 15332 (In-Fill Development Projects) 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. The proposed project can be seen with certainty 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 May 25, 2025. Originally, final action was required by July 15, 2025, pursuant to Government Code Section 65950(a)(5). On June 23, 2025, the Applicant provided an e-mail request for a one (1) time 90-day extension of the Permit Streamlining Act pursuant to Government Code Section 65957 to allow time for processing of both CUP Amendments on the subject property. Per the 90-day time extension, final action is required by October 13, 2025.

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 2024-065 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 2024-065.

ATTACHMENTS:

Proposed Planning Commission Resolution

Draft CUP 2024-065 approval document with the following exhibits:

- 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

Recorded Conditional Use Permit 2016-019

Conditional Use Permit 1965-019

Resolution 21136

Planning Commission Resolution 2017-01

Map of Off-sale alcohol related sales in Census Tract 13 (CT 13)

2024 Police Reporting District (PRD) data
ABC License No. 575625

Cc: Jay Zapata, A.I.A. LEED AP BD+C, Applicant (CUP 2024-060)
PLRC-Sherrie Olson, Applicant (CUP 2024-065)
Christopher R. Dabit, et al., Property Owner
Other interested parties

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