



**CITY OF SALINAS
COUNCIL STAFF REPORT**

DATE: NOVEMBER 19, 2024

DEPARTMENT: COMMUNITY DEVELOPMENT DEPARTMENT

FROM: LISA BRINTON, DIRECTOR

THROUGH: COURTNEY GROSSMAN, PLANNING MANAGER

BY: THOMAS WILES, SENIOR PLANNER

TITLE: **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 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**

RECOMMENDED MOTION:

A motion to approve a Resolution finding the project categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15332 and approving a Third Amendment to Planned Unit Development Permit 2014-004 (PUD 2014-001).

EXECUTIVE SUMMARY:

Ethan Conrad Properties (Applicant and Property Owner) has applied 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 increase the maximum allowed sign area in connection with a proposal to create multiple tenants within the former two-story Sears store at the Northridge Mall Shopping Center in the Commercial Retail (CR) Zoning District. Development at the Northridge Mall is regulated by PUD 2014-001. A chronology of Northridge Mall PUD Amendments is provided as an attachment to this staff report.

BACKGROUND:

The proposed project consists of converting a former two-story approximate 137,366 s.f. Sears store located at the Northridge Mall Shopping Center into multiple tenants (Project). The Project is located on a 2.85-acre portion of APN: 253-201-054-000 (Project Site) located at the northwest corner of North Main Street and Madrid Street. Access to the Project Site is from an existing driveway onto Madrid Street as well as through the internal drive aisles within the Northridge Mall.

The former Sears store closed in approximately 2020. The proposed reconfiguration would consist of three additional commercial tenants on the first floor (Burlington Coat Factory, Gohan Ayce Buffett, and O’Reilly’s Auto Parts), the first-floor entrance for a proposed Commercial Recreation and Entertainment use with an on-sale alcohol use (Dave & Busters), and a Commercial Recreation and Entertainment use with a separate Conditional Use Permit (Smashen Axe). The second floor would contain the primary operation of Dave & Busters and a future commercial tenant that is undetermined as this time. The Applicant is proposing no increase in the gross floor area of the existing building. The former Sears store consists of the following approximate floor area:

Location	Area (s.f.)
First Floor Area	75,456
First Floor Auto Center	6,890
Second Floor Area	55,020
Total:	137,366

The Applicant proposes to partition an approximate 117,000 square-foot portion of the building into five (5) separate commercial tenants as follows:

Suite	Area (s.f.)	Proposed Tenant
“A”	25,423	Burlington Coat Factory
“B”	26,964	O’Reilly’s Auto
“C”	16,075	Gohan Ayce Buffett
“2A”	22,677	Dave & Buster’s
“2B	26,232	Future tenant
Total:	117,371	

A first floor Commercial Recreation and Entertainment use (Smashen Axe) was approved via Conditional Use Permit 2023-041 (CUP 2023-041). In addition, there is a pending Conditional Use Permit (CUP) application for a Commercial Recreation and Entertainment use with on-sale alcohol sales (CUP 2024-024 for Suite “2A” (Dave & Buster’s). The application is currently incomplete because the proposed use includes exterior changes to the building, which are subject to approval of a PUD Amendment (PUD 2024-001). Also, there are three pending Minor Modifications to PUD 2014-001 for Suites “A”, “B” and “C”, (MM 2023-029 – O’Reilly Auto Parts, MM 2024-006 – Gohan Ayce Buffett, and MM 2024-007 – Burlington Coat Factory). Upon approval of this Third Amendment to Planned Unit Development Permit 2014-001, said Minor Modifications would be incorporated into the PUD Amendment.

Analysis:

The Applicant is requesting to change the exterior building elevations, add additional exterior colors to the approved colors and materials board, add new exterior signs, and increase in 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. Exterior changes are proposed for the entrances of the proposed tenants (Burlington, Dave & Buster's, Gohan Ayce Buffett, and O'Reilly's). The Applicant is also requesting approval of additional colors and materials and exterior wall signs to those previously approved for the Northridge Mall Shopping Center to allow for proposed changes to the exterior building (see analysis below and attachments to the PUD).

Commercial uses:

The Northridge Mall Shopping Center is governed by Planned Unit Development Permit 2014-001 (PUD 2014-001), and an Amendment to the PUD is required to effect the proposed changes. Per Zoning Code Section 37-10.430, Shopping Centers are defined as a group of two or more commercial establishments including indoor swap meets, the perimeter of which is clearly definable, developed on a single parcel or contiguous parcels of land, planned, and developed as a single site and providing shared on-site parking and vehicular access, landscaping, signage, and other facilities. The proposed tenants for the five (5) new suites are considered commercial uses by Zoning Code Section 37-10.270 and would be allowed in the Northridge Mall Shopping Center. Per Zoning Code Section 37-30.200, Table 37-30.90, shopping centers are permitted in the CR District with a Site Plan Review (SPR).

Per Zoning Code Section 37-60.1030, the following findings for Planned Unit Development Permits are required to be established (refer to the findings contained in the draft Resolution):

- (a) The location of the Planned Unit Development is in accord with the objectives of this Zoning Code and the purposes of the district in which the site is located;
- (b) The Planned Unit Development and the proposed conditions under which it would be developed or maintained are consistent with the Salinas General Plan, applicable specific plan, and other plans and policies adopted by the Salinas City Council and will not be detrimental to the public health, safety, or welfare of persons residing or working in or adjacent to the planned unit development, nor detrimental to properties or improvements in the vicinity or to the general welfare of the city; and
- (c) The Planned Unit Development does not represent an exception to the standards of this Zoning Code but rather an alternative resulting in an equal or superior design in comparison to development, which strictly complies with base district property development regulations.

The proposed development can be found to be in accord with the Zoning Code and the purposes of the Commercial Retail (CR) District. Per Zoning Code Section 37-30.190(k)(3), one of the purposes of the CR District is to provide areas for a wide range of commercial uses, such as those

proposed as a part of the PUD Amendment.

Reciprocal Easement Agreement (REA):

Currently, the subject property (Assessor Parcel Number: 253-201-054-000) does not have reciprocal access with the other properties within the Northridge Mall Shopping Center. A previous access agreement for the Northridge Mall Shopping Center expired December 31, 2020. Accordingly, vehicular access and loading of goods and materials to the project site through the Northridge Mall Shopping Center is currently not permitted. In addition, the use of off-street parking spaces located on adjacent properties for tenants of the proposed project is not permitted.

A condition is recommended requiring the Applicant, or successor-in-interest, to obtain a Reciprocal Easement Agreement (REA) with all other applicable property owners of the Northridge Mall Shopping Center prior to final inspection of the first building permit in connection with the reconfiguration of the former Sears building. The REA will allow for legal access to the project site and for the proposed project to utilize adjacent off-street parking on other properties.

Off-street parking/Landscaping:

Per the Site Plan (Exhibit “C” of PUD 2024-001), the project site includes an existing 20-space off-street parking area located on the western portion of the project site. Currently, there are landscaped islands on the both the west and east side of the project site which are missing landscaping and irrigation. In addition, there are landscaped areas located on the southwest portion of the building and to the south side of the loading dock. The Applicant, or successor-in-interest, will be required to replace all missing landscaping and irrigation located within the project site. In addition, the Applicant, or successor-in-interest, is proposing to install missing landscaping and irrigation located outside of the project site (see shaded areas on Exhibit “C”). The project includes construction of a new recycling and solid waste enclosure on the west side of the building, which will need to be comply with Zoning Code development standards, including landscaped planters.

Additional off-street parking will not be required because the proposed project will not increase gross floor area. In addition, the project site meets the requirements of Assembly Bill 2097 (AB 2097) because it is located within a one-half mile buffer around a major transit stop. Per AB 2097, public agencies are prohibited from imposing minimum automobile parking requirements on most development projects (including commercial) which are located within a half-mile radius of a major transit stop.

Signs:

The project includes new exterior wall signs for the proposed tenants on the east and south exterior building elevations. The proposed signs include Burlington Coat Factory, Dave and Buster’s, and Gohan Ayce Buffett on the east elevation and Gohan Ayce Buffett and O’Reilly’s Auto Parts on the south elevation. Per Zoning Code Section 37-50.540, “Sign or Signage” is defined as the following:

“**Sign or Signage.** A visual communications device used to convey a message to its viewers. A sign shall mean and include every advertising message, announcement,

declaration, insignia, color, surface, or space erected or maintained in view of the observer thereof for identification, advertisement, or promotion of the interests of any person, entity, product, or service.”

Per Zoning Code Section 37-50.390, the purposes of the Sign Ordinance are as follows:

- (a) Implement the City's community design and safety standards as set forth in the General Plan;
- (b) Maintain and enhance the City's appearance by regulating the design, character, location, number, type, quality of materials, size, illumination, and maintenance of signs;
- (c) Protect and improve pedestrian and vehicular traffic safety by balancing the need for signs which facilitate the safe and smooth flow of traffic (e.g., traffic directional signs) without an excess of signage which may distract motorists, overload their capacity to quickly receive information, visually obstruct traffic the signs, or otherwise create congestion and safety hazards;
- (d) Eliminate the traffic safety hazards to pedestrians and motorists posed by off-site signs bearing commercial messages;
- (e) Generally limit commercial signage to on-site locations in order to protect the aesthetic environment from the visual clutter associated with the unrestricted proliferation of signs, while providing channels of communication to the public;
- (f) Allow the communication of information for commercial and noncommercial purposes without regulating the content of noncommercial messages;
- (g) Allow the expression of political, religious, and other noncommercial speech at all times and allow for an increase in the quantity of such speech in the period preceding elections;
- (h) Respect and protect the right of free speech by sign display, while reasonably regulating the structural, locational, and other noncommunicative aspects of signs, generally for the public health, safety, welfare, and, specifically, to serve the public interests in traffic and pedestrian safety and community aesthetics;
- (i) Minimize the possible adverse effects of signs on nearby public and private property;
- (j) Serve the City's interests in maintaining and enhancing its visual appeal for tourists and other visitors, by preventing the degradation of visual quality which can result from excess signage;
- (k) Defend the peace and tranquility of residential zones and neighborhoods by

prohibiting commercial signs on private residences, while allowing residents the opportunity, within reasonable limits, to express political, religious, and other noncommercial messages from their homes; and

- (l) Enable the fair, consistent, and efficient enforcement of the sign regulations of the City.

The wall sign area for the proposed project is shown below:

Tenant Name	Sign Location	Occupancy Frontage	Max. allowed sign area per Northridge Mall Master Sign Plan	Proposed sign area
Dave & Buster's	East elevation	83-feet, 11-inches (83'-11")	104.9 sf. (83'-11" x 1.25)	<u>258.75 sf.</u> 1. 81 sf. logo (9' x 9') 2. 177.75 sf. wall sign (19'-9" x 9')
Burlington	East elevation	108-feet, 8-inches (108'-8")	135.8 sf. (108'-8" x 1.25)	<u>131.78 sf.</u> 1. 131.78 sf. wall sign (25' x 5'-3")
Gohan Ayce Buffett	East elevation	86-feet, 7-inches (86'-7")	108.23 sf. (86'-7" x 1.25)	<u>33.66 sf.</u> 1. 33.66 sf. wall sign (10'-11" x 3'-1")
Gohan Ayce Buffett	South elevation	69-feet, 2-inches (69'-2")	86.45 sf. (69'-2" x 1.25)	<u>108.17 sf.</u> 1. 108.17 sf. wall sign (19'-8" x 5'-6")
O'Reilly's Auto Parts	South elevation	154-feet, 2-inches (154'-2")	192.71 sf. (154'-2" x 1.25)	<u>231.88 sf.</u> 1. 231.88 sf. wall sign (37'-1" x 6'-3")
Future Tenant	South elevation	37-feet, 11-inches (37' - 11")	47.39 sf. (37' x 11")	None proposed

As shown on the table above, the maximum allowed sign area is 675.48 square-feet (maximum allowed 348.93 square-feet on east elevations and 326.55 square-feet maximum allowed on south elevation). The total proposed sign area is 764.24 square-feet, which exceeds the maximum

allowed by 88.76 square-feet. In addition, the future tenant per the Northridge Mall Master Sign Plan is allowed 47.39 square-feet of sign area, which increases proposed sign area to 811.63 square-feet, and the amount of non-conforming sign area to 136.15 square-feet (which is 120% increase of sign area). This is less than the 143% increase that was approved for the Second Amendment to PUD 2014-001 (PUD 2022-001) for the Raising Cane's restaurant pad. Per the proposed sign elevations shown on Exhibits "O" and "P", the signs are within the maximum allowed 75 fascia height and width. The Burlington sign includes a red background architectural feature which extends from the existing second floor roof line.

The Master Sign Plan for the Northridge Mall Shopping Center limits exterior signs for the Mall and the nearby Convenience Center to those with either exterior access or a minimum of 20,000 square-feet of gross floor area if they do not have exterior access. All the proposed tenants are over 20,000 square-feet in gross floor area and all except the future tenant include exterior access. Allowing the proposed 811.63 square-foot sign area for the proposed project could be deemed to provide an economic and competitive advantage over similar adjacent commercial uses and contribute to excess visual clutter and blight to the community. Per Zoning Code Section 37-50.620, Table 37-50.170, Footnote 1, greater sign area may be approved as a part of a Conditional Use Permit (CUP), as reasonable and necessary for identification of a development or use on a site of more than two (2) acres in size. The proposed project exceeds two-acres in size and the proposed signs and increase in sign area may be considered reasonable and necessary.

Building Colors and Materials:

Per Exhibit "N" of PUD 2024-001, the Applicant is proposing additional exterior colors and materials. New colors and materials are primarily located at the new tenant entrances. Proposed colors and materials include, but are not limited to, red, black, blue, orange, white, and aluminum. Staff recommends approval of the proposed colors and materials because they are generally consistent with those of the Northridge Mall Shopping Center.

Planning Commission Action and Recommendation:

At a regularly scheduled public hearing on October 16, 2024, the Planning Commission recommended that the City Council find Planned Unit Development Permit 2024-001 exempt from the California Environmental Quality Act and approve the Third Amendment to Planned Unit Development Permit 2014-001 per the attached Planning Commission Resolution 2024-10.

Findings:

The City Council may approve an application for a Third Amendment to Planned Unit Development Permit 2014-001 if all the findings set forth in the attached proposed City Council Resolution are established. The project was deemed complete on October 16, 2024. Final action is required by December 15, 2024, pursuant to the Permit Streamlining Act.

CEQA CONSIDERATION:

The project has been determined to be exempt from the California Environmental Quality Act

under Section 15332 (*In-fill Development Projects*) of the CEQA Guidelines. The project to change the exterior building elevations, add additional exterior colors to the approved colors and materials board, add new exterior signs, and increase the sign area in connection with a proposed to create multiple tenants on a 2.85-acre project site including a former two-story 137,366 square-foot Sears store and adjacent off-street parking spaces located at the Northridge Mall Shopping Center, which is less than five (5) acres. The site is served by existing utilities and public services and approval of the project does not result in any significant effects relating to traffic, noise, air quality or water quality.

CALIFORNIA GOVERNMENT CODE §84308 DOES NOT APPLY:

Yes.

STRATEGIC PLAN INITIATIVE:

This action supports the Council’s Strategic Goal of Economic Development through the addition of five (5) new commercial tenants at the Northridge Mall Shopping Center which will provide additional retail services to the community.

DEPARTMENTAL COORDINATION:

The proposed project has been discussed among Current Planning, Permit Services, the Public Works Department, the Fire Department, and the City Attorney’s office.

FISCAL AND SUSTAINABILITY IMPACT:

The City collected PUD Amendment Application Fees to cover staff time to review and process the PUD Amendment application. There are no significant impacts to the City’s General Fund anticipated with this application.

Fund	Appropriation	Appropriation Name	Total Appropriation	Amount for recommendation	FY 24-25 Operating Budget Page	Last Budget Action (Date, Resolution)
NA	NA	NA	NA	NA	NA	NA

ATTACHMENTS:

- Proposed City Council Resolution
- Northridge Mall PUD Chronology
- Draft PUD 2024-001 approval document with the following exhibits:
 - Exhibit “A” - Vicinity Map
 - Exhibit “B” – Cover Sheet (Sheet G001)
 - Exhibit “C” – Site Plan (Sheet A001)
 - Exhibit “D” – First Floor Plan (Sheet A101)
 - Exhibit “E” – Second Floor Plan (Sheet A102)
 - Exhibit “F” – Construction Details (Sheet A103)

- Exhibit “G” – As-Built Landscape Plan (Sheet A104)
- Exhibit “H” – As-Built Irrigation Plan (Sheet A105)
- Exhibit “I” – Overall Exterior Elevations (Sheet A401)
- Exhibit “J” – Enlarged Exterior Elevation (Sheet A402)
- Exhibit “K” – Enlarged Exterior Elevation (Sheet A403)
- Exhibit “L” – Enlarged Exterior Elevation (Sheet A404)
- Exhibit “M” – Enlarged Exterior Elevation (Sheet A405)
- Exhibit “N”- Material Color Board (Sheet A406)
- Exhibit “O” – Eastern Elevation Signage Area (Sheet A407)
- Exhibit “P” – Southern Elevation Signage Area (Sheet A408)
- Exhibit “Q” – Construction Details (Sheet A600)
- Exhibit “R” – Engineer’s Report dated July 4, 2024

Planning Commission Staff Report without exhibits, dated October 16, 2024

Planning Commission Resolution No. 2024-10

Planning Commission Minutes (Draft), dated October 16, 2024

Cc: Ethan Conrad Properties, Applicant and Property Owner
Other interested parties

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