

City of Salinas

200 Lincoln Ave., Salinas, CA 93901

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Meeting Agenda - Final

Wednesday, August 6, 2025

4:00 PM

City Council Rotunda

Planning Commission

Commissioners:

Juan Gutierrez, Mayor's Appointee

Jessica Almanza-Larios, District 1 - John Meeks, District 2

Lorisa McKelvey Daye, District 3 - Maureen Wruck, District 4

Carissa Purnell, District 5 - Marcelino Rocamora Jr, District 6

Lisa Brinton, Community Development Director

Courtney Grossman, Planning Manager

Christopher A. Callihan, City Attorney

Community Development Department Office: (831) 758-7206

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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 on items that are not on the agenda and that are in the City of Salinas' subject matter jurisdiction. Comments on Consideration, Public Hearing items, and the Consent Agenda should be held until the items are reached.

CONSENT

[ID#25-328](#)

Minutes

Recommendation: Approve minutes of June 18, 2025.

Annual Election of Planning Commission Chairperson and Vice-Chairperson

Receive nominations for Commission Chairperson and Vice-Chairperson; elect Chairperson and Vice-Chairperson to serve one-year terms.

General Plan Steering Committee - Planning Commissioner Appointments

Confirm the primary and alternate to the General Plan Steering Committee.

PUBLIC HEARINGS

[ID#25-295](#)

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

Recommendation: 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.

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, August 1, 2025 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#25-328, **Version:** 1

Minutes

Approve minutes of June 18, 2025.

**UNOFFICIAL MINUTES
OF THE
SALINAS PLANNING COMMISSION
June 18, 2025**

The meeting was called to order at 4:00 p.m. in the City Council Chamber Rotunda.

PLEDGE OF ALLEGIANCE

ROLL CALL

WELCOME AND STAFF INTRODUCTIONS

ROLL CALL

PRESENT: Chairperson McKelvey Daye and Commissioners Almanza-Larios, Gutierrez, Meeks, Purnell, Rocamora and Wruck

ABSENT: None

STAFF: City Attorney, Christopher Callihan; Community Development Director, Lisa Brinton; Planning Manager, Courtney Grossman; Senior Planner, Thomas Wiles; Associate Planner, Robert Latino and Administrative Aide, Maira Robles

COMMENTS FROM THE PUBLIC FOR ITEMS NOT ON THE AGENDA

Chairperson McKelvey Daye opened for public comment at 4:02 p.m.

No public comments were received.

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

CONSENT

ID#25-241 Approval of the Minutes: June 4, 2025

Upon motion by Commissioner Meeks, and a second by Commissioner Purnell, the minutes of June 4, 2025 were approved. The motion carried by the following vote:

AYES: Chairperson McKelvey Daye and Commissioners Almanza-Larios, Gutierrez, Meeks, Purnell, Rocamora and Wruck

NOES: None

ABSTAIN: None

ABSENT: None

PUBLIC HEARINGS

ID#25-213 Time Extension 2025-003; A request to recommend City Council approval of a one (1) year time extension to Tentative Map 2019-002; which consists of a subdivision of a 7.74-acre lot into 37 lots with alternative street sections and street frontage design for interior roadways located at 11 Hill Circle in the Residential - Low Density - Airport Overlay - Flood Overlay (R-L-5.5 - AR - F) Zoning District

Received presentation from Senior Planner, Thomas Wiles, regarding the request from John Filighera & Associates, Inc., Applicant, for a one (1) year time extension to Tentative Map 2021-002 to extend the expiration date from April 13, 2025, to April 13, 2026. Tentative Map 2021-002 was approved by the City Council on April 13, 2021, which includes the subdivision of a 7.74-acre lot into 37 lots with alternative street sections and street frontage design for interior roadways. As part of the tentative map approval, the City Council considered and adopted a Mitigated Negative Declaration along with a Mitigation Monitoring Program. Pursuant to Municipal Code Section 31-401.11, extensions to approved tentative maps require a recommendation from the Planning Commission and final determination by the City Council.

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

1. Timeframe of extension;
2. Number of proposed dwelling units;
3. Status of application with regard to compliance with the California Department of Fish and Wildlife regulations;
4. Definition of areas identified as “Common Area”;
5. Project development timeline;
6. Number of dwelling units that will be dedicated as affordable housing; and
7. Staff’s assessment of the applicant’s time extension request of one year.

Chairperson McKelvey Daye opened for public comment at 4:13 p.m.

No public comments were received.

Chairperson McKelvey Daye closed for public comment 4:14 p.m.

Commissioner Wruck motioned to approve a resolution recommending that the City Council approve a third one (1) year time extension of Tentative Map 2019-002 to April 13, 2026. A Mitigated Negative

Declaration was considered and adopted as a part of the original approval. Commissioner Rocamora seconded the motion. The motion carried by the following vote:

AYES: Chairperson McKelvey Daye and Commissioners Almanza-Larios, Gutierrez, Meeks, Purnell, Rocamora and Wruck

NOES: None

ABSTAIN: None

ABSENT: None

ID#25-222 Conditional Use Permit 2022-053; A request to construct a 1,642 square foot Minor Vehicle Repair building with Alternative Means of Compliance for Landscaping located at 219 West Market Street in the MAF (Mixed Arterial Frontage) Zoning District

Received presentation from Associate Planner, Robert Latino, regarding the request from David Elliott, Applicant and Architect, on behalf of Rafael Terrazas, Property Owner, who is requesting approval of a Conditional Use Permit (CUP) to construct a 1,642 square foot Minor Vehicle Repair building with Alternative Means of Compliance for Landscaping, and related site improvements on a 9,484 square foot vacant lot. On May 19, 2025, a Notice of Intent to Approve the CUP was mailed to all property owners located within 300-feet of the subject property and interested parties. Subsequently, on May 29, 2025, a protest was received from a nearby property owner. Therefore, the project was scheduled for Planning Commission consideration.

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

1. Standard development fee amounts;
2. Driveway width and location of utility service lines;
3. Potential noise generated by the proposed use and requirements for a sound wall;
4. Parking requirements;
5. Distance between existing neighboring residential units and project site;
6. Quantity and distance of existing vehicle repair shops in the vicinity of the project site; and
7. Mixed Arterial Frontage Zoning District noise regulations.

Chairperson McKelvey Daye opened for public comment at 4:30 p.m.

David Elliot, Architect, provided public comment in support of the project. Mr. Elliot addressed the Planning Commission's concerns regarding visibility, parking requirements, and noise.

Neighboring residential property owner provided public comment in opposition to the project. The neighbor shared photos of the existing barrier between his property and the project site and expressed concerns with the location of the proposed wall and the noise that the use may generate.

Chairperson McKelvey Daye closed for public comment 4:40 p.m.

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

1. Location of the proposed required eight-foot-high solid wall separating the project site from abutting properties;
2. Orientation and frontage of proposed vehicle repair shop;
3. Hours of operation; and
4. Encroachment of residential property onto project site.

Chairperson McKelvey Daye requested that the applicant clarify setbacks.

Mr. Elliot indicated that the setback distances for the proposed wall will be minimal if any as the existing residential unit encroaches onto the applicant's property; however, Mr. Elliot, expressed a willingness to work with the residential property owner to address encroachment concerns as they arise.

Commissioner Rocamora motioned to approve a resolution finding the project exempt pursuant to Section 15332 of the CEQA Guidelines, affirming the findings, and approving Conditional Use Permit 2022-053. Commissioner Meeks seconded the motion. The motion carried by the following vote:

AYES: Commissioners Almanza-Larios, Gutierrez, Meeks, Purnell, Rocamora and Wruck

NOES: Chairperson McKelvey Daye

ABSTAIN: None

ABSENT: None

OTHER BUSINESS

General Plan Steering Committee Update

Community Development Director, Lisa Brinton, indicated that there are no updates to report from the steering committee. Staff will incorporate public comments and feedback received during the joint City Council and Planning Commission meeting into the final public review draft document and which will be ready for release in either late July 2025 or August 2025. The committee will then reconvene to review public comments received regarding the draft document.

FOLLOW-UP REPORTS

No follow-up items were discussed.

FUTURE AGENDA ITEMS

Planning Manager, Courtney Grossman, informed that there are no projects scheduled for presentation to the Planning Commission at this time.

Commissioner Wruck inquired when the Planning Commission can expect to receive an update regarding tentative map applications.

Mr. Grossman indicated that tentative map applications have been received and are currently under review. Three of the maps have been reviewed for completeness and staff anticipates resubmittals will soon follow. Staff will also review these applications for consistency with the Housing Crisis Act of 2019, Senate Bill 330, as applicable.

Commissioner Meeks inquired why the request for Time Extension 2025-003 took a significant amount of time before it was presented to the Planning Commission.

City Attorney, Chris Callihan, informed that due to the conclusion of the public hearing on this item, concerns regarding the project could not be further discussed. Mr. Callihan directed Commissioner Meeks to address concerns regarding the project to Community Development staff following the meeting. Mr. Callihan further recommended that if the inquiry as presented by Commissioner Meeks is specific only to the timeframe of the development project application process in general, then the request may be included as an item for discussion at a future Planning Commission meeting.

Commissioner Meeks requested that project processing timeframes be added as a discussion at a future Planning Commission meeting.

ADJOURNMENT

Chairperson McKelvey Daye reviewed for quorum for the Planning Commission meeting scheduled for July 2, 2025 and adjourned the meeting at 4:46 p.m.

LORISA MCKELVEY DAYE
Chairperson

COURTNEY GROSSMAN
Executive Secretary



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Legislation Text

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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

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.



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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Report (2).docx

**SALINAS PLANNING COMMISSION
RESOLUTION NO. 2025-**

**RESOLUTION APPROVING A 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
(CUP 2024-065)**

WHEREAS, on August 6, 2025, the Salinas Planning Commission, at the request of Jay Zapata of ZPROUT, and Sherrie Olson of PLRC, on behalf of Christopher R. Dabit et. al., considered a request to expand an existing 438 square-foot convenience store with gas pumps by changing the use of 802 square-feet from vehicle repair to convenience store for a total of 1,240 square-feet of convenience store area and expand an existing alcohol related use consisting of a Type 20 off-sale ABC license from 802 square-feet to 1,240 square-feet located at 201 Monterey Street in the Mixed Use – Central City Overlay – Downtown Core Overlay area (MX-CC-DC) Zoning District (Assessor’s Parcel Number 002-231-018-000); 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 2024-065; 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 15332 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 15332 (*In-Fill Development Projects*) of the CEQA Guidelines. The proposed project is exempt because the proposed project is consistent with the applicable General Plan designation and policies, the applicable Zoning designation, the project site is located within city limits on a project no more than five (5) acres substantially surrounded by urban uses, the project site has no value as habitat for endangered, rare, or threatened species, approval of the project would not result in any significant effects related to traffic, noise, air quality, or water quality, and the project site can be adequately served by all required utilities and public services.

2. ***The proposed location of the use is not 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 Mixed Use by the 2002 Salinas General Plan. Per the General Plan, Mixed Use provides for a mixture of retail, commercial, office and residential uses in the same building, parcel, or area. The proposed expansion of an existing convenience store with gas pumps with and existing off-sale alcohol related use into an existing vehicle repair bay is consistent with General Plan Goal CD-2, as it encourages the design, maintenance, and revitalization of neighborhoods that enhance the quality of life. Expansion of commercial space for food and beverage sales is consistent with General Plan Policy LU-3.7 by helping to revitalize the Central City. The off-sale alcohol related use is conditioned to comply with the provisions of the Zoning Code; therefore, the project provides for orderly integration of alcohol-related uses in accordance with the purpose of the alcohol license review regulations pursuant to Zoning Code Section 37-50.030.

As shown on the official Zoning Map, the site is located in the base MX-CC-DC (Mixed Use – Central City Overlay – Downtown Core Area) District. Per Section 37-30.230, the purpose of the Mixed Use District is to provide opportunities for commercial uses that emphasize retail and service activities and promote compact development that is intended to be pedestrian-oriented with buildings close to and oriented to the sidewalk. The proposed expansion of an existing convenience store with gas pumps use would not adversely affect the welfare of the surrounding neighborhood. The proposed location is in a neighborhood with a mix of residential, commercial, and public and semipublic uses including three schools.

The project would not adversely affect the welfare of the surrounding neighborhood, which contains a mix of residential, commercial, and public and semipublic uses including three schools. Residences are located adjacent to the east of the project site across Lodge Alley, but do not have direct access to the existing convenience store with gas pumps use. Conditions of approval for the off-sale alcohol use would ensure that the use is not detrimental to the public health, safety, and welfare of the area and neighborhood residences.

3. ***The proposed location of the conditional use and the proposed conditions under which it would be operated or maintained are not consistent with the Salinas General Plan and would be detrimental to the public health, safety, or welfare of persons residing or working in or adjacent to the neighborhood of such use, and detrimental to properties or improvements in the vicinity or the general welfare of the City of Salinas;***

The site is designated Mixed Use by the 2002 Salinas General Plan. Per the General Plan, Mixed Use provides for a mixture of retail, commercial, office and residential uses in the same building, parcel, or area. The project is consistent with General Plan

Goal CD-2, as it does encourage the design, maintenance, and revitalization of neighborhoods that enhance the quality of life.

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 and will not be detrimental to the adjacent neighborhood. For example, if the subject convenience store with gas pump use and/or alcohol related use ceases operation for a continuous period of six (6) months or more, then the Conditional Use Permit shall become null and void.

Conditions of approval for the off-sale alcohol use would ensure that the use is not detrimental to the public health, safety, and welfare of the area and neighborhood residences. 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: alcohol shall not be sold between the hours of 10:00 p.m. and 6:00 a.m. and coolers containing alcoholic beverages shall be locked between the hours of 10:00 p.m. and 6:00 a.m.; 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.

The project site located on a Mixed Use zoned property. The modification to the existing off-sale alcohol-related use at a service station and convenience store with gas pump use (Salinas Gas) will continue to be subject to conditions of approval of previous Conditional Use Permit 2016-019 including, but not limited, to the following requirements pursuant to Zoning Code Section 37-50.030(f)(3):

- No alcoholic beverages shall be consumed on the premises.
- No sale or distribution of alcoholic beverages shall be made from a drive-up or walk-up window.
- No display of alcoholic beverages shall be made from an ice tub.
- 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.

4. ***The Alcohol-Related use would not adversely affect the welfare of the area and 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***

The project site is located in an area of “undue concentration as it is located in a police crime reporting district that has a 20 percent greater number of reported crimes. The Salinas Police Department’s most recent 2024 average for statistics for Police Reporting Districts (PRDs) is 73.43 reported crimes for an approximate undue concentration ratio of 88.12 (73.43 x 1.2). Crime statistics for PRD 132 was 118 reported crimes in 2024. Although in an area of undue concentration, per a Police Department Memorandum dated July 21, 2025 (Exhibit “K” of CUP 2024-065), the Salinas Police Department does not object to the continued operation of a Type 20 alcohol license at this location subject to conditions of approval including, but not limited, to the following requirements:

- Digital surveillance system shall be provided with high quality cameras focused on the location of the in-store stocked alcohol, at points of sales transactions, at entrance/exits of the store and the parking lot, with the capability to store the digital images captured. The video/photos shall be made to the police upon request.
- Ample lighting shall be provided in parking lots, exterior area of entrances/exits and situated in areas to enhance video surveillance equipment.
- No unsecured alcohol may be placed near the entrances and exits of the store.

The site is developed with an existing service station and convenience store with gas pump use (Salinas Gas) and is zoned for mixed-use purposes. Conditions with this Conditional Use Permit would ensure that the off-sale alcohol-related use would not adversely affect the welfare of the surrounding neighborhood, which include the requirement that ample lighting to be provided in parking lots, exterior areas of entrances/exits and situated in areas to enhance video surveillance equipment. No sale of alcohol shall occur between the hours of 10:00 p.m. and 6:00 a.m. and coolers containing alcoholic beverages shall be locked between the hours of 10:00 p.m. and 6:00 a.m.

5. ***The location of the existing 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.***

The project site is located is on a Mixed Use zoned property within an existing service station and convenience store with gas pumps use (Salinas Gas). Per ABC, there are 18 active off-sale alcohol licenses and per City records there are 8 active off-sale alcohol licenses, which is higher than the two (2) authorized. As noted, there

is a discrepancy of 10 licenses in CT 13, which appears to be caused by an update issue with the state. Nonetheless, per ABC and City records, the project site is classified as undue concentration due to number of off-sale outlets. However, the project expands an existing off-sale alcohol use and does not propose additional off-sale alcohol related uses in CT 13.

The existing off-sale alcohol-related use at an existing service station and convenience store with gas pump use (Salinas Gas) will continue to be subject to conditions of approval including, but not limited, to the following requirements pursuant to Zoning Code Section 37-50.030(f)(3):

- No alcoholic beverages shall be consumed on the premises.
- No sale or distribution of alcoholic beverages shall be made from a drive-up or walk-up window.
- No display of alcoholic beverages shall be made from an ice tub.
- 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.

Public convenience would be served by the issuance of the license by the ABC because customers would be able to complete their shopping needs without having to travel to a range of retail outlets.

PASSED AND APPROVED this 6th day of August 2025 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 adopted by the affirmative and majority vote of said Planning Commission at a meeting held on August 6, 2025 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

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When recorded, return to:

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

SPACE ABOVE FOR RECORDER'S USE ONLY

Title of Document

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

WHEREAS, the Salinas City Council, at a public hearing duly noticed and held on August 6, 2025, found that the proposed location of the use is in accord with the objectives of the Salinas Zoning Code and the purposes of the zoning district in which the site is located; that the location of the use and the proposed conditions under which it would be operated and maintained will be consistent with the Salinas General Plan and will not be detrimental to the public health, safety, or welfare of persons residing or working in or adjacent to the neighborhood of such use, nor detrimental to properties or improvements in the vicinity or the general welfare of the City of Salinas; that the use will comply with the provisions of the Salinas Zoning Code, including the specific conditions required for the proposed use; that the proposed off-sale alcohol-related use will neither adversely affect the welfare of the area nor of surrounding residentially zoned neighborhoods, giving due consideration to the distance of the proposed use from other off-sale alcohol-related uses, residentially zoned property, public schools, public playgrounds, and other similar uses; and giving further consideration to crime rates, calls for emergency services, and residential densities in the surrounding area; that although the proposed off-sale alcohol-related use is located within an area of undue concentration (as defined by Business and Professions Code Sections 23958.4 and 23817.5, and administered by the State Department of Alcoholic Beverage Control), pursuant to Business and Professions Code Section 23817.7, the public convenience or necessity would be served by the issuance of the alcohol license by the ABC; and that this conditional use has been reviewed and evaluated in accordance with the California Environmental Quality Act and is considered Exempt to CEQA.

NOW, THEREFORE, the Salinas Planning Commission hereby grants and issues Conditional Use Permit No. 2024-065 pursuant to *Article VI, Division 8: Conditional Use Permits*, of Chapter 37 of the Salinas City Code and upon the following terms and conditions and not otherwise, to wit:

ISSUED TO/PROPERTY OWNER: Christopher R. Dabit et. al

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

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

ON PROPERTY LOCATED AT: 201 Monterey Street

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

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

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

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

RIGHT TO OPERATE/DEVELOP

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

Exhibit "A" Vicinity Map

Exhibit "B" Site Plan (Sheet G001)

Exhibit "C" Existing Floor Plan (Sheet A100)

Exhibit "D" Proposed Floor Plan (Sheet A101)

Exhibit "E" Existing Elevations (Sheet A200)

Exhibit "F" Proposed Elevations (Sheet A201)

Exhibit "G" Sign and elevations (Sheet A202)

Exhibit "H" Monument sign and elevation

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

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

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

LIMITATIONS ON USE

2. Hours of operation of the convenience store with gas pumps shall be 24 hours per day, seven (7) days per week. Alcohol shall not be sold between the hours of 10:00 p.m. and 6:00 a.m. Coolers containing alcoholic beverages shall be locked between the hours of 10:00 p.m. and 6:00 a.m.
3. The City Planner may conduct a review of this Permit after inauguration, and may require modifications, if appropriate. The City Planner may also schedule a review by the Salinas Planning Commission, at a public hearing, if considered necessary. In the event that a public hearing is necessary, the Permittee shall reimburse the City of Salinas for all costs and expenses required to prepare for and conduct said hearing.
4. The Conditions of Approval stated in the Engineer's Report dated July 3, 2025 (Exhibit "H") shall be addressed prior to the issuance of a Building Permit.
5. The premises shall be maintained free of litter at all times.
6. No alcoholic beverages shall be consumed on the premises.
7. No sale or distribution of alcoholic beverages shall be made from a drive-up or walk-up window.
8. No display of alcoholic beverages shall be made from an ice tub.
9. No "single-serving" or "one-can" sales of alcoholic beverages shall be made from the premises. A sign to this effect in English and Spanish shall be maintained at the cashier station at all times.
10. No more than four (4) cooler doors shall be allocated to alcohol sales. Coolers without doors shall be limited to 32 lineal feet.
11. No alcoholic beverage shall be displayed within five feet of the cash register or within five feet of the front door of the permitted premises.
12. No self-illuminated advertising for alcoholic beverages shall be located on buildings or windows.
13. All business owners and managers shall complete a program certified by the Department of Alcoholic Beverage Control (ABC) as a qualified responsible beverage service (RBS) program prior to the commencement of the use. Any business established after the effective date of the ordinance codified in this section shall require such training of all owners and managers within ninety days of ownership transfer or hire. Failure of managers to obtain training shall be the

liability of the owner. The owner shall maintain on the premises a file containing the certificates of training and shall present the file and its contents upon request by the City at any time during normal business hours. The provisions of this section regarding responsible beverage training shall be suspended upon a finding by the City Planner that the training is not reasonably available.

14. An electronic age verification scanner shall be installed, maintained, and utilized for all off-sale alcohol sales.
15. Signs shall be posted at the location in English and Spanish with regard to prohibitions of open containers and loitering at the location, and no loitering will be tolerated.
16. No single 40 oz. containers of beer may be sold from the premises.
17. No malt liquor or fortified wine products (wines with greater than 15% alcohol content) shall be sold.
18. Sales of wine shall be in containers of at least 750 ml.
19. Digital surveillance system shall be provided with high quality cameras focused on the location of the in-store stocked alcohol, at points of sales transactions, at entrance/exits of the store and the parking lot, with the capability to store the digital images captured.
20. Surveillance video/photos shall be made available to police upon request.
21. Ample lighting shall be provided in parking lots, exterior area of entrances/exits and situated in areas to enhance video surveillance equipment.
22. There shall be no coin operated video or arcade games and no adult magazines or videos shall be sold.
23. No pay telephone booths shall be permitted on the premises
24. Any alcohol license violation and/or suspension by the Alcohol Beverage Control Board or significant criminal activity, in the opinion of the City Police Chief, shall constitute grounds for review and modification or revocation of this use Permit in accordance with Section 37-60.640: Expiration- transferability; recordation; rescission; revocation, of the Salinas Zoning Code.
25. If the subject convenience store with gas pumps use and/or alcohol related use ceases operation for a continuous period of six (6) months or more, this Conditional Use Permit shall become null and void.
26. No outdoor storage, display, or sale of merchandise of any kind will be permitted

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

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

NPDES REQUIREMENTS

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

FIRE PROTECTION REQUIREMENTS

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

CRIME PREVENTION REQUIREMENTS

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

PARKING REQUIREMENTS

31. Assembly Bill 2097 (AB 2097) prohibits a public agency from imposing any minimum automobile parking requirement on any residential, commercial, or other development project that is located within ½ mile of a major transit stop. The project site is located within ½ mile of a major transit stop (Salinas Transit Center). Therefore, the provided off street parking for this project is considered optional, but must meet the development standards including, but not limited to, minimum dimensions, landscaping requirements, and lighting.
32. All off-street parking and loading areas shall be graded, paved, drained, landscaped, striped, and maintained in accordance with *Article V, Division 2: Parking, Loading, and Outdoor Lighting* of the Salinas City Code.

SIGNS

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

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

34. All service station signs shall comply with Zoning Code Section 37-50.620(f) (Service Station Signs).
35. No canvas signs, banners, pennants, flags, streamers, balloons or other temporary or wind signs; no mobile, A-frame, or portable signs; no roof or canopy signs extending above a building roof; no signs that resemble any official marker erected by the city, state or any governmental agency, or that by reason of position, shape, color or illumination would conflict with the proper functioning of any traffic sign or signal or would be a hazard to vehicular or pedestrian traffic; no signs which produce odor, sound, smoke, fire or other such emissions; and no animated, flashing, moving or rotating signs shall be permitted unless permitted in accordance with *Article 5, Division 3: Signs* of the Salinas Zoning Code, as may be amended from time to time.

LANDSCAPING

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

OUTDOOR LIGHTING

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

BUILDING MATERIALS AND COLORS

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

RECYCLING AND SOLID WASTE DISPOSAL AREA

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

MAINTENANCE

40. All parking areas, driveways, other paved surfaces, accessways and grounds shall be regularly maintained and kept free of weeds, litter, and debris. All traffic signs and pavement markings shall be clear and legible at all times. All landscaped areas shall be maintained free of weeds, trash, and debris, and all plant material shall be continuously maintained in a healthy, growing condition. All exterior building and wall surfaces shall be regularly maintained, and any damage caused by weathering, vandalism, or other factors shall be repaired in conformance with the terms and conditions of this Permit.
41. The Applicant, or successor-in-interest, shall eradicate graffiti painted or marked on the facility within seventy-two (72) hours of occurrence pursuant to Municipal Code Section 5-03.19(a)(4).

PUBLIC IMPROVEMENTS

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

UTILITIES/EQUIPMENT SCREENING

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

PERMIT NOT TO SUPERSEDE OTHER REQUIRED LICENSING OR PERMITS

46. The issuance of this Permit is required in addition to the issuance of an alcoholic beverage sales license from the State Alcoholic Beverage Control Board.

47. The issuance of this Permit shall not relieve the Permittee of any requirement to obtain permits or licensing from any county, regional, state or federal agencies. If applicable, a City Business License shall be obtained prior to commencement of use.
48. This Permit may be subject to water and sanitary sewer allocations. The Permittee shall proceed at their own risk as water and sanitary sewer allocation may not be available at the time requested.

MODIFICATION OF APPROVED USE AND PLANS

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

VIOLATION; REVOCATION

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

CANCELLATION OF PREVIOUS PERMIT

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

SUBSTANTIAL ACTION TIME LIMIT

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

PERMIT VALIDATION

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

STANDARD CONDITIONS

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

NOTICE OF CHALLENGE LIMITATIONS

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

EXECUTIONS

THIS CONDITIONAL USE PERMIT was approved by action of the Salinas Planning Commission on August 6, 2025, and shall become effective on the following date unless appealed to the City Council of the City of Salinas in accordance with Article VI, Division 17: Appeals:

Effective Date: August 19, 2025

Courtney Grossman
Planning Manager, City of Salinas

(Signatures Listed Below on Pages 10 through 12 Must Be Notarized)

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

Dated: _____

Christopher Dabit
Permittee and Property Owner

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

STATE OF CALIFORNIA
COUNTY OF MONTEREY

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

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

WITNESS my hand and official seal.

Signature _____

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

Dated: _____

Alex Dabit
Property Owner

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

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 _____

Dated:_____

Maha Nakleh Dabit
Property Owner

<p>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.</p>

STATE OF CALIFORNIA
COUNTY OF MONTEREY

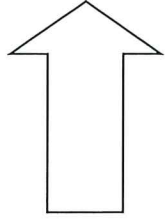
On _____ 202__, before me, _____, Notary Public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies),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

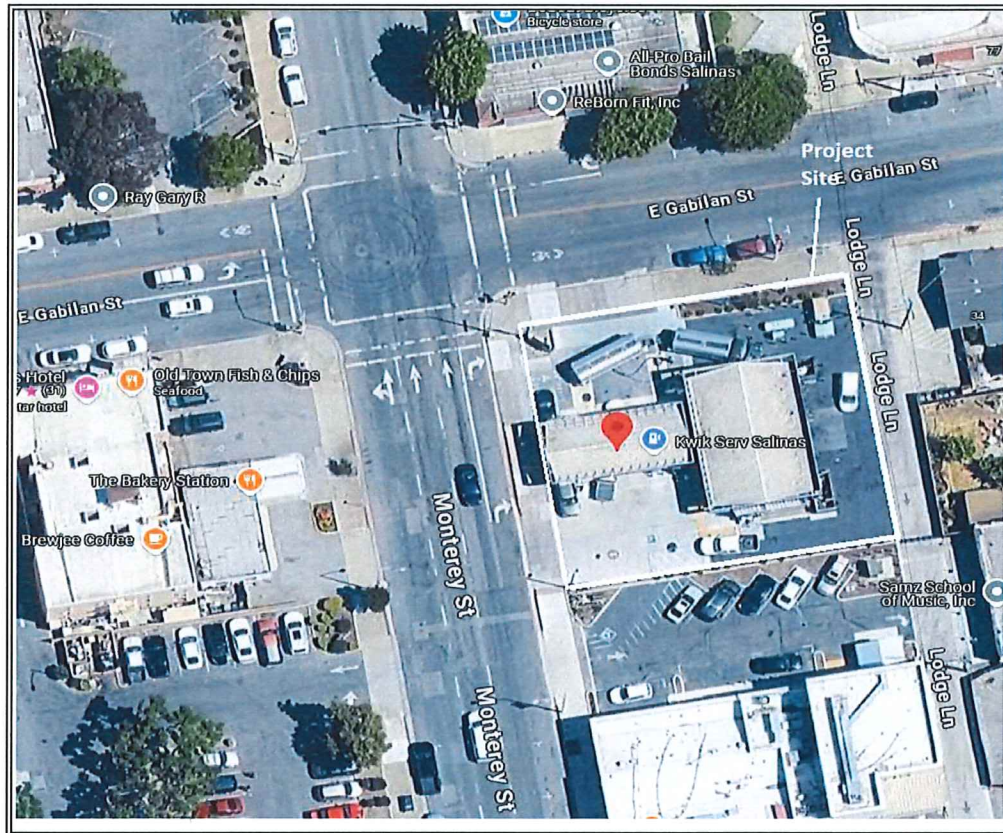
Signature _____

I:\ComDev\Planning Share Space\Conditional Use Permits\2024 CUP's\CUP 2024-065 - 201 Monterey St\Granicus Files\CUP 2024-065(2).docx



North

Vicinity Map



CONDITIONAL USE PERMIT 2024-065

201 Monterey Street

Exhibit A

201 Monterey St, Salinas, CA 93901

PROPERTY INFORMATION

ASSEMBLY BILL 2097 (AB2097) DOES NOT REQUIRE PROJECT TO PROVIDE NEW PARKING SINCE IT IS LOCATED WITHIN 1/4 MILE FROM A MAJOR TRANSIT STATION (COAST-STARLIGHT SALINAS DOWNTOWN STATION

SITE PLAN KEY NOTES

general

Project Information

Letter & Demolition Plan

(1) ZERO TO THIRTY-FOUR INCHES MINIMUM HEIGHT AND ONE AND ONE-HALF INCH MINIMUM STROKE WIDTH.

(2) THIRTY-FOUR TO SIXTY INCHES MINIMUM HEIGHT AND THREE-FOURTHS INCH MINIMUM STROKE WIDTH.

PROJECT LOCATION



REMODEL OF (E) BLDG, ELIMINATE (C) SERVICE BAYS AND EXPAND (E) STORE AND A FULL KITCHEN, (N) EXTERIOR STOREFRONT AND FINISHES TO ALSO BE UPDATED, RELOCATION OF VAPOR PROCESSING SYSTEM, LIQUEFIED GAS TANK, AND DISPENSING EQUIPMENT; (C) CANOPY, FUEL DISPENSERS, TRASH ENCLOSURE, LANDSCAPING, EXTERIOR LIGHTS, AND UNDERGROUND FUEL TANKS TO REMAIN "AS IS".

(E) SNACK SHOP	438 SF
(E) AUTO REPAIR	902 SF
GROUND FLOOR	1,240 SF
FAR: 1,240 SF / 10,085 = 0.11	

5% OF 10.085= 550 SF
5% OF ADA STALL PROVIDED= 14 SF
PROVIDED (SEE SITE PLAN) = 806 SF (60 SF + 308 SF + 174 SF + 204 SF)

1. DRIVEWAY SHALL BE ABLE TO HOLD THE WEIGHT OF THE FIRE APPARATUS.

- [illegible]

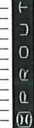
ASSESSORS PARCEL NUMBER:	002-231-018
LOT PARCEL AREA:	10.885 SF (0.25 ACRE)
ZONING:	CC (CORRIDOR COMMERCIAL)
OCCUPANY:	M
BUILDING FIRE SPRINKLERED:	NO
CONSTRUCTION TYPE:	V-B
HOURS OF OPERATION:	24 HRS

SITE PLAN KEY NOTES

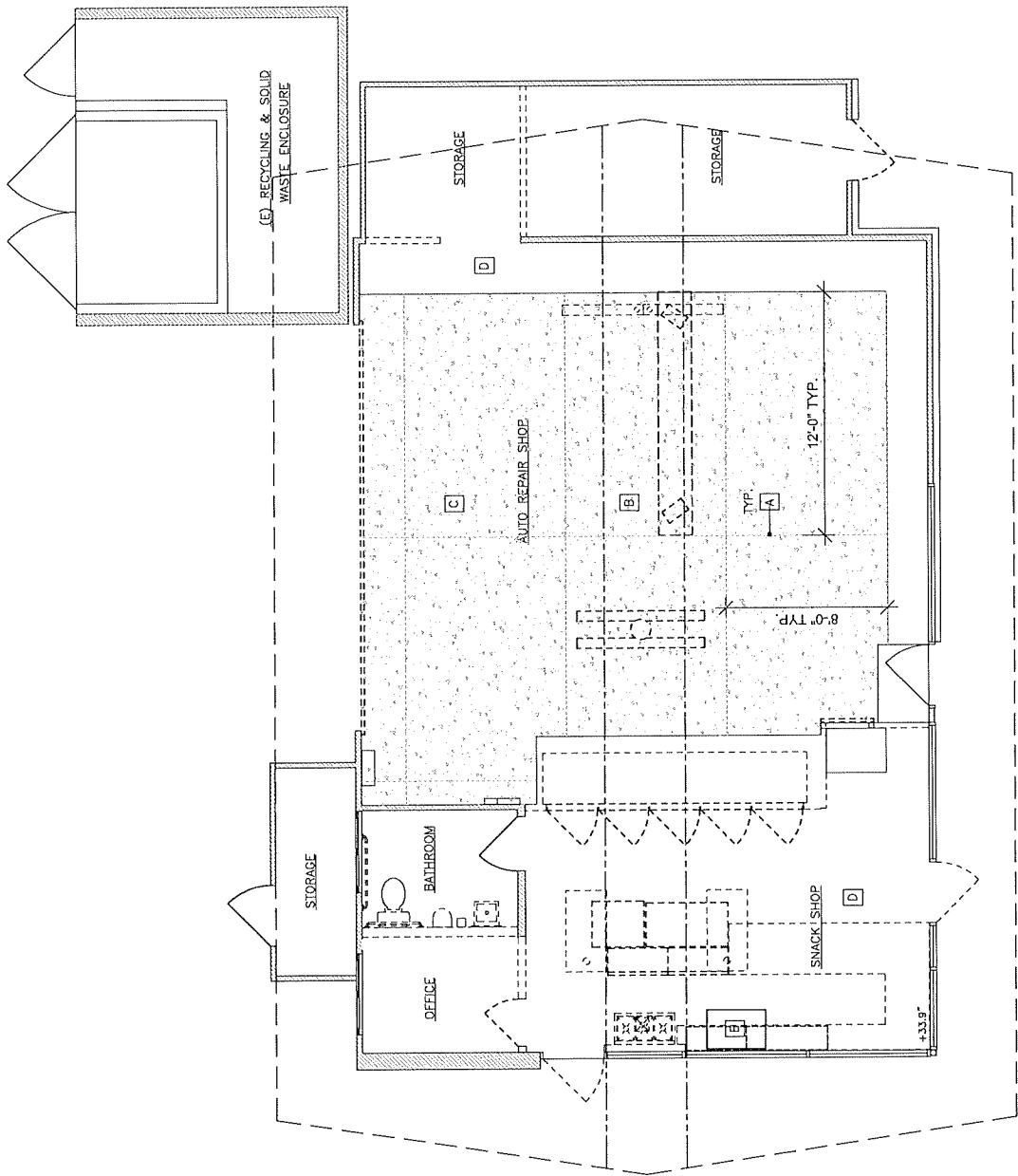
2	(N) TEXTURED PAVEMENT COLOR SELECTED BY OWNER
3	(P) TRUNCATED DOWNS TO SEPARATE ACCESSIBLE PATH OF TRAVEL AND VEHICULAR TRAFFIC
4	(P) 6" HEIGHT BY 6" DEEP CONCRETE CURB

- [illegible]

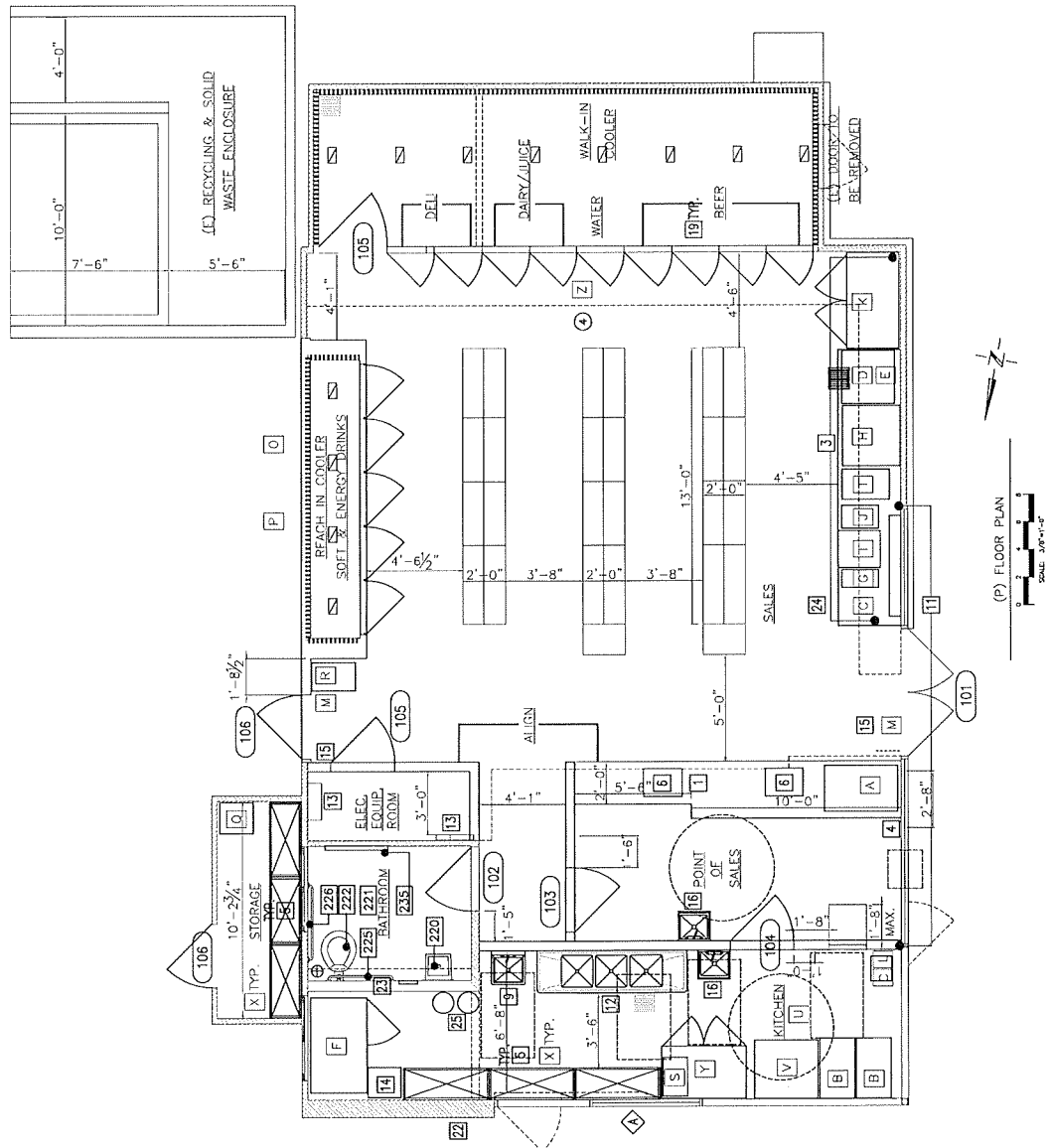
Salinas, CA 93901
Reviewed by: Chris Dack
EO-270-6267
redacted@gmail.com

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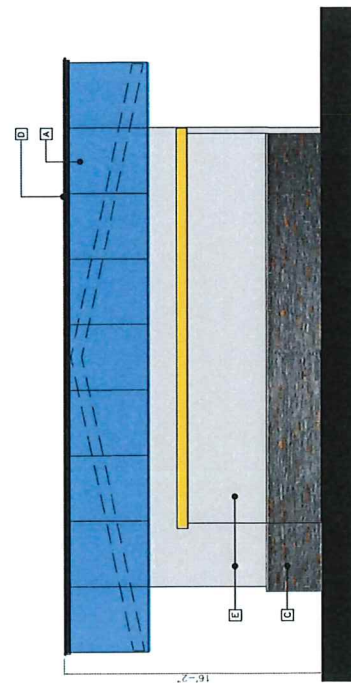
GOO1



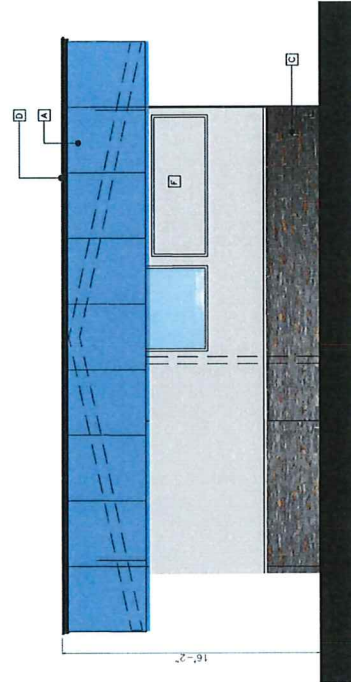
(E) FLOOR PLAN, DEMO PLAN, & SLAB PLAN
 SCALE: 1/8" = 1'-0"
 NORTH



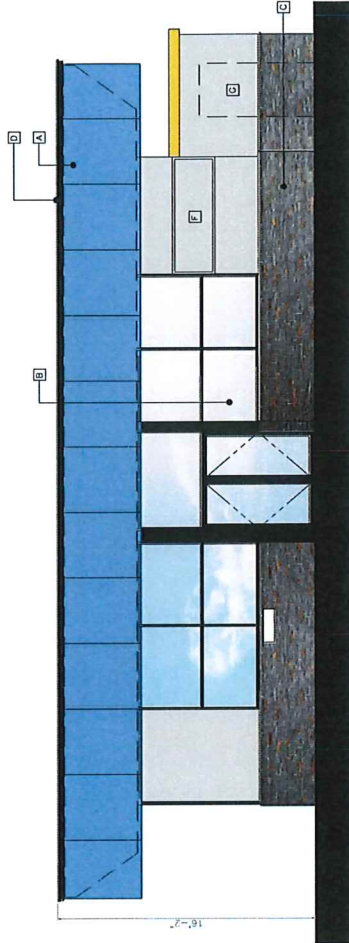
SOUTH ELEVATION



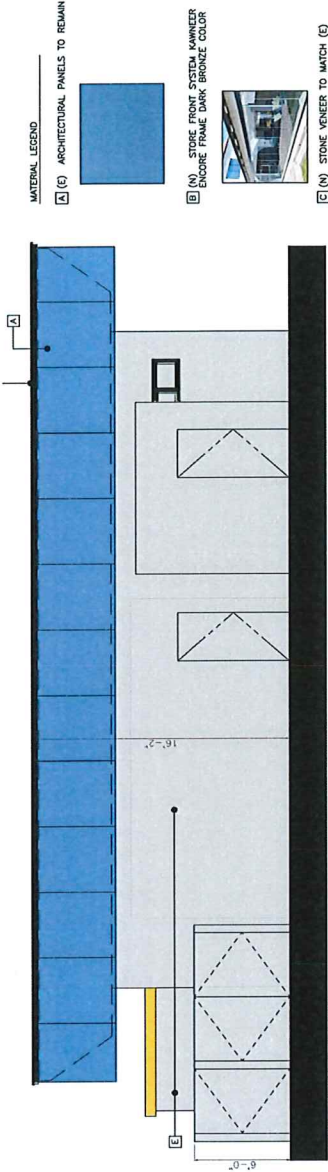
NORTH ELEVATION



WEST ELEVATION



EAST ELEVATION



MATERIAL LEGEND

(A) ARCHITECTURAL PANELS TO REMAIN



(B) STORE FRONT SYSTEM KAWNEER BRONZE FRAME DARK BRONZE COLOR



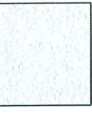
(C) (N) STONE VENEER TO MATCH (E)



(D) (N) SHEET METAL CAP WITH RECESSED DIFFUSED LED ROPE LIGHTING ON CHANNEL



(E) (N) OMEGA SMOOTH FINISH STUCCO



(F) SIGNAGE UNDER SEPARATE PERMIT

(G) (F) DOOR TO BE REMOVED

CONVENIENCE STORE

201 Monterey St
Salinas, CA 93901

Developed by Chris Diaz
650.270.6487
Zhenbozhuo@sprout.com



SPROUT

ARCHITECTS

1000 N. Market Street, Suite 200, Salinas, California 93901

P.O. Box 100, Salinas, CA 93901

Phone: (831) 835-1776

Fax: (831) 835-1776

Web: www.sprout.com

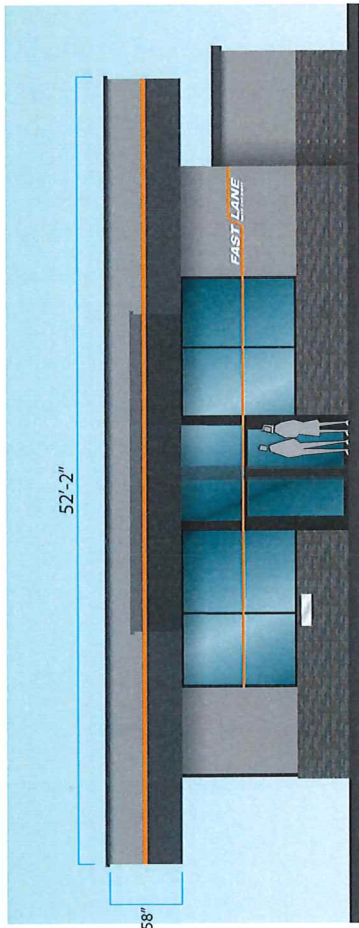
SA No: 201024

DATE: 10/20/24

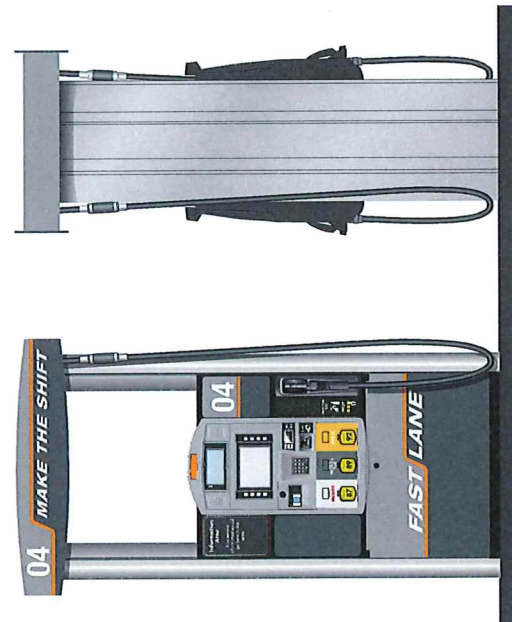
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A201

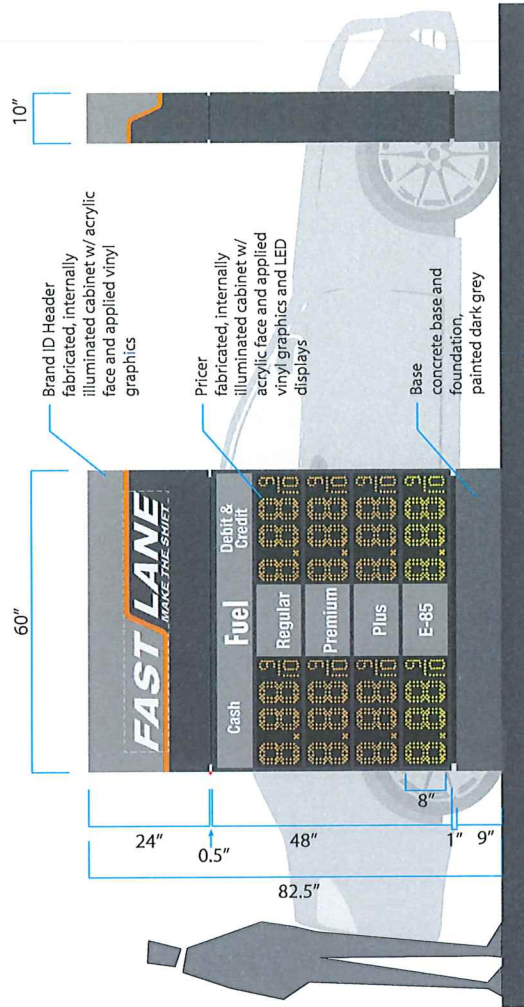
Printed / Revised
12/02/24 - PLANNING RESUBMITTAL



West Elevation / C-Store / 1/8"=1'-0"



Dispenser / 1/2"=1'-0"



Monument / 1/2"=1'-0"

Note: Content in this package is for design intent only. Dimensions are approximations and should be verified by the fabricator. Material callouts are general guidelines. The fabricator should employ best practices to ensure a high quality, sturdy, and durable final product while maintaining the intent of the design.

06/14/2025

Environmental Graphics
Design Intent / Pkg 3 / Draft 1

NTS

Ladd Woodland
Experiential Brand Consultant

Fast Lane
Convenience Store





City of Salinas

DEVELOPMENT ENGINEERING (PW) • 65 West Alisal Street • Salinas, California

Phone: (831) 758-7251 • www.cityofsalinas.org

ENGINEER'S REPORT

PURPOSE: CUP2024-065

LOCATION: 201 Monterey St

APPLICANT: Sherrie Olson - PLRC

ENGINEER: N/A

DATE: 7/3/2025

PLANNER: Thomas Wiles

REVIEWER: Fernando Rizo, QSP/QSD
Assistant Engineer

DEVELOPMENT PROPOSAL: Amendment to CUP 2016-019 modify off-sale alcohol license

RECOMMENDATION: Approved with Conditions

SWDS CATEGORY: N/A

NPDES CATEGORY: N/A

SWDS THRESHOLD: N/A

DEVELOPMENT REVIEW: *Development Review Submittal prepared by Zprout, dated 9/6/2025.*

DEVELOPMENT IMPACT FEES

Development Impact Fees – No development impact fees are anticipated. No building expansion is proposed, and traffic impacts do not apply.

COMMENTS TO BE ADDRESSED PRIOR TO BUILDING PERMIT ISSUANCE

1. Offsite Improvements – Applicant shall provide confirmation that an ADA-compliant sidewalk is provided at all driveways. If ADA compliance is not verified, applicant shall obtain an encroachment permit to reconstruct the driveway to provide an ADA-compliant sidewalk per City of Salinas Standard Plan 5.
2. Offsite Improvements - Applicant shall reconstruct any damaged or uplifted sidewalk and/or curb & gutter per City Standard Plan 2R &
3. Offsite Improvements – Any construction, reconstruction, or closure of the right of way shall require an encroachment permit.
4. NPDES Compliance – Contractor shall provide construction BMPs for site improvements.

Notice: The Conditions of Approval for this Site Plan Review include certain fees and development requirements. Pursuant to Government Code Section 66020 (d)(1), this hereby constitutes written notice stating the amount of said fees and describing the development requirements. The applicant is hereby notified that the 90-day appeal period in which he/she/they may protest these fees and development requirements, pursuant to Government Code Section 66020 (a), begins on the date the office land use permit is approved. If applicant files a written protest within this 90-day period complying with all requirements of Section 66020, he/she/they will be legally barred from challenging such fees and/or requirements at a later date.

Exhibit I



City of Salinas

SALINAS FIRE DEPARTMENT

Fire Prevention Division – Office of the Fire Marshal

200 Lincoln Avenue • Salinas, California 93901

(831) 758-7466 • fireprevention@ci.salinas.ca.us

Plan Review Notes

Date:	May 2, 2025 revised July 7, 2025
Project Number	CUP2024-060 CUP2024-065
Owner Name	Dabit Christopher, et al.
Applicant Name	Jay Zapata, AIA LEED AP BD+C
Address	201 Monterey Street, Salinas, California
Project Description	Amend CUP 1965-019: Expand Convenience Store to 1240 sf
Plan Review Sequence	5th Review 1 st Review for CUP2024-065, which replaces CUP2024-060
<p><i>Plans for the above referenced project have been reviewed and approved with conditions listed below. All prior corrections have been resolved under CUP2024-060. Ensure the corrected plans are included with future building permit applications for this project.</i></p>	
<p>1. Liquefied Petroleum (LP) Gas - Stationary Container & Dispensing Equipment – The installation of the relocated LPG stationary container and dispensing equipment shall be installed in accordance with National Fire Protection Association Standard 58, 2020 edition (NFPA 58-20).</p>	
<p>2. Kitchen Hood and Duct Fire Protection System – Pursuant to the note on the plans, the Hood and duct fire protection system required for protection of any cooking equipment required to be located under a Type I exhaust hood in accordance with California Fire Code Section 904.13. Plans for the installation of the fire protection system are a deferred submittal to be prepared and submitted by the licensed California C-16 fire protection contractor.</p>	
<p>3. Vapor Recovery System – The gasoline vapor recovery system associated with the gasoline dispensing system shall be installed in accordance with California Fire Code Section 2306.</p>	
<p>4. Address Posting – Pursuant to the note on the plans, the address numbers shall be installed and maintained as follows: <i>All building addresses shall be visible from the street which fronts the building. This street may be the public street for which the address is given, or it may be the private roadway that fronts the building and allows access to the building. To facilitate rapid</i></p>	

Exhibit J

response to an emergency at a building or complex, the addresses shall be clearly visible to the emergency responders from the road or street.

Where a building is set back from the street or road, the address number or letter shall be determined for both the street approach and on the building, in accordance with the following standards:

(1) Zero to thirty-foot distance: four inches minimum height and one-half inch minimum stroke width.

(2) Thirty-one to fifty-foot distance: six inches minimum height and three-fourths inch minimum stroke width.

(3) Over fifty-foot distance: twelve inches minimum height and one and one-fourth inch to one and one-half inch minimum stroke width as determined by the fire chief.

All addressing shall be on a contrasting background color, shall be reflective and/or illuminated, and distances noted above shall be measured from the curb of the roadway.

5. **KnoxBox Emergency Key Lock Box** – Pursuant to the note on the plans, the Knox Box commercial key box shall be installed and maintained prior to the final fire inspection.

KnoxBox - A commercial KnoxBox key lock box shall be installed and maintained on the front of the building near the main entrance. The KnoxBox shall be installed prior to fire final inspection. Premises keys labeled and ready for placement in the KnoxBox shall be submitted to the Fire Inspector when the Fire Inspector closes and locks the KnoxBox at the final fire inspection. The commercial KnoxBox specified for the "Salinas Fire Dept" jurisdiction shall be ordered from The Knox Company at www.knoxbox.com.

Plans reviewed by: DOROTHY PRIOLO, Deputy Fire Marshal



CITY OF SALINAS
POLICE DEPARTMENT
MEMORANDUM

DATE: July 21, 2025
TO: Tom Wiles, Senior Planner
FROM: Gerardo Magana, Sergeant
SUBJECT: CUP 2024-065 (201 Monterey St. Kwik Serve)

I have reviewed the provided information regarding CUP 2024-065, proposed alcohol license type 20 off sale alcohol for location 201 Monterey St. Salinas, Ca. 93906.

This location is in Police Reporting District (PRD) #132. The police department's statistics office provided me with an overall 2024 average crime rate of 73.43 per PRD. According to the police department's statistics office, the crime statistics for 2024 for PRD #132 is 118, which is above the PRD average.

City of Salinas PRD #132	
Year 2024	
Murder	1
Robbery	8
Burglary	3
Rape	1
Aggravated Assault	31
Simple Assault	38
Stolen Vehicles	13
Larceny	11
Part Two Crimes	12
Arson	0
TOTAL	118
***all charges include attempted**	

PRD #132 is located on Monterey St. business district. A majority of the crimes that occur in this area are Part II crimes which consists of a variety of crimes such as Forgery, Embezzlement, Fraud, Vandalism, Theft, Drug Abuse, fights, DUI, Public Intoxication, Loitering, and others.

It is my opinion that there may be an increase for police services for this project based on the fact PRD #132 has a higher-than-average crime rate in the City of Salinas.

Exhibit K

The Salinas Police Department does not object to the approval of CUP 2024-065, subject to the following recommendations:

- 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.
- Ample lighting in the exterior area of entrances/exits and situated in areas to enhance video surveillance equipment.
- 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.

Sec. 21-35. - Trespass—Prohibited on posted land.

It shall be unlawful for any person to enter or go upon or pass over or remain upon any land of another where the owner of such property, or the person entitled to the possession thereof for the time being, or the authorized agent of either, has posted or caused to be posted upon the land printed notices that the land is private property and warning all persons from trespassing thereon.

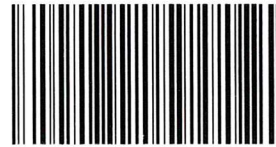
Filer

When recorded, return to:

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

DOCUMENT: **2017024852**

Titles: 1/ Pages: 14



Fees....	51.00
Taxes....	
Other....	
AMT PAID	\$51.00

SPACE ABOVE FOR RECORDER'S USE ONLY

Title of Document

CONDITIONAL USE PERMIT NO. 2016-019

City of Salinas

Community Development Department

WHEREAS, the Salinas City Council, at a public hearing duly noticed and held on March 21, 2017, 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 and 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 evaluated in accordance with the California Environmental Quality Act, as amended; and that the Salinas City Council has reviewed and considered an Exemption to CEQA.

NOW, THEREFORE, the Salinas City Council hereby grants and issues Conditional Use Permit No. 2016-019 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:

3D Investment Group, Incorporated

PROPERTY OWNER: Christopher Dabit, et al. *Alex Dabit, Maha Nakleh Dabit*

FOR USE: Establish and operate an alcohol related use consisting of a beer and wine off-sale license (Type 20) at an existing service station and convenience store with gas pumps use. *4/13/17*

ON PROPERTY LOCATED AT: 201 Monterey Street

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

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

ENVIRONMENTAL REVIEW ACTION & DATE: Exempt from the California Environmental Quality Act (CEQA) under Section 15061(b)(3) and 15301 on March 21, 2017.

EXPIRATION DATE: None, once properly established, unless the subject off-sale alcohol 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 operate an alcohol related use consisting of a beer and wine off-sale license (Type 20) at an existing service station and convenience store with gas pumps use 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" Title Sheet, Site Plan, and Floor Plan (Sheet A2.1)

Exhibit "C" Police Department Memorandum dated October 20, 2016

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.
8. 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.
9. No self-illuminated advertising for alcoholic beverages shall be located on buildings or windows.
10. 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.
11. An electronic age verification scanner shall be installed, maintained, and utilized for all off-sale alcohol sales.
12. 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.
13. No single 40 oz. containers of beer may be sold from the premises.
14. No malt liquor or fortified wine products (wines with greater than 15% alcohol content) shall be sold.
15. Sales of wine shall be in containers of at least 750 ml.
16. Digital surveillance system shall be provided with high quality cameras focused on the location of the in-store stocked alcohol, at points of sales transactions, at entrance/exits of the store and the parking lot, with the capability to store the digital images captured.
17. Surveillance video/photos shall be made available to police upon request.
18. Ample lighting shall be provided in parking lots, exterior area of entrances/exits and situated in areas to enhance video surveillance

equipment.

19. There shall be no coin operated video or arcade games and no adult magazines or videos shall be sold.
20. No pay telephone booths shall be permitted on the premises
21. 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.
22. The City Planner may conduct a review of this Permit after inauguration, and may require modifications, if appropriate. The Planning Manager may also schedule a review by the Salinas, 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.
23. 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.
24. 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.

CRIME PREVENTION REQUIREMENTS

25. Prior to the use being established, the applicant should consult with the Police Department regarding crime prevention and security (See Exhibit "C").

SIGNS

26. A Sign Permit issued in accordance with *Article V, Division 3: Signs* of the Salinas City Code, shall be required for all signs. Verification of permits for existing signs shall be required prior to operation and issuance of any new Sign Permits.
27. No canvas signs, banners, pennants, flags, streamers, balloons or other temporary or wind signs; no mobile, A-frame, or portable signs; no roof or canopy signs extending above a building roof; no signs that resemble any official marker erected by the city, state or any governmental agency, or that by reason of position, shape, color or illumination would conflict with the

proper functioning of any traffic sign or signal or would be a hazard to vehicular or pedestrian traffic; no signs which produce odor, sound, smoke, fire or other such emissions; and no animated, flashing, moving or rotating signs shall be permitted unless permitted in accordance with *Article 5, Division 3: Signs* of the Salinas Zoning Code, as may be amended from time to time.

LANDSCAPING

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

RECYCLING AND SOLID WASTE DISPOSAL AREA

29. A recycling and solid waste enclosure shall be provided with capacity adequate to achieve 50 percent recycling of the total recyclable wastes generated onsite. Instructional signs shall be provided for use of recycling bins and containers. The enclosure shall be constructed with a six-foot high solid masonry walls and screened from public view with a minimum two-foot wide perimeter planter. Colors and materials of the enclosure shall match those of the primary structures (example: exterior plaster - stucco). Doors of the enclosure shall be constructed of a solid material and colored to match the buildings (chain-link fencing with slats is not allowed). The enclosure shall be designed to allow walk-in access without having to open the main enclosure gate. Details of the enclosure need to be shown on the plan. Prior to issuance of a building permit, written confirmation from the City's solid waste service provider, is required to ensure that the recycling and solid waste provisions of the project will meet the service needs of the service provider.

MAINTENANCE

30. 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.

PERMIT NOT TO SUPERSEDE OTHER REQUIRED LICENSING OR PERMITS

31. 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.

32. 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

33. 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

34. 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

35. 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

36. 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

37. 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.
38. 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.
39. 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.
40. 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.

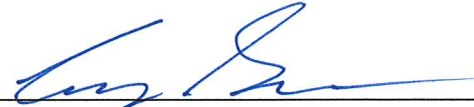
NOTICE OF CHALLENGE LIMITATIONS

41. 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 City Council on March 21, 2017, and shall become effective immediately:

Effective Date: March 21, 2017


Courtney Grossman
Planning Manager, City of Salinas

(Signatures Listed Below on Pages 8 through 11 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: 4/11/2017


Christopher Dabit
Permittee and Property Owner

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

STATE OF CALIFORNIA

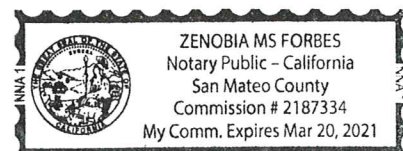
COUNTY OF ~~MONTEREY~~ San Mateo 

On April 11, 2017, before me, Zenobia MS Forbes, Notary Public, personally appeared Christopher Dabit, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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

WITNESS my hand and official seal.

Signature 



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

Dated: 4/11/2017

Alex Dabit
Alex Dabit
Property Owner

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

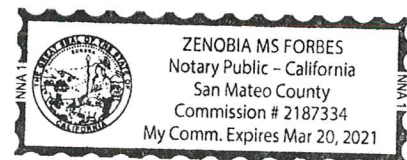
STATE OF CALIFORNIA
COUNTY OF ~~MONTEREY~~ San Mateo

On April 11, 2017, before me, Zenobia MS Forbes, Notary Public, personally appeared Alex Dabit, 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 [Signature]



Dated: 4-11-2017

Maha Nakleh Dabit
Maha Nakleh Dabit
Property Owner

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

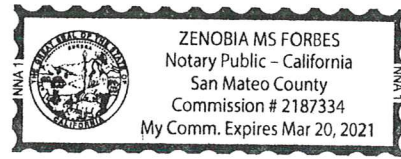
STATE OF CALIFORNIA
COUNTY OF ~~MONTEREY~~ San Mateo 4/13/17

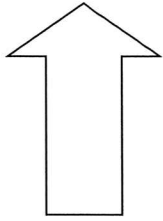
On April 11, 2017, before me, Zenobia MS Forbes, Notary Public, personally appeared Maha Nakleh Dabit, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is ~~are~~ subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their 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 [Signature]





North

Vicinity Map



**CONDITIONAL USE PERMIT 2016-019
201 Monterey Street**

Exhibit A



CITY OF SALINAS

POLICE DEPARTMENT MEMORANDUM

DATE: October 20, 2016

TO: Tom Wiles (Senior Planner)

FROM: Sergeant Heath Johnson

SUBJECT: CUP 2016-019(201 Monterey St. Gas station / Mini-Mart)

I have researched information for CUP 2016-019 regarding the Gas station & Mini- Mart at 201 Monterey St. Salinas, with in-store sales of alcohol, to include beer and wine.

201 Monterey St. is located in Police Reporting District (PRD) #132. The police department's statistics office provided me with an overall 2014 average crime rate of 104.71 per PRD. According to the police department's statistics office, the crime statistics for 2014 for PRD #132 is 356. This is well above the average crime rate.

CITY OF SALINAS PRD 132	
YEAR 2014	
Murder	0
Robbery	12
Burglary	38
Rape	0
Aggravated Assault	17
Simple Assault	33
Stolen Vehicles	21
Larceny	32
Part Two Crimes	203
TOTAL	356
all charges include attempted	

PRD #132 is located in Old Town Salinas. 201 Monterey St is on the south-east corner of Monterey St and E. Gabilan St. There are several other businesses within the vicinity of 201 Monterey St, such as the Station Place Bakery, several boutique shops, a Chinese restaurant and the backside of the Maya Cinemas. Based on the statistics provided, a large number of the crimes reported within that PRD were for part II crimes. Part II crimes are a variety of crimes such as

EX-109

Forgery, Embezzlement, Fraud, Vandalism, Prostitution, Drug Abuse, DUI, Public Intoxication, Loitering, and others.

The Salinas Police Department does not object to the approval of CUP 2016-019, Subject to the Planning Commission approval and the following recommendations:

- Digital surveillance system with **high quality** cameras focused on the location of the in-store stocked alcohol, at points of sales transactions, entrances/exits of the store and the Parking lot, with the capability to store the digital images captured. The video/photos to 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.
- No unsecured alcohol near the entrances and exits of the store.

END OF DOCUMENT

CONDITIONAL USE PERMIT UP-65-19
SALINAS PLANNING COMMISSION

WHEREAS, the Union Oil Company of California, owner of the hereinafter described property, has made application to the Salinas Planning Commission pursuant to the Salinas Zoning Ordinance 1103 (N.C.S.) for a conditional use permit to remove present facility and construct, erect and maintain a service station on that property located in the C-C District and generally described as 201 Monterey Street, City of Salinas, County of Monterey, State of California, and as shown on the attached exhibits marked A, B and C and made a part hereof;

WHEREAS, the Salinas Planning Department has found and determined that the granting of said Conditional Use Permit will not adversely affect the character of the neighborhood of said premises or be injurious or detrimental to adjoining property or the rights of any owners therein, and that said application ought to be granted and said Conditional Use Permit be issued, upon the conditions hereinafter particularly set forth;

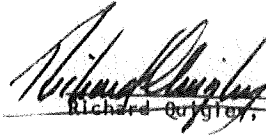
NOW, THEREFORE, the Zoning Administrator hereby grants and issues Conditional Use Permit UP-65-19 to the Union Oil Company of California upon the following terms and agreements, to wit:

1. That the owner shall have the right to construct, erect and maintain a service station upon the above-described premises in strict accordance with the attached exhibits labeled A, B and C;
2. That no development of subject property shall be commenced by the present or any subsequent owners of subject property without first having submitted to the Zoning Administrator and having received approval therefrom of detailed site plans, construction plans and elevations for all signs, buildings, walls, screens, landscaping and lighting pertaining thereto;
3. That all portions of subject property shall be landscaped in accordance with the Planning Department approval and shall be maintained in a weedfree, litterfree manner and all landscaping kept in a healthy growing condition calculated to enhance the value of adjacent properties;
4. That the owner shall replace sidewalk, gutter and driveways as marked in red on Exhibit A;

5. That this Permit may be revoked by the Commission at any time for violation of any of the terms or conditions of this permit by the owner or by the successors, assigns, agents or representatives of owner;
6. That this permit shall run with the land and its provisions shall be considered conditions of any subsequent sales or lease of said property and shall be binding upon the present and any subsequent owner of subject property;
7. That this Conditional Use Permit will have no force or effect unless and until accepted and the terms hereof agreed to, in writing, by the owner and shall be considered null and void if not initiated within (1) year of date of approval by the Planning Department.

DATED: May 29, 1965

SALINAS PLANNING DEPARTMENT




Richard Quigley, Zoning Administrator

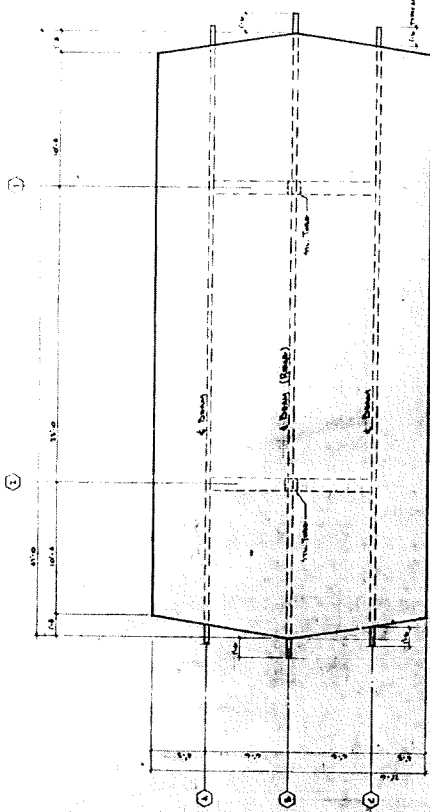
This Conditional Use Permit is hereby accepted upon the terms and conditions hereof, and the undersigned agrees to strictly conform to and comply with each and all of the said terms and conditions. It is expressly understood that undersigned shall have the right to request the Planning Commission to review in detail the provisions of this Permit at its next regular meeting and that in accepting this Permit at this time, the undersigned accepts the contents hereof as being in full conformance with the recommendations of the Planning Commission pertaining to this Permit and thereby waives said detailed review of the contents hereof by the Planning Commission.

DATED: March 30, 1965

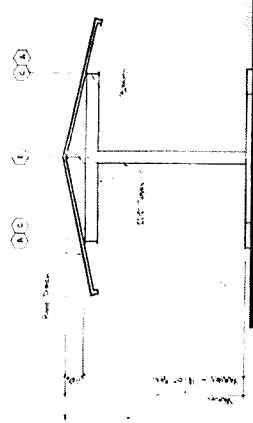
UNION OIL COMPANY OF CALIFORNIA


Real Estate Representative

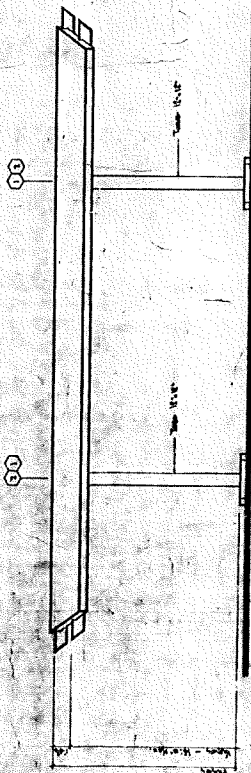
CUP 65-19



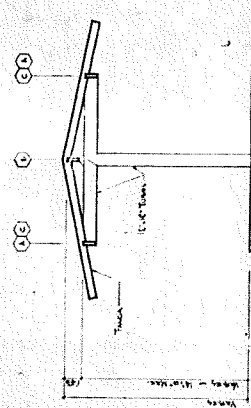
ROOF PLAN - CANOPY



WEST ELEVATION



ELEVATION



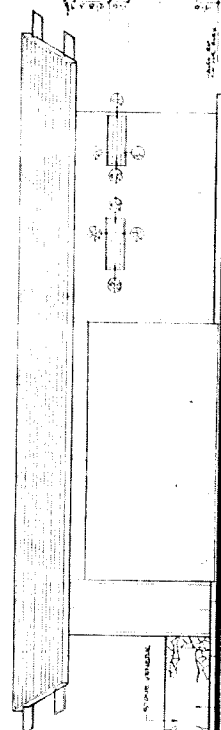
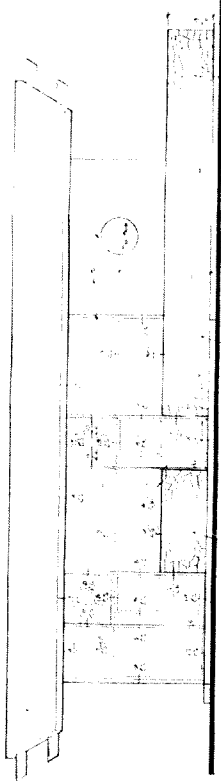
EAST ELEVATION

REFERENCE DRAWINGS		CONTRACTOR		SHEET NO.	
1	21-6 x 47-0 CANOPY	21-6 x 47-0 CANOPY		21-6 x 47-0 CANOPY	
2	PLAN & ELEVATIONS	PLAN & ELEVATIONS		PLAN & ELEVATIONS	
3	TYPE 300R SERVICE STATION	TYPE 300R SERVICE STATION		TYPE 300R SERVICE STATION	
4	UNION OIL COMPANY OF CALIFORNIA	UNION OIL COMPANY OF CALIFORNIA		UNION OIL COMPANY OF CALIFORNIA	
5	IOF 429	IOF 429		IOF 429	
6	A-2.1	A-2.1		A-2.1	

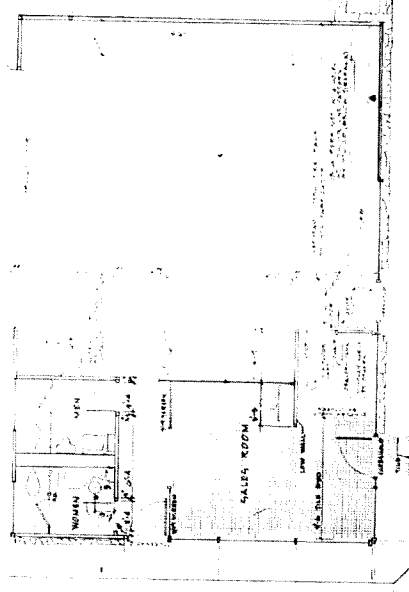
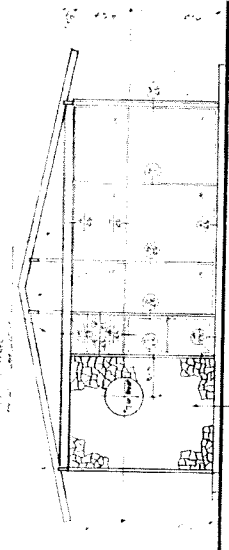
THIS DESIGN IS PROPERTY OF UNION OIL COMPANY AND IS NOT TO BE REPRODUCED OR COPIED IN ANY MANNER WITHOUT THE WRITTEN CONSENT OF UNION OIL COMPANY. RETURN DRAWINGS TO UNION OIL COMPANY.

24X

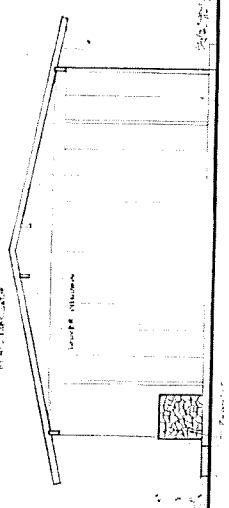
CUP 65-19



REAR ELEVATION



FLOOR PLAN



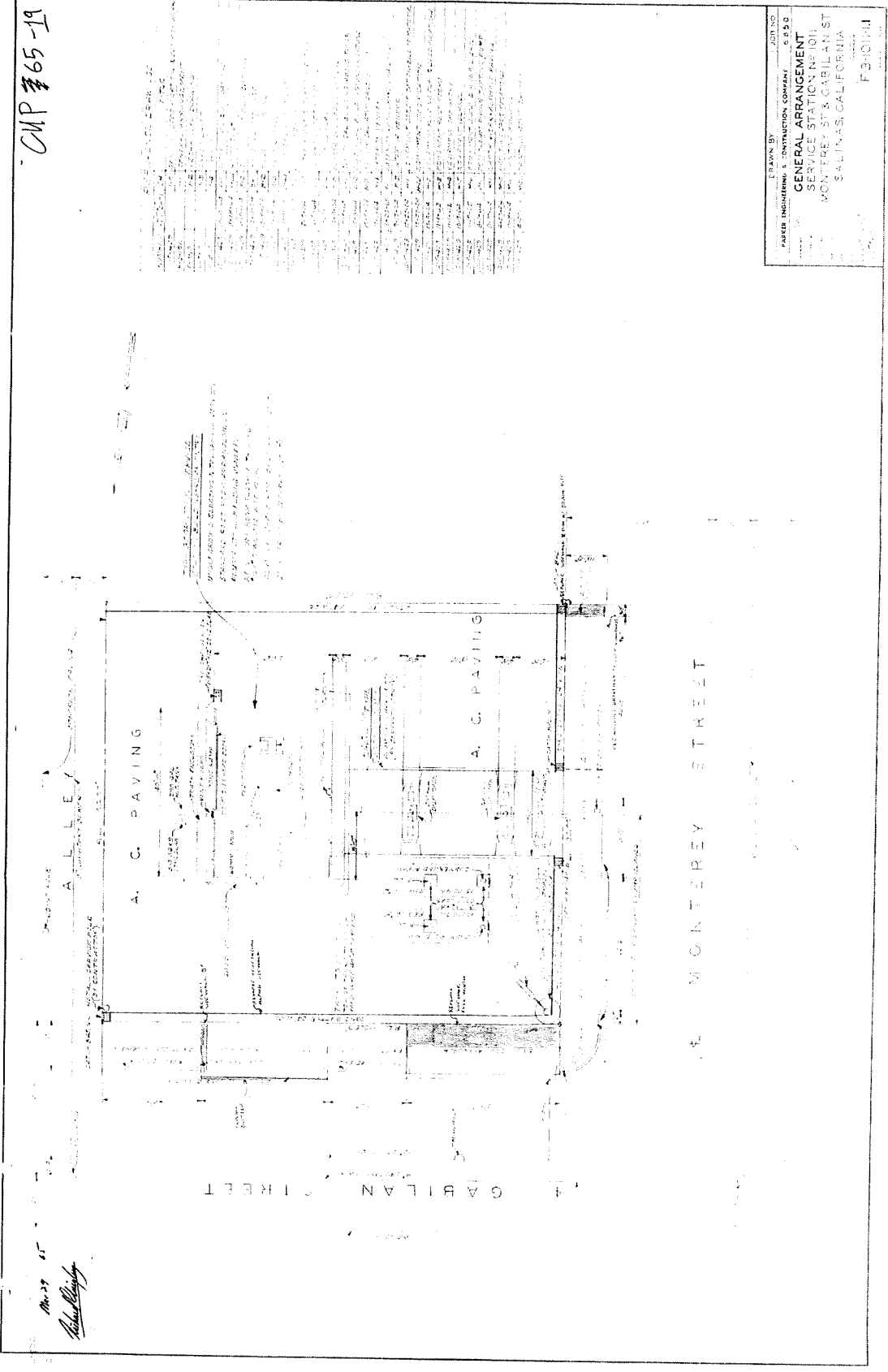
CONTRACTOR		COST JOB NO.	
ARCHITECTURAL ELEV 8 FLOOR PLAN		207/L.L.	
TYPE: SOOR SERVICE STATION		APPROVED FOR CONSTRUCTION	
2 BAY, REAR ENTRY, LEFT HAND		DATE: 10/1/55	
UNION OIL COMPANY OF CALIFORNIA		DATE: 10/1/55	
IOF 429		A-1	

THIS DESIGN IS PROPERTY OF UNION OIL COMPANY AND IS NOT TO BE REPRODUCED OR REPRODUCED WITHOUT THE WRITTEN CONSENT OF UNION OIL COMPANY. RETURN DRAWINGS TO UNION OIL COMPANY.

NO.	DATE	REVISION
1	10/1/55	ORIGINAL
2	10/1/55	REVISED
3	10/1/55	REVISED
4	10/1/55	REVISED
5	10/1/55	REVISED
6	10/1/55	REVISED
7	10/1/55	REVISED
8	10/1/55	REVISED
9	10/1/55	REVISED
10	10/1/55	REVISED

24X

CMP #65-19



24X

1. Name of Applicant (M) Union Oil Company of California (Husband)

(Wife)
2. Mailing Address: 425 First St., San Francisco Phone 362-7600
3. Applicant's interest in property (e.g. owner, renter, lessee, or other)
Owner
4. Engineer or other designated representative name and address: _____
R. T. Green, P.O. Box 940 - San Jose, California Phone 292-7600
5. Location of Property 201 Monterey Street
(Number - Street)
6. Exact Legal Description of Property (Lot, Block, Subdivision, or Metes and Bounds)
Legal Description attached
7. The above-described property is located in the Central Commercial Zoning District.
8. State exactly what is intended to be done to, or with, the property herein described.
Demolition of existing antiquated facilities and construction of a
complete new Rustic Service Station

STATE OF CALIFORNIA)
San Francisco
COUNTY OF ~~MONTREY~~) SS.
San Francisco
CITY OF ~~SAN JOSE~~)

I/We R. G. Danielson, Sales Manager Retail of, Being First
/ Union Oil Company of California/
Duly Sworn, depose and say:

That I/We am/are the applicant(s) in the above application and have read the above application and know the contents thereof; that I/We am/are able and do intend to proceed with actual construction work, in accordance with the plans submitted herewith, within ONE (1) year after the issuance of this Use Permit; that the same is true of my/our own knowledge, except as to those matters which are therein stated on information or belief, and that those matters I/we believe to be true.

UNION OIL COMPANY OF CALIFORNIA

By: R. G. Danielson
Applicant(s) Sales Manager Retail

Subscribed and sworn to before me

this 12th day of March, 1965.

Dorothy A. Ennes Dorothy A. Ennes
Notary Public in and for said County and State.
City

Commission Expires 2/20/67

LEGAL DESCRIPTION: (1) Service Station parcel. (2) Separate description of other property owned. Verify description with County records.

All real property situated in the City of Salinas, County of Monterey, State of California, described as follows:

Being a portion of Lots "A" & "B" in Block 4 1/2 as shown on the map entitled, "Map of Salinas City, Monterey County, California," commonly known as "Barnwood & Hellman's Map of Salinas City," filed for record Sep. 7, 1908 in the office of the County Recorder of the County of Monterey, State of California in Vol. 1 of Maps "Cities and Towns," at page 36, described as follows:

Beginning at the northeast corner of the parcel of land conveyed by John F. Iverson to Salinas, a municipal corp., by and said Dec. 20, 1927, & recorded Feb. 21, 1928 in Vol. 142 Official Records of Monterey County at page 149, said point being on the southern line of Graham St.; thence along said line easterly 110.50' to the western line of the parcel of land conveyed by said Iverson, et. al., to Salinas, a municipal corp., by deed dated May 14, 1930 & recorded May 20, 1930 in Vol. 242 Official Records of Monterey County at page 357, thence along said western line southerly 100' to the southern line of said Lot "A", thence along said southern line westerly 110.50' to the eastern line of the said parcel of land recorded Feb. 21, 1928 142 OR 149; thence along said line northerly 100' to the point of Beginning.

RESOLUTION NO. 21136 (N.C.S.)

**A RESOLUTION APPROVING A CONDITIONAL USE PERMIT TO ESTABLISH AND
OPERATE AN ALCOHOL RELATED USE CONSISTING OF A BEER AND WINE
OFF-SALE LICENSE (TYPE 20) AT AN EXISTING SERVICE STATION AND
CONVENIENCE STORE WITH GAS PUMPS USE LOCATED AT 201 MONTEREY
STREET IN THE MIXED USE – CENTRAL CITY OVERLAY – DOWNTOWN CORE
AREA (MX-CC-DC) ZONING DISTRICT
(CUP 2016-019)**

WHEREAS, on January 18, 2017, the Salinas Planning Commission, at the request of the Applicant, 3D Investment Group, Incorporated, held a duly noticed public hearing to consider Conditional Use Permit 2016-019 to establish and operate an alcohol related use consisting of a beer and wine off-sale license (Type 20) at an existing service station and convenience store with gas pumps located at 201 Monterey Street (Assessor's Parcel Number 002-231-018-000); 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

WHEREAS, the Planning Commission denied Conditional Use Permit 2016-019 because it could not establish the findings required by Zoning Code Section 37-60.520 (for a Conditional Use Permit) and Zoning Code Section 37-50.030 (for an off-sale alcohol use located in an area of undue concentration) (see Planning Commission Resolution 2017-01); and

WHEREAS, the Applicant, 3D Investment Group, Incorporated, appealed the Planning Commission determination on January 30, 2017 pursuant to Zoning Code Section 37-60.1280 of the Salinas Zoning Code; and

WHEREAS, the City Council held a duly noticed public hearing on March 7, 2017 to consider the Planning Commission denial of Conditional Use Permit 2016-019; and

WHEREAS, on March 7, 2017, the City Council continued the public hearing to March 21, 2017 to consider the Planning Commission denial of Conditional Use Permit 2016-019; and

WHEREAS, the City Council has reviewed and considered the Staff Reports of both March 7, 2017 and March 21, 2017 and meeting minutes, public testimony, and related environmental review regarding the project.

NOW, THEREFORE, BE IT RESOLVED that the Salinas City Council approves the Conditional Use Permit because it could establish the findings required by Zoning Code Section 37-60.520 (for a Conditional Use Permit) and Zoning Code Section 37-50.030 (for an off-sale alcohol use located in an area of undue concentration) and herein adopts the following as the basis for its determination of approval:

1. *The project has been found to be Exempt pursuant to Sections 15061(b)(3) and 15301 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. 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. Additionally, the project is exempt from CEQA under Section 15301 Existing Facilities, because there is negligible expansion of the existing service station and convenience store with gas pumps use.

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 Mixed Use by the 2002 Salinas General Plan. Per the General Plan, Mixed Use provides for a mixture of retail, commercial, office and residential uses in the same building, parcel, or area. The proposed project is consistent with General Plan Goals and Policies.

As shown on the official Zoning Map, the site is located in the base MX-CC-DC (Mixed Use – Central City Overlay – Downtown Core Area) District. Per Section 37-30.230, the purpose of the Mixed Use District is to provide opportunities for commercial uses that emphasize retail and service activities and promote compact development that is intended to be pedestrian-oriented with buildings close to and oriented to the sidewalk. The proposed off-sale alcohol related use would comply with the provisions of the Zoning Code because the use would provide for orderly integration of alcohol-related uses in accordance with the purpose of the alcohol license review regulations pursuant to Zoning Code Section 37-50.030.

The proposed off-sale alcohol-related use would not adversely affect the welfare of the surrounding neighborhood. The proposed location is in a neighborhood with a mix of residential, commercial, and public and semipublic uses including three schools. Residences are located adjacent to the east across Lodge Alley, to the east of the subject site. The City Council has determined that the proposed off-sale alcohol use would not be detrimental to the public health, safety, and welfare of the area and neighborhood residences.

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 would not be detrimental to the public health, safety, or welfare of persons residing or working in or adjacent to the neighborhood of such use, and not detrimental to properties or improvements in the vicinity or the general welfare of the City of Salinas;*

The site is designated Mixed Use by the 2002 Salinas General Plan. Per the General Plan, Mixed Use provides for a mixture of retail, commercial, office and residential uses in the same building, parcel, or area. The proposed off-sale alcohol related use is consistent with General Plan Goal CD-2, as it does encourage the design, maintenance, and revitalization of neighborhoods that enhance the quality of life.

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 and will not be detrimental to the adjacent neighborhood. 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: alcohol shall not be sold between the hours of 10:00 p.m. and 6:00 a.m. and coolers containing alcoholic beverages shall be locked between the hours of 10:00 p.m. and 6:00 a.m.; 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.

4. *The proposed conditional use would 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: alcohol shall not be sold between the hours of 10:00 p.m. and 6:00 a.m. and coolers containing alcoholic beverages shall be locked between the hours of 10:00 p.m. and 6:00 a.m.; 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.

The proposed location is on a Mixed Use zoned property. The proposed off-sale alcohol-related use at an existing service station and convenience store with gas pumps use (Salinas Gas) will be subject to conditions of approval including, but not limited, to the following requirements pursuant to Zoning Code Section 37-50.030(f)(3):

- No alcoholic beverages shall be consumed on the premises.
- No sale or distribution of alcoholic beverages shall be made from a drive-up or walk-up window.
- No display of alcoholic beverages shall be made from an ice tub.
- 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.

5. ***The Alcohol-Related use would not adversely affect the welfare of the area and 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***

The proposed location is in an area of “undue concentration” in regards to a crime reporting district that has a 20 percent greater number of reported crimes. The Police Department’s most recent 2014 average for statistics for Police Reporting Districts (PRDs) is 104.71 reported crimes. Adding 20%, this amounts to approximately 125.652 reported crimes. Crime statistics for PRD 132 are 356 reported crimes in 2014, 425 in 2015, and 336 in 2016. Although in an area of undue concentration, the Salinas Police Department does not object to the issuance of a Type 20 alcohol license at this location subject to conditions of approval including, but not limited, to the following requirements:

- Digital surveillance system shall be provided with high quality cameras focused on the location of the in-store stocked alcohol, at points of sales transactions, at entrance/exits of the store and the parking lot, with the capability to store the digital images captured. The video/photos shall be made to the police upon request.
- Ample lighting shall be provided in parking lots, exterior area of entrances/exits and situated in areas to enhance video surveillance equipment.
- No unsecured alcohol may be placed near the entrances and exits of the store.

The site is developed with an existing service station and convenience store with gas pumps use (Salinas Gas) and is zoned for mixed-use purposes. Conditions are set forth in the Conditional Use Permit so that the proposed off-sale alcohol-related use would not adversely affect the welfare of the surrounding neighborhood, which include the requirement that ample lighting to be provided in parking lots, exterior areas of entrances/exits and situated in areas to enhance video surveillance equipment. No sale of alcohol shall occur between the hours of 10:00 p.m. and 6:00 a.m. and coolers containing alcoholic beverages shall be locked between the hours of 10:00 p.m. and 6:00 a.m.

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.***

The proposed location is on a Mixed Use zoned property within an existing service station and convenience store with gas pumps use (Salinas Gas). The California Department of Alcohol Beverage Control (ABC) shows eight (8) active off-sale licenses located within Census Tract 13 (CT 13). The proposed off-sale alcohol use would increase the number of off-sale outlets to a total of nine (9) off-sale licenses in CT 13, would exceed the maximum number of two (2) off-sale outlets specified by the ABC in August 2016. The proposed off-sale alcohol-related use at an existing service station and convenience store with gas pumps use (Salinas Gas) will be subject to conditions of approval including, but not limited, to the following requirements pursuant to Zoning Code Section 37-50.030(f)(3):

- No alcoholic beverages shall be consumed on the premises.
- No sale or distribution of alcoholic beverages shall be made from a drive-up or walk-up window.
- No display of alcoholic beverages shall be made from an ice tub.
- 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.

Public convenience would be served by the issuance of the license by the ABC because customers would be able to complete their shopping needs without having to travel to a range of retail outlets.

PASSED AND APPROVED this 21st day of March 2017, by the following vote:

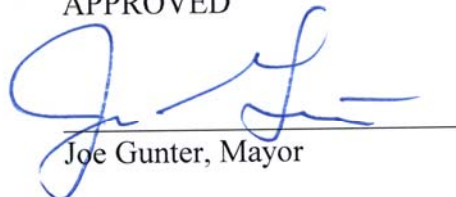
AYES: Councilmembers Craig, Davis, McShane, Villegas and Mayor Gunter

NOES: Councilmembers Barrera and De La Rosa

ABSENT: None

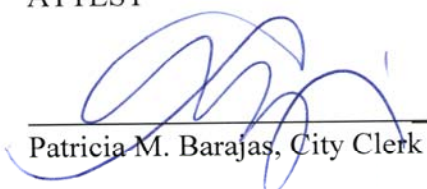
ABSTAIN: None

APPROVED



Joe Gunter, Mayor

ATTEST



Patricia M. Barajas, City Clerk

**SALINAS PLANNING COMMISSION
RESOLUTION NO. 2017-01**

Resolution Denying a Conditional Use Permit to Establish and Operate an Alcohol Related Use Consisting of a beer and wine off-sale license (Type 20) at an existing service station and convenience store with gas pumps use located at 201 Monterey Street in the Mixed Use – Central City Overlay – Downtown Core Area (MX-CC-DC) Zoning District
(CUP 2016-019)

WHEREAS, on January 18, 2017, the Salinas Planning Commission, at the request of the Applicant, 3D Investment Group, Incorporated, held a duly noticed public hearing to consider Conditional Use Permit 2016-019 to establish and operate an alcohol related use consisting of a beer and wine off-sale license (Type 20) at an existing service station and convenience store with gas pumps located at 201 Monterey Street (Assessor's Parcel Number 002-231-018-000); 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 that the Salinas Planning Commission denies Conditional Use Permit 2016-019 because it could not establish the findings required by Zoning Code Section 37-60.520 (for a Conditional Use Permit) and Zoning Code Section 37-50.030 (for an off-sale alcohol use located in an area of undue concentration) and herein adopts the following as the basis for its determination of denial:

1. ***The proposed location of the use is not 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 Mixed Use by the 2002 Salinas General Plan. Per the General Plan, Mixed Use provides for a mixture of retail, commercial, office and residential uses in the same building, parcel, or area. The proposed off-sale alcohol related use is inconsistent with General Plan Goal CD-2, as it does not encourage the design, maintenance, and revitalization of neighborhoods that enhance the quality of life.

As shown on the official Zoning Map, the site is located in the base MX-CC-DC (Mixed Use – Central City Overlay – Downtown Core Area) District. Per Section 37-30.230, the purpose of the Mixed Use District is to provide opportunities for commercial uses that emphasize retail and service activities and promote compact development that is intended to be pedestrian-oriented with buildings close to and oriented to the sidewalk. The proposed off-sale alcohol related use would not comply with the provisions of the Zoning Code because the use would not provide for orderly integration of alcohol-related uses in accordance with the purpose of the

alcohol license review regulations pursuant to Zoning Code Section 37-50.030.

The proposed off-sale alcohol-related use would adversely affect the welfare of the surrounding neighborhood. The proposed location is in a neighborhood with a mix of residential, commercial, and public and semipublic uses including three schools (Temple Philadelphia Christian Academy, Roosevelt School, and Sacred Heart School), which are located 140, 1,670, and 1,970 feet from the subject site and a park (Bataan Memorial Park), which is located 780 feet from the subject site. Residences are located adjacent to the east across Lodge Alley, to the east of the subject site. Considering the high crime statistics, high number of existing off-sale alcohol outlets, and the character of land uses in the surrounding neighborhood, the proposed off-sale alcohol use would be detrimental to public health, safety, and welfare of the area and neighborhood residences.

2. ***The proposed location of the conditional use and the proposed conditions under which it would be operated or maintained are not consistent with the Salinas General Plan and would be detrimental to the public health, safety, or welfare of persons residing or working in or adjacent to the neighborhood of such use, and detrimental to properties or improvements in the vicinity or the general welfare of the City of Salinas;***

The site is designated Mixed Use by the 2002 Salinas General Plan. Per the General Plan, Mixed Use provides for a mixture of retail, commercial, office and residential uses in the same building, parcel, or area. The proposed off-sale alcohol related use is inconsistent with General Plan Goal CD-2, as it does not encourage the design, maintenance, and revitalization of neighborhoods that enhance the quality of life.

The proposed off-sale alcohol-related use would adversely affect the welfare of the surrounding neighborhood. The proposed location is in a neighborhood with a mix of residential, commercial, and public and semipublic uses including two schools (Roosevelt School and Sacred Heart School), and a park (Bataan Memorial Park), all within a mile of the subject site. Residences are located adjacent to the east across Lodge Alley, to the east of the subject site. Considering the high crime statistics, high number of existing off-sale alcohol outlets, and the character of land uses in the surrounding neighborhood, the proposed off-sale alcohol use would be detrimental to public health, safety, and welfare of the area and neighborhood residences.

The Planning Commission finds that the proposed transfer of a surrendered Type 20 off-sale alcohol license from Seaside to Salinas would be detrimental to the public health, safety, or welfare because it would increase the total number of off-sale licenses in the City of Salinas.

3. ***The proposed conditional use would not comply with the provisions of the Salinas Zoning Code, including any specific conditions required for the proposed use;***

The proposed off-sale alcohol related use would not comply with the provisions of the Zoning Code because the use would not provide for orderly integration of alcohol-related uses in accordance with the purpose of the alcohol license review regulations pursuant to Zoning Code Section 37-50.030.

4. ***The Alcohol-Related use would adversely affect the welfare of the area and 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***

The subject alcohol related use would adversely affect the welfare of the area and surrounding residential neighborhood due to the close proximity of other nearby off-sale alcohol outlets, Downtown Salinas, and the combination of residences, schools, and parks. The close proximity of adversely affected uses and undue concentration due to the high number of crimes, render the proposed location unsuitable for a new off-sale alcohol outlet.

5. ***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 not be served by the issuance of the alcohol license by the ABC.***

The proposed location is in an area of “undue concentration” in regards to a crime reporting district that has a 20 percent greater number of reported crimes. The Police Department’s 2014 average for statistics for Police Reporting Districts (PRDs) is 104.71 reported crimes. Adding 20%, this amounts to approximately 125.652 reported crimes. Crime statistics for PRD 132 are 356 reported crimes. The Planning Commission finds that increasing the number of off-sale alcohol outlets in an area of undue concentration of crimes reported would result in a negative impact on the surrounding neighborhood.

The California Department of Alcohol Beverage Control (ABC) shows eight (8) active off-sale licenses located within Census Tract 13 (CT 13). The proposed off-sale alcohol use would increase the number of off-sale outlets to a total of nine (9) off-sale licenses in CT 13, would exceed the maximum number of three (3) off-sale outlets specified by the ABC. The Planning Commission cannot support the proposed transfer of a surrendered Type 20 off-sale alcohol license from Seaside to

Salinas because it would increase the total number of off-sale licenses in the subject Census Tract from eight (8) to nine (9). Therefore, the Planning Commission finds that public convenience or necessity would not be served by the issuance of the license by the ABC due to the number of reported crimes and the number nearby off-sale alcohol outlets. The existing alcohol outlets sufficiently meet public convenience or necessity.

PASSED AND ADOPTED this 18th day of January 2017 by the following vote:

AYES: Chairperson Hill, Commissioners Anzo, Nohr

NOES: Commissioner Giffin

ABSTAIN: Commissioner Meeks

ABSENT: Commissioners Griffin, Huerta

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 adopted by the affirmative and majority vote of said Planning Commission at a meeting held on January 18, 2017 and that said Resolution has not been modified, amended, or rescinded, and is now in full force and effect.

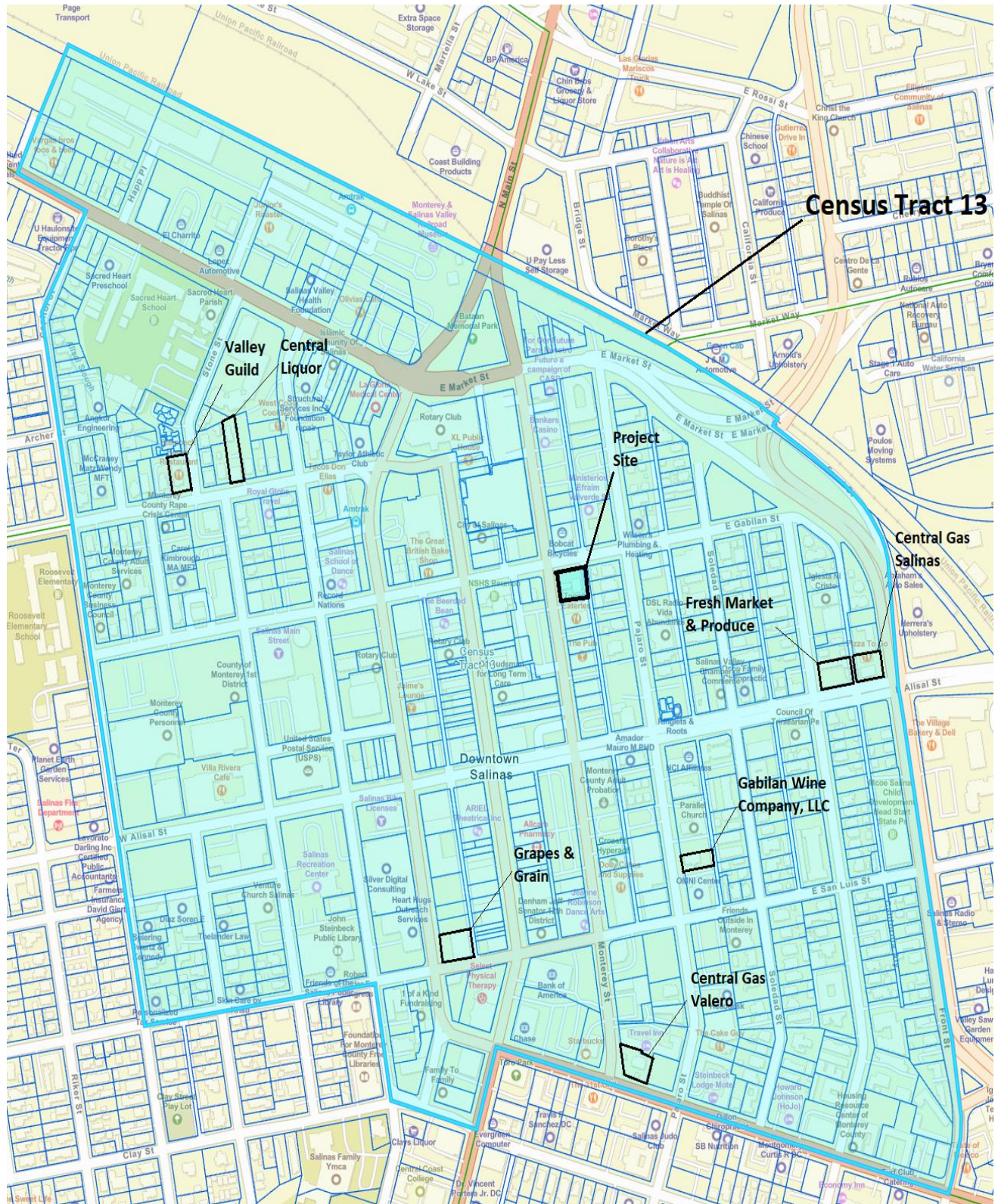
SALINAS PLANNING COMMISSION

Date: 2/8/17


Courtney Grossman
Secretary

I:\ComDev\ThomasW\Documents\CUP's\CUP 16-19 - 201 Monterey St\CUP 2016-019 PC Reso.doc

Map of On-sale Alcohol Licenses in Census Tract 13 (CT 13)



Salinas PD Reporting Districts	Total	
011	56	
012	63	
013	23	
014	21	
014	35	
015	18	
021	53	
022	59	
023	45	
024	52	
031	59	
032	79	
033	90	
034	37	
041	78	
042	112	
043	62	
044	39	
045	55	
051	33	
052	259	
053	101	
054	59	
055	5	
061	82	
062	101	
063	71	
064	141	
071	114	
072	64	
073	91	
074	49	
075	55	
076	12	
077	12	
081	69	
082	113	
083	55	
084	88	
091	64	
092	86	
093	258	
094	85	

095	12	
096	8	
097	21	
098	6	
101	60	
102	29	
103	69	
104	43	
105	66	
106	19	
107	47	
108	17	
109	1	
111	32	
112	33	
113	19	
114	8	
115	17	
121	20	
122	78	
123	18	
124	9	
125	20	
126	13	
131	51	
132	239	
133	116	
134	8	
141	15	
142	34	
143	61	
144	18	
151	32	
152	6	
153	16	
154	138	
155	4	
161	8	
162	20	
171	59	
172	25	
173	55	
174	3	
181	98	

182	73	
183	79	
184	56	
185	107	
186	17	
187	6	
188	7	
190	4	
191	78	
192	21	
193	75	
195	111	
196	48	
197	126	
198	137	
201	211	
202	73	
203	68	
211	49	
212	137	
213	50	
214	69	
215	41	
221	261	
222	39	
223	40	
224	20	
225	29	
300	51	
301	11	
Total	6868	58.70
		70.44



CALIFORNIA DEPARTMENT OF

Alcoholic Beverage Control

Report Date: Friday, July 18, 2025

LICENSE INFORMATION

License Number: 575625 **Primary Owner:** 3D INVESTMENT GROUP, INC.

Office of Application: 26 - SALINAS

BUSINESS NAME

3D INVESTMENT GROUP INC

BUSINESS ADDRESS

201 MONTEREY ST , SALINAS, CA, 93901

County: MONTEREY **Census Tract:** 0013.00

LICENSEE INFORMATION

Licensee: 3D INVESTMENT GROUP, INC.

Company Information

OFFICER: DABIT, CHRISTOPHER RIMON (DIRECTOR)

OFFICER: DABIT, CHRISTOPHER RIMON (PRESIDENT)

OFFICER: DABIT, ALEX RIMON (SECRETARY/ASST SEC)

OFFICER: DABIT, ALEX RIMON (DIRECTOR)

OFFICER: DABIT, ALEX RIMON (VICE PRESIDENT)

STOCKHOLDER: DABIT, ALEX RIMON

STOCKHOLDER: DABIT, CHRISTOPHER RIMON



LICENSE TYPES

*Allow up to six weeks for expiration date updates after renewal fee submittal.

20 - OFF-SALE BEER AND WINE

License Type Status: ACTIVE **Status Date:** 28-DEC-2017 **Term:** 12 Month(s)

Original Issue Date: 27-DEC-2017 **Expiration Date*:** 30-NOV-2025 **Master:** Y **Duplicate:** 0

From License Number: [20-400231](#)

Fee Code: P40 **Transfers:** Transferred On: 27-DEC-2017

OPERATING RESTRICTIONS:

No Operating Restrictions found

DISCIPLINARY ACTION:

No Active Disciplinary Action found

DISCIPLINARY HISTORY:

No Disciplinary History found.

HOLDS:

No Active Holds found

ESCROWS:

No Escrow found



NOTIFICATIONS:

No notifications found

