



CITY OF SALINAS PLANNING COMMISSION REPORT

DATE: NOVEMBER 19, 2025

TO: PLANNING COMMISSION

FROM: COURTNEY GROSSMAN, PLANNING MANAGER

BY: THOMAS WILES, SENIOR PLANNER

TITLE: **CONDITIONAL USE PERMIT 2025-023; REQUEST TO ESTABLISH AND OPERATE AN OFF-SALE ALCOHOL RELATED USE (TYPE 21 ABC LICENSE) AT A PROPOSED CONVENIENCE STORE LOCATED AT THE LAUREL WEST SHOPPING CENTER AT 1018 NORTH DAVIS ROAD IN THE COMMERCIAL RETAIL (CR) ZONING DISTRICT**

RECOMMENDED MOTION:

A motion to approve a resolution finding the project exempt pursuant to Section 15061(b)(3) of the CEQA Guidelines, affirming the findings, and approving Conditional Use Permit 2025-023.

EXECUTIVE SUMMARY:

Simon Maida is requesting approval of a Conditional Use Permit to establish and operate an off-sale alcohol related use (Type 21 Alcoholic Beverage Control (ABC) license – Off-sale beer, wine, and distilled spirits) at a proposed 2,618 square-foot convenience store located in the Laurel West Shopping Center at 1018 North Davis Road.

DISCUSSION:

Background:

Simon Maida is requesting approval of a Conditional Use Permit to establish and operate an off-sale alcohol related use (Type 21 ABC license) at proposed 2,618 square-foot convenience store in the Laurel West Shopping Center. The property owner is Rexford Title Incorporated. The new convenience store would be named Click Liquor Store. The name of the former tenant is LaLa Land Smoke Shop. A Type 21 ABC license includes sales of beer, wine, and distilled spirits for off-site consumption. Refer to the attached Site Plan and Floor Plans for more information. Upon approval of the Conditional Use Permit, the Applicant would be required to obtain a Type 21 ABC

license from the California Department of Alcoholic Beverage Control (ABC).

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

North:	Retail/Commercial Retail (CR)
South:	Residential/Residential Medium Density (R-M-3.6)
East:	Residential/Residential Medium Density (R-M-3.6)
West:	Retail and Government/Commercial Retail (CR) and Public and Semipublic (PS)

Analysis:

Undue Concentration

Concerning off-sale alcohol-related uses, “undue concentration” is defined per California Business and Professions Code Section 23958.4 as either: (1) the ratio of off-sale retail licenses to population in the census tract or census division in which the premises 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 18.02 (CT 18.02). Per ABC, there are currently six (6) active off-sale licenses within CT 18.02 which are shown below:

<u>Name of Licensee</u>	<u>Address</u>	<u>Distance from Project site</u>
1. Smart and Final (Type 21)	319 East Market Street	8,712 feet
2. Chin Brothers Grocery & Liquor (Type 21)	132 North Main Street	7,392 feet
3. Hasco Stations, LLC (Type 21)	417 North Main Street	5,914 feet
4. Clearwater Express (Type 20)	306 North Main Street	6,653 feet
5. T-Mart (Type 20)	430 North Main Street	6,125 feet
6. Vallarta Supermarket (Type 21)	1050 North Davis Road	500 feet

Per ABC, five (5) off-sale licenses are authorized in CT 18.02. Currently, the subject CT 18.02 is classified as undue concentration as there are six (6) active off-sale alcohol licenses, which is higher than the five (5) authorized. Approval of the proposed Type 21 off-sale alcohol license would result in seven (7) off-sale alcohol licenses in a census tract that is already undue concentrated for the number of off-sale alcohol licenses.

The attached Map of off-sale Alcohol Licenses dated October 2019 shows the location of the proposed off-sale alcohol license to other off-sale alcohol licenses. The closest off-sale license to the project site is located at 1050 North Davis Road (Vallarta Supermarket), which is in CT 18.02 and is approximately 500 feet to the north of the project site in the same shopping center. The average distance to off-sale alcohol outlets in CT 18.02 is 5,883 feet, which is greater than the average of 956 feet for approved off-sale alcohol CUPs in a CT since 2010. Table 1 below lists the 61 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 below provides a comparison to Off-sale Alcohol Conditional Use Permits approved since 2010 including average distance calculations to other off-sale alcohol CUPs, schools and parks.

Because the proposed site is located within an area of undue concentration due to number of alcohol licenses in the CT 18.02, a finding that Public Convenience or Necessity is served by approving the off-sale alcohol use is required should the Planning Commission determine to approve the CUP. A finding of Public Convenience or Necessity could be determined as customers would be able to complete their shopping needs without having to travel to a range of retail outlets.

Table 1: 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	Denied	Off-Sale	8 Williams	N/A			

	2012-005		Alcohol	Rd.				
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 2018-025	Approved	On-Sale Alcohol	242 Williams Rd.	04/30/2019	City Planner		No
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	Approved	On-Sale	66 W. Alisal	10/01/2024	City Planner		No

	2024-054		Alcohol	St.				
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	City Council		
61	CUP 2024-065	Approved	Off-Seal Alcohol	201 Monterey St.	08/06/2025	Planning Commission	No	Yes

Salinas Police Department Comments and Conditions

The project site is in a Police Reporting District (PRD) which does not exceed the threshold average number of reported crimes. As shown on Table 2 below, the average level of undue concentration for Conditional Use Permits processed since 2010 is 119%. The proposed project is below this number (89% vs. 119%). The crime rate for the subject PRD is 57% below the average rate considered as undue concentration for crime (89% vs. 146%).

Salinas Police Department reports an average of 73.43 reported crimes across all PRD's for 2024, the most recent date of PRD records. Adding twenty percent (20%), the formula allows for no more than 88.12 reported crimes within this PRD to avoid the "undue concentration" designation. 2024 Salinas Police Department (SPD) crime statistics show 78 reported crimes in PRD 181, which is below the 88.12 threshold, which places the site within an area that is not undue concentration due to crime.

Table 2: 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 (%) (120% = undue concentration	Number of crimes reported
Average	484	1,900	1,919	956	119%	146%	73.43
Minimum	0	450	400	1,200	40%	29%	1
Maximum	3,200	5,800	5,400	6,960	800%	386%	261
CUP 2025-023	0	570	2,200	5,883	120% (6/5)	89% (78/88.12) (2024 PRD)	78

Per the Salinas Police Department Memorandum dated August 1, 2025, while an increase in police services for this project is anticipated, the Police Department does not object to the approval of Conditional Use Permit 2025-023 with the conditions of approval stated in the Memorandum, which is provided as Exhibit D to the CUP. Conditions include installation of high-quality surveillance cameras, lighting of exterior entrances and exits to enhance camera visibility, and the posting of no trespassing signage. See Conditions section of this report for more detail.

Proximity to Residences, Parks, and Schools

The subject property is located less than the average distance of other similar projects to residences, residentially zoned properties, parks/playgrounds, and other public schools than other CUP applications (approved, denied, or expired) dating back to the year 2010. Two (2) residential units (836 and 838 Howe Drive) are located off site to the south of the property behind a solid wall without direct access to the main entrance of the proposed convenience store. The nearest park is Laurelwood Park (915 Victor Street), which is located approximately 2,200 feet to the southeast of the subject site. The nearest public school is Boronda Meadows Elementary School (915 Larkin Street), which is located approximately 570 feet southwest from the subject site. See Table 2 above.

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 public convenience or necessity would be served by the approval of the CUP and the subsequent issuance of an alcohol license by ABC, the CUP would contain the following conditions of approval:

1. Alcohol shall not be sold between the hours of 10:00 p.m. and 6:00 a.m. Coolers containing alcoholic beverages shall be locked between the hours of 10:00 p.m. and 6:00 a.m.
2. The premises shall be maintained free of litter at all times.
3. No sale or distribution of alcoholic beverages shall be made from a drive-up or walk-up window.
4. No display of alcoholic beverages shall be made from an ice tub.
5. No "single-serving" or "one-can" sales of alcoholic beverages shall be made from the premises. A sign to this effect in English and Spanish shall be maintained at the cashier station at all times.
6. No more than four (4) cooler doors shall be allocated to alcohol sales. Coolers without doors shall be limited to 32 lineal feet.
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. No coin operated video or arcade games and no adult magazines or videos shall be sold.
16. No pay telephone booths shall be permitted on the premises.
17. Any alcohol license violation and/or suspension by the Alcohol Beverage Control Board or significant criminal activity, in the opinion of the City Police Chief, shall constitute grounds for review and modification or revocation of this use Permit in accordance with Section 37-60.640: Expiration- transferability; recordation; rescission; revocation, of the Salinas Zoning Code.

Additional conditions could be added, including those recommended by the Salinas Police Department per the attached comments dated August 1, 2025 (Exhibit “D” of CUP 2025-023):

1. Digital surveillance system with high quality cameras focused on the points of sales, entrances/exits of the business and the parking lot, with the capability to store the digital images captured. The video/photos must be retained for 30 days and be made available to Police upon request.
2. Ample lighting in the parking lots, exterior area of entrances/exits and situated in areas to enhance video surveillance equipment.
3. All legal requirements be met so that the business be posted for trespassing and enforceable by the police department for Salinas Code (SCC) 21-35.

Findings:

The Planning Commission may approve an application for Conditional Use Permit to establish and operate an Off-sale alcohol related use (Type 21 ABC license) for a proposed 2,618 square-foot convenience store (Clink Liquor Store) located at the Laurel West Shopping Center, if all the findings set forth in the proposed Planning Commission Resolution are established.

CEQA CONSIDERATION:

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

TIME CONSIDERATION:

The project was deemed complete on October 22, 2025. Final action is required by December 21, 2025, pursuant to the Permit Streamlining Act.

ALTERNATIVES AVAILABLE TO THE COMMISSION:

The Planning Commission has the following alternatives:

1. Affirm the findings set forth in the attached Resolution, find the application exempt from the California Environmental Quality Act (CEQA), and approve Conditional Use Permit 2025-023 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 2025-023.

ATTACHMENTS:

Proposed Planning Commission Resolution

Draft Conditional Use Permit 2025-023 with the following exhibits:

Exhibit "A" Vicinity Map

Exhibit "B" Site Layout (Sheet S1)

Exhibit "C" Floor Plan (Sheet A1)

Exhibit "D" Police Department Memorandum dated August 1, 2025

Map of Off-sale Alcohol Licenses in Census Tract 18.02

Map of Off-sale Alcohol Licenses in Salinas

Map of CUP 2025-023 to Park and Schools

Cc: Simon Maida, Applicant
Rexford Title Inc., Property Owner
Liliger Damiso
Sgt. Gerardo Magana, Salinas Police Department
Sun Street Centers
Other interested parties

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