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August 21, 2025

Via Email & U.S. Mail Overnight

City of Salinas

City Planner and Chair and Members of the Planning Commission

65 West Alisal Street

Salinas, CA 93901

City Clerk

City Hall

200 Lincoln Avenue

Salinas, CA 93901

Re: Proposed Dave & Buster's to be located at 1104 Northridge Mall, Salinas, CA 93906;
Conditional Use Permit 2024-024.

Response by Dave & Buster's to the Appeal to Planning Commission filed July 25, 2025,
by Steerpoint Capital

Hearing Date: September 3, 2025 at 4 p.m.

**To the Honorable Chair and Members of the Planning Commission, the City Planner, and
City Clerk:**

The undersigned is legal counsel to the Applicant, Dave & Buster's, and hereby respectfully
submits its Opposition to the Appeal filed by Steerpoint Capital ("the Appeal").

THE APPEAL SHOULD FAIL FOR THE FOLLOWING REASONS:

The determination by the City Planner was consistent with the purposes of the City of Salinas
Zoning Code ("SZC"), and was in accord with the purposes of Chapter 37, Article VI, of the
SZC, there was no error or abuse of discretion, the record does not include inaccurate
information, and the decision to grant the Conditional Use Permit ("CUP") was supported by the
record. As such, none of the grounds for appeal set forth in SZC 37-60.1280(a) exist in the
Appeal filed by Steerpoint, and thus it must fail.

The Appeal, filed by Steerpoint Capital, which is apparently owned by two other LLCs, Bridge
Group Investments, LLC and Mersho Investments, LLC, all of which are located in Los Angeles,
CA, and thus approximately 300 miles from Salinas, purports to nevertheless base its appeal on

supposed concerns for the health, safety and welfare “of the persons residing or working in the adjacent neighborhood.” The Appeal, however, chooses to ignore the factual findings in the record which includes the Memorandum by Sgt. Magana of the Salinas Police Department (“SPD”) which provides and analyzes local crime statistics and the Sgt.’s stated personal knowledge and observations of his City and this area in particular, which concludes that this information supports the conclusion of this trained law enforcement officer that this CUP “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 property or improvements in the vicinity or to the general welfare of the city”. This information provided by this trained professional is not inaccurate information, and thus there was no error or abuse of discretion in granting the CUP on July 15, 2025, all of which was in fact supported by the record. It is respectfully submitted that the review of this record of decision by the Planning Commission should find in favor of the Applicant and deny the Appeal.

What the record does reflect, and the evidence provided here and that which will be provided at the Hearing currently scheduled before this Planning Commission on September 3, 2025 shows and will show is the following: The Northridge Mall is a large well run and attractive gathering point for many in the Central Valley, yet it is burdened by significant vacant space. The opening of a new Dave & Buster's location in Salinas at this location will bring in new customers from the surrounding cities to savor its entertainment opportunities, thereby boosting business for the other merchants in the mall, increase revenues for these merchants and for the community of Salinas in general, provide increased sales tax revenues for the City of Salinas, and provide approximately 150 jobs for the local community. And it will do so while remaining cognizant of its duties to provide these benefits in a safe and comfortable environment. In that regard, Dave & Buster's has been cooperative and proactive in working with City staff to agree on restrictions on alcohol services, operating hours, and increased security during specific hours of operation which is designed to deter and mitigate any deleterious behavior by patrons accessing the venue or wishing to access this proposed Dave & Buster's.

Dave & Buster's is a well-established national brand known for its stringent safety procedures. It has proven itself to be a responsible provider of food, beverage, and entertainment. All locations are equipped with interior and exterior video surveillance (with footage retained for over 30 days), burglary alarm systems, and access control systems to ensure the safety of patrons and staff. Security is provided by a visible and proactive team, including trained security guards and off-duty law enforcement officers, who are skilled in identifying potential threats before they escalate.

Indeed, as the record does and will further reflect by testimony at the hearing, Dave & Buster's professional loss prevention and security staff has acted consistently with the Salinas Police Department to address the potential increase in police services by deftly fashioning, and agreeing to, a unique set of Conditions which will address the unique issues for this specific location in Salinas. There are 8 extensive Conditions set forth in SPD Sgt. Magana's Memorandum, which after confirming his analysis of crime data, it was clearly stated that “Based on a review of the proposed use (Dave & Buster's) and the analysis of crime data for the PRD ..., the Salinas Police Department has determined that there may be an increase for Police services. However, the

Salinas Police Department does not object to the approval of CUP 2024-024, subject to the following recommendations being included as conditions of approval.” The Memo then goes on to explicitly state each of the 8 Conditions, and Dave & Buster's has agreed to each Condition. It is further noteworthy that there were at least 4 prior Memos by the Police Department, each time concluded that the SPD did not object to the CUP, and each time there was further negotiation to add Conditions so that what started out as 4 Conditions then became 5 Conditions, and it now includes 8 Conditions. As such, the record clearly reflects that the decision was and remains supported by the Salinas Police Department, and there was no error or abuse of discretion by the City Planner.

INFORMATION PROVIDED BY MIKE RUNYAN, REGIONAL OPERATIONS DIRECTOR:

Traveling from the Texas headquarters of Dave & Buster's to be present at the Hearing will be the undersigned, Mr. Les L. Lehner (Sr. Vice President and Chief Development Officer), as well as Mr. Mike Runyan and Mr. Jason Foshee. Mr. Runyan is the Regional Operations Director for Dave & Buster's for the West Coast, and his purview will include this proposed Dave & Buster's in Salinas. Mr. Runyan has 30 years in the industry, 12 years with Dave & Buster's, and his position currently covers California, Arizona, and Hawaii. He is available to testify and or answer questions that reflect that Dave & Buster's certifies all team members who serve alcohol and managers through Serve Safe, a nationally recognized third-party vendor. No team member is allowed to serve alcohol before completing this certification. Dave & Buster's uses the Bars program, also a nationally recognized third-party vendor, to handle internal stings. Dave & Buster's conducts bi-weekly system of ongoing training to ensure responsible alcohol service. Managers are trained to handle de-escalation issues and receive annual active shooter training. And finally, Dave & Buster's management teams are trained to maintain relationships with mall and center security teams, as well as local law enforcement.

STATEMENT BY JASON FOSHEE, DIRECTOR OF SECURITY AND ASSET PROTECTION

Mr. Foshee will be present at the hearing and hereby provides the following information for the benefit of the Planning Commission: At Dave & Buster's, we've built one of the most reliable and advanced security programs in the restaurant and entertainment industry. Our commitment to safety is reflected in the cutting-edge systems we employ and the strong on-site presence we maintain. We utilize state-of-the-art video management, access control, and burglary alarm systems to monitor and protect our venues around the clock. These technologies work together to prevent incidents, ensure fast response times, and maintain a secure environment for guests and staff alike. Equally important is our visible and proactive security coverage, which includes a strategic mix of trained security guards and off-duty law enforcement officers. Their presence not only deters threats but also reinforces our dedication to creating a safe, welcoming atmosphere to our guests. Dave & Buster's integrated approach to security sets us apart—and continues to raise the standard for security and safety in our industry.

Dave & Buster's Risk & Security Team is as follows:

Lisa Dillard – Sr. Director – Risk & Corporate Responsibility
Jason Foshee – Director – Security & Asset Protection
Chad Huntsinger – Sr. Manager – Asset Protection
Phillip Artis – Security Support Specialist
Enid Rohena - Security Support Specialist

Mr. Foshee has reviewed the most recent SPD Memorandum pertaining to Security. He provides the following comments and observations:

- All Dave & Buster's locations are equipped with video surveillance inside (employee and guest areas) and outside where permitted.
 - Salinas will have a state-of-the-art video surveillance system with broad coverage as outlined in the Memo.
 - Video retention would go beyond the minimum requirement of 30 days.
 - Video would be made available to Salinas PD as required.
- The requested security coverage (at minimum) will be provided.
 - Coverage will be provided by Maddison Group (armed security) which covers all Dave & Buster's locations in AK, WA, OR, CA.
 - Maddison Group are licensed in all states listed above, and we know they maintain a high standard of hiring and training, and focus on utilizing active/retired officers, former military, and career security professionals.
 - Maddison Group performs and communicates competently with multiple security teams at numerous mall locations.
 - I will ensure that is the standard at Salinas.
 - I would also extend an invite to Round One security to share appropriate intel and BOLOs benefiting us both and helping quell area crime.
 - Security will have cell phones as well as Dave & Buster's store radios. If Northridge Mall security provides Dave & Buster's a spare radio, that will also be carried by our security officers.
- I will partner with Mike Runyan and the General Manager for this new Salinas store on our required safety & awareness training in conjunction with Salinas PD.

THE SUPPOSED INCIDENTS REFERENCED BY THE APPEAL ARE INCORRECT AND INAPPLICABLE

It should be noted that the Appeal incorrectly cites several news headlines that feature the Dave & Buster's name. However, a closer inspection reveals that these incidents either did not even occur on a Dave & Buster's premises and or were not the result of any security or management failures or actions or omissions of Dave & Buster's personnel.

To cast aspersions on Dave & Buster's for these events is both unfair and misplaced. Further, it is unfair to compare those incidents and locations to Salinas. As just one example, Salinas does not suffer from the same general community challenges as does Times Square in New York City.

And, across all cited incidents, it's clear that Dave & Buster's security and staff responded swiftly and appropriately to maintain a safe, family-friendly environment. Dave & Buster's security and loss prevention team is well-trained to avoid, mitigate, and manage potential disruptions and to protect both patrons and staff. The Applicant urges the Planning Commission to disregard the Appellant's baseless but blatant fear mongering.

THE APPEAL INCORRECTLY STATES THAT THE CEQA EXEMPTION IS INAPPLICABLE

The Appeal wrongly states that the CEQA Exemption is improper. Once again, the Appeal fails to provide either factual or legal support for its contentions. This facility is in fact "existing" and clearly falls within the parameters of this CEQA Exemption. The ludicrous nature of this statement in the Appeal is made clear when the Appeal knowingly tries to support it with an argument it clearly knows and understands has no legal relevance to the application of this Exemption.

For all the above reasons, and for those that will be provided at the Hearing on this matter, it is respectfully submitted that the Appeal should be denied in its entirety. Dave & Buster's looks forward to becoming a vibrant member of the Salinas community, if allowed to do so.

Very truly yours,

SOLOMON SALTSMAN & JAMIESON

Stephen Allen Jamieson / ew

STEPHEN ALLEN JAMIESON
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SAJ/hj

Cc: Lisa Brinton
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Client Team