

City of Salinas

200 Lincoln Ave., Salinas, CA 93901

www.cityofsalinas.org



Meeting Agenda - Final

Wednesday, September 3, 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

ZOOM WEBINAR PARTICIPATION

JOIN THE ZOOM WEBINAR TO PARTICIPATE LIVE AT:

<https://cityofsalinas.zoom.us/j/82684796533>

To participate telephonically, call any number below:

**+1 669 900 9128 US (San Jose) +1 669 444 9171 US +1 253 215 8782 US (Tacoma) +1 346
248 7799 US (Houston) +1 719 359 4580 US +1 253 205 0468 US +1 689 278 1000 US +1
301 715 8592 US (Washington DC) +1 305 224 1968 US +1 309 205 3325 US +1 312 626
6799 US (Chicago) +1 360 209 5623 US +1 386 347 5053 US +1 507 473 4847 US +1 564
217 2000 US +1 646 558 8656 US (New York) +1 646 931 3860 US**

Webinar ID: 826 8479 6533

If prompted to enter a participant ID, press #.

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#25-375](#)

Minutes

Recommendation: Approve minute of August 6, 2025.

PUBLIC HEARINGS

[ID#25-354](#)

Conditional Use Permit 2024-024; Appeal of the City Planner's approval to establish and operate a 23,412 square-foot Commercial Recreation and Entertainment use (Dave & Buster's) with on-sale alcohol sales (Type 47 ABC license) located at 1104 Northridge Mall in the Commercial Retail (CR) Zoning District

Recommendation: A motion to approve a resolution finding the project exempt pursuant to Section 15301(a) of the California Environmental Quality Act (CEQA) Guidelines and affirming the findings to deny the appeal of the City Planner's approval of Conditional Use Permit 2024-024.

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 29, 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>.



City of Salinas

200 Lincoln Ave., Salinas,
CA 93901
www.cityofsalinas.org

Legislation Text

File #: ID#25-375, **Version:** 1

Minutes

Approve minute of August 6, 2025.

**UNOFFICIAL MINUTES
OF THE
SALINAS PLANNING COMMISSION
August 6, 2025**

The meeting was called to order at 4:02 p.m. in the City Council Chamber Rotunda.

PLEDGE OF ALLEGIANCE

ROLL CALL

WELCOME AND STAFF INTRODUCTIONS

PRESENT: Chairperson McKelvey Daye and Commissioners Gutierrez, Purnell, Rocamora and Wruck

ABSENT: Commissioners Almanza Larios and Meeks

STAFF: Community Development Director, Lisa Brinton; Planning Manager, Courtney Grossman; Senior Planner, Thomas Wiles; and Administrative Aide, Maira Robles

COMMENTS FROM THE PUBLIC FOR ITEMS NOT ON THE AGENDA

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

Luis “Xago” Juarez, Thriving Neighborhoods Organizer, provided public comment regarding the June 2025 referendum petition to overturn the City Council’s repeal decision of the rent stabilization ordinance. Mr. Juarez thanked the community for their engagement in signing the petition and indicated it was submitted to the City Clerk’s office for review on July 3, 2025 and a response is expected by August 15, 2025.

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

CONSENT

[ID#25-328](#) Approval of the Minutes: June 18, 2025

Upon motion by Commissioner Wruck, and a second by Commissioner Purnell, the minutes of June 18, 2025 were approved. The motion carried by the following vote:

AYES: Chairperson McKelvey Daye and Commissioners Gutierrez, Purnell, Rocamora and Wruck

NOES: None

ABSTAIN: None

ABSENT: Commissioners Almanza Larios and Meeks

Annual Election of Planning Commission Chairperson

Commissioner Wruck nominated Commissioner McKelvey Daye to serve a second term as Chairperson to the Salinas Planning Commission. Commissioner Gutierrez seconded the motion. The motion carried by the following vote:

AYES: Chairperson McKelvey Daye and Commissioners Gutierrez, Purnell, Rocamora and Wruck

NOES: None

ABSTAIN: None

ABSENT: Commissioners Almanza Larios and Meeks

Annual Election of Planning Commission Vice-Chairperson

Commissioner Wruck nominated Commissioner Purnell to serve a second term as Vice-Chairperson to the Salinas Planning Commission. Commissioner Gutierrez seconded the motion. The motion carried by the following vote:

AYES: Chairperson McKelvey Daye and Commissioners Gutierrez, Purnell, Rocamora and Wruck

NOES: None

ABSTAIN: None

ABSENT: Commissioners Almanza Larios and Meeks

General Plan Steering Committee - Planning Commissioner Appointments

Commissioner McKelvey Daye volunteered to serve as the primary Planning Commissioner appointee to the General Plan Steering Committee. Commissioner Purnell motioned that Chairperson McKelvey Daye be appointed as the primary appointee to the General Plan Steering Committee. Commissioner Wruck seconded the motion. The motion carried by the following vote:

AYES: Chairperson McKelvey Daye and Commissioners Gutierrez, Purnell, Rocamora and Wruck

NOES: None

ABSTAIN: None

ABSENT: Commissioners Almanza Larios and Meeks

Commissioner McKelvey Daye motioned that Vice Chairperson Purnell remain as the alternate appointee to the General Plan Steering Committee. Commissioner Gutierrez seconded the motion. The motion carried by the following vote:

AYES: Chairperson McKelvey Daye and Commissioners Gutierrez, Purnell, Rocamora and Wruck

NOES: None

ABSTAIN: None

ABSENT: Commissioners Almanza Larios and Meeks

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

Received presentation from Senior Planner, Thomas Wiles, regarding the request from Jay Zapata of ZPROUT, and Sherrie Olson of PLRC, on behalf of Christopher R. Dabit et. al., who 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-foot 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 (InFill Development Projects).

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

1. Changes to alcoholic beverage holding capacity as result of the convenience store expansion;
2. Proposed square footage of convenience store;
3. Parking requirements;
4. Project's site ingress and egress points;
5. Exterior improvements to the property; and
6. Proposed changes to the floor plan layout, specifically, the location of the alcoholic beverage coolers.

Chairperson McKelvey Daye opened for public comment at 4:18 p.m.

Sherrie Olson of PLRC and Tammy Rozga, Project Manager, shared a presentation of the proposed site changes and spoke in support of the project.

Ms. Olson provided information regarding the exterior changes and security measures for the new project.

Ms. Rozga provided additional information with regard to the proposed floorplan, renderings of the site exterior and interior improvements. Ms. Rozga also clarified that the vehicle repair bay will become part of the convenience store area; therefore, closing off access to the alley.

Commissioner Wruck inquired if the applicant supports a request for signage to be posted at both the alcoholic beverage cooler doors and at the cash register, indicating that no "single-serving" or "one-can" sales of alcoholic beverages shall be made from the premises.

Ms. Olson indicated no opposition to the proposed modification of the condition as presented by Commissioner Wruck. Ms. Olson added that the cooler doors will be equipped with locking mechanisms to limit accessibility to patrons should any concerns be observed by store staff.

Commissioner Purnell inquired about the hours of operation for all store services.

Ms. Olson clarified that the store will observe a 24-hour service operation for gasoline sales; however, the proposed kitchen sales area will observe a more limited service operation schedule and added that there will be no alcoholic beverage sales between 10:00 p.m. and 6:00 a.m.

Commissioner Purnell asked if health permits are required for the proposed kitchen operation and if any opposition has been expressed by neighboring business owners.

Christopher R. Dabit, Owner, provided public comment in support of the project and indicated that he has not received any opposition to the proposed store improvements or proposed kitchen operations.

Chairperson McKelvey Daye closed for public comment 4:29 p.m.

Chairperson McKelvey Daye requested clarification regarding the process for incorporating the modification of Condition No. 9 of the Conditional Use Permit (CUP) regarding alcoholic beverage sale signage as presented by Commissioner Wruck.

Commissioner Wruck 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 2024-065 with a modification to Condition No. 9 that indicates that no “single-serving” or “one-can” sales of alcoholic beverages shall be made from the premises. Signage to this effect in English and Spanish shall be maintained at the cashier station and on the cooler doors at all times. Commissioner Rocamora seconded the motion as presented by Commissioner Wruck. The motion carried by the following vote:

AYES: Chairperson McKelvey Daye and Commissioners Gutierrez, Purnell, Rocamora and Wruck

NOES: None

ABSTAIN: None

ABSENT: Commissioners Almanza Larios and Meeks

OTHER BUSINESS

General Plan Steering Committee Update

Community Development Director, Lisa Brinton, indicated that there are no updates to report from the steering committee. A public draft is expected to be released and the end of August 2025.

FOLLOW-UP REPORTS

During the July 18, 2025 Planning Commission meeting, Commissioner Meeks requested that staff clarify processing procedures on time extension requests. The following update was provided:

Planning Manager, Courtney Grossman, indicated that when a time extension request is received and deemed complete, there is an sixty (60) day automatic extension to the map per state law and subdivision regulations. Staff then schedules the request for Planning Commission consideration, followed by a City Council determination.

Chairperson McKelvey Daye requested an update regarding the minutes of the joint City Council and Planning Commission meeting held on June 10, 2025.

Staff informed that they have requested an update from the City Clerk’s office regarding these minutes.

Chairperson McKelvey Daye requested that an update on the minutes of June 10, 2025 be noted for follow up at the next regularly scheduled Planning Commission meeting.

Chairperson McKelvey Daye also requested that language be added to the meeting chair's guide to remind the chair to request comment from members of the public joining via Zoom.

Staff will incorporate the requested language when preparing future chair's guide documents.

Commissioner Purnell inquired if the bylaws contain specific language regarding attendance requirements for planning commissioners.

Mr. Grossman informed that planning commissioners are required to attend a minimum of 75% of all scheduled regular and special meetings and are informed of this requirement during the Planning Commissioner orientation. Mr. Grossman added that it is the City Council's discretion to remove commissioners should their attendance fall below this attendance threshold.

FUTURE AGENDA ITEMS

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

ADJOURNMENT

Chairperson McKelvey Daye reviewed for quorum for the Planning Commission meeting scheduled for August 20, 2025 and adjourned the meeting at 4:44 p.m.

LORISA MCKELVEY DAYE
Chairperson

COURTNEY GROSSMAN
Executive Secretary



City of Salinas

200 Lincoln Ave., Salinas,
CA 93901
www.cityofsalinas.org

Legislation Text

File #: ID#25-354, Version: 1

Conditional Use Permit 2024-024; Appeal of the City Planner's approval to establish and operate a 23,412 square-foot Commercial Recreation and Entertainment use (Dave & Buster's) with on-sale alcohol sales (Type 47 ABC license) located at 1104 Northridge Mall in the Commercial Retail (CR) Zoning District

A motion to approve a resolution finding the project exempt pursuant to Section 15301(a) of the California Environmental Quality Act (CEQA) Guidelines and affirming the findings to deny the appeal of the City Planner's approval of Conditional Use Permit 2024-024.



CITY OF SALINAS PLANNING COMMISSION REPORT

DATE: SEPTEMBER 3, 2025

TO: PLANNING COMMISSION

FROM: COURTNEY GROSSMAN, PLANNING MANAGER

BY: THOMAS WILES, SENIOR PLANNER

TITLE: **CONDITIONAL USE PERMIT 2024-024; APPEAL OF CITY PLANNER'S APPROVAL TO ESTABLISH AND OPERATE A 23,412 SQUARE-FOOT COMMERCIAL RECREATION AND ENTERTAINMENT USE (DAVE & BUSTER'S) WITH ON-SALE ALCOHOL SALES LOCATED AT 1104 NORTHRIDGE MALL IN THE COMMERCIAL RETAIL (CR) ZONING DISTRICT**

RECOMMENDED MOTION:

A motion to approve a resolution finding the project exempt pursuant to Section 15301(a) of the California Environmental Quality Act (CEQA) Guidelines and affirming the findings to deny the appeal of the City Planner's approval of Conditional Use Permit 2024-024.

EXECUTIVE SUMMARY:

Dave & Buster's is requesting approval of a Conditional Use Permit (CUP) to establish and operate a 23,412 square foot Commercial Recreation and Entertainment use with on-sale alcohol sales of beer, wine, and distilled spirits and a separate bar area (Type 47 ABC license – On-Sale General – Eating Place) located on the second floor of a former Sears store at the Northridge Mall. On July 3, 2025, a Notice of Intent to Approve (NOI) the CUP was mailed to properties located within 300 feet of the site and interested parties. No protest was received by 5:00 p.m. on July 14, 2025. Pursuant to Zoning Code Section 37-60.500(c), the City Planner approved the CUP on July 15, 2025. Subsequently, on July 25, 2025, a timely 10-day appeal of the City Planner's approval was received. Per Zoning Code Section 37-60.1300(a), the CUP has been scheduled for the next available Planning Commission hearing date within 60 days of the appeal.

DISCUSSION:

Background:

The project site is owned by Ethan Conrad Properties. The Applicant, Dave & Buster's, is requesting approval of a Conditional Use Permit (CUP) to establish and operate a 23,412 square foot Commercial Recreation and Entertainment use consisting of an arcade, restaurant, and on-sale alcohol sales of beer, wine, and distilled spirits with a separate bar area (Type 47 ABC license – On-Sale General – Eating Place) located on the second floor of a former Sears store at the Northridge Mall. Per Zoning Code Section 37-30.200, Table 37-30.90, a Commercial Recreation and Entertainment use exceeding 2,000 square feet is subject to approval of a Conditional Use Permit. Per Section 37-50.030(c), a Conditional Use Permit is required for all alcohol related uses except as provided in Section 37-50.030(g).

The proposed project consists of a 22,717 square foot space on the second floor, with a 695 square-foot first floor lobby. The site was vacated following the closing of the Sears store. The exterior façade improvements, including the building materials and colors were approved by Planned Unit Development Permit 2024-001 (PUD 2024-001).

The Applicant is proposing to transfer an existing Type 47 On-Sale General Eating Place License from “The Village Restaurant” (ABC License No. 529633) located at 1490 Constitution Boulevard #A to the project site. A Type 47 On-Sale General Eating Place License includes sale of beer, wine, and distilled spirits for consumption on the licensed premises. The Conditional Use Permit prohibits off-sales of alcohol. Hours of operation shall be limited to 10:00 a.m. to 12:00 a.m. Sunday through Thursday and 10:00 a.m. to 2:00 a.m. Friday and Saturday. Per the attached Police Department memorandum dated July 3, 2025, all alcohol sales and consumption shall cease by 2:00 a.m. daily and no alcohol sales or consumption shall occur on the premises when the use is not open for business.

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

North:	Shopping center / CR – GW-1 (Commercial Retail – West Boronda Road @ U.S. 101 Overlay)
South:	Multifamily dwellings / R-H-2.1 (High Density Residential)
East:	Harden Ranch Shopping Center / CR – SP-1 (Commercial Retail – Harden Ranch Specific Plan Overlay)
West:	U.S. Highway 101

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. Per Zoning Code Section 37-50.030(e)(2), findings for public convenience or necessity are not required or applicable for on-sale alcohol related uses. The CUP contains the following conditions of approval:

- Hours of operation shall be limited to 10:00 a.m. to 12:00 a.m. Sunday through Thursday and 10:00 a.m. to 2:00 a.m. Friday and Saturday. Alcohol sales and consumption shall cease at 12:00 a.m. Sunday through Thursday and by 2:00 a.m. Friday and Saturday. No alcohol sales or consumption shall occur on the premises when the use is not otherwise open for business.
- 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.
- No alcoholic beverages shall be sold, dispensed, or offered for consumption except within the licensed premises. No off-site sales of alcohol shall be allowed.
- No live entertainment of any type including, but not limited to, live music, disc jockey, dancing, fashion shows, shall be permitted on-site. At no time shall this business allow table or chairs to be moved to create an open space which could be used as a dance floor.
- Alcohol sale shall not occur except in conjunction with the maintenance of the premises as a "bona fide public eating place," i.e., a place which is regularly, and in a bona fide manner, used and kept open for the serving of meals to guests for compensation and which has on-site kitchen facilities for cooking an assortment of foods required for ordinary meals.
- Pursuant to Zoning Code Section 37-50.030(f)(6), 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. Such training is required 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 regarding responsible beverage training shall be suspended only upon a finding by the City Planner that the training is not reasonably available.
- The Permittee shall keep the exterior access doors closed during evening and nighttime hours. Permittee shall control parking lot noise and associated impacts generated by patrons.
- No outdoor storage, display, or sale of merchandise of any kind shall be permitted.

- 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.
- The “Conditions of Approval” stated in the Engineer’s Report dated April 12, 2024 (Exhibit “Q”) shall be incorporated into the project.
- If the subject Commercial Recreation and Entertainment use and/or on-sale alcohol use, respectively and independent of one another, ceases operation for a continuous period of six (6) months or more, this Conditional Use Permit shall become null and void.

Salinas Police Department Comments and Conditions

Per the attached Salinas Police Department Memorandum dated July 3, 2025 (Exhibit “P” of CUP 2024-024), the project site is located in Police Reporting District (PRD) 201. The Police Department’s 2024 average for statistics for Police Reporting Districts (PRDs) is 73.43. The crime statistics for this PRD 201 in 2024 is 199, which is above average. Based on the crime reporting in PRD 201 many of the crimes are for Part Two Crimes (Forgery, Embezzlement, Fraud, Vandalism, Theft, Drug Abuse, DUI, Public Intoxication, Loitering, and others). Although the crime rate in PRD 201 is more than double the overall average for PRDs, the Police Department does not object to the approval of the Conditional Use Permit subject to the following recommendations stated in their Memorandum dated July 3, 2025, which has been included as Exhibit “P” and Condition No. 15 of the CUP approval document:

- Installation and operation of a digital surveillance system with high quality cameras focused on the points of sales, all entrances/exits, and the parking lots located adjacent to the use that is controlled by Dave & Buster’s, with the capability to store the digital images (videos and photos) captured. The digital images (video and photos) must be retained for at least thirty (30) days and be made available to the Salinas Police Department upon request.
- Installation and maintenance of ample lighting in the parking lots located adjacent to the use, the exterior area of all entrances and exits to the use that is controlled by Dave & Buster’s, and in areas to enhance the capability of the digital surveillance system.
- All parking lots adjacent to the proposed use and all driveways and buildings that is controlled by Dave & Buster’s shall be posted with “No Trespassing” signs in the form and manner determined by the Salinas Police Department consistent with Salinas City Code (SCC) Section 21-35, the text of which is provided below.
- Alcohol sales and consumption shall cease by 2:00 A.M. daily and no alcohol sales or consumption shall occur on the premises when the use is not otherwise open for business. All managers and persons engaged in serving alcohol must receive

responsible beverage training that is certified by the Department of Alcoholic Beverage Control prior to serving any alcohol.

- Provide one armed security officer present on the premises from at least the hours of 5:00 P.M. to close. (Friday & Saturday).
- Provide a second armed security officer present on the premises from at least the hours of midnight (12:00 A.M.) to close. (Friday & Saturday).
- Security Officers shall be state licensed (BSIS), uniformed and equipped with cell phones to communicate with Northridge Mall Security. Management is encouraged to collaborate with the Salinas Police Department on safety and awareness training for the PRD.
- Management shall promptly contact Salinas Police Department dispatch if there is any violent crime, threats, display, use, threats of a weapon. The Northridge Mall property has exterior/interior and parking lot Security Officers. Dave & Buster's security should develop a working relationship with Northridge Mall Security regarding communications, notifications and working together. Dave & Buster's should notify Northridge Mall Security of any ejections so Northridge Mall Security can move available resources to the parking lot in that area as well as focusing their cameras on the area.

Appeal of City Planner's approval of Conditional Use Permit 2024-024

Per Zoning Code Section 37-60.500(a) and (b) the City Planner shall have the authority to administratively grant a Conditional Use Permit (including, but not limited to, live entertainment) without a public hearing based on review of the project if the proposed use or structure is statutorily or categorically exempt from the California Environmental Quality Act (CEQA); and no protest of the City Planner's decision is received prior to or on the date intended for approval. Section 37-50.030(d)(1)(A) provides City Planner authority for any on-sale alcohol related use. Per the Zoning Code, a notice shall be mailed or delivered by the City Planner to all owners of real property as shown on the latest equalized assessment roll (or other reliable method as approved by the City Council) within 300-feet of the subject property at least 10-days prior to the City Planner's intended date of approval of the conditional use permit.

On July 3, 2025, a Notice of Intent to Approve (NOI) was sent to all property owners within 300-feet of the subject property and all interested parties with a deadline of July 14, 2025 (the 10th-day ended on a Sunday). On July 15, 2025, the City Planner approved the Conditional Use Permit. Following the date of approval, a 10-day appeal period begins, which ended on July 25, 2025. The appeal was received on July 25, 2025, before 5:00 pm at the close of business. Per Zoning Code Section 37-60.1280(b), decisions that are appealed shall not become effective until the appeal is resolved.

Per Zoning Code Section 37-60.1280, an appeal shall be initiated by submitting an application to the Community Development Department in accordance with Division 2 of the Zoning Code. The appeal application shall state, as appropriate, any of the following:

1. A determination or interpretation that is not in accord with the purposes of this article (Zoning Code);
2. There was an error or abuse of discretion;
3. The record includes inaccurate information; or
4. A decision is not supported by the record.

On July 25, 2025, staff received the attached email correspondence from Steerpoint Capital appealing the City Planner's approval of the Conditional Use Permit per the following reasons with staff responses:

1. Approval documents for CUP 2024-024 were not available: The appellant indicates that the approval documents were not available in a timely manner for review and that no such documents existed until July 25, 2025.

Staff Response: On July 3, 2025, staff determined the state of the draft approval documents were sufficient for the mailing of the Notice of Intent (NOI) on the same date. No protest of the NOI was received by 5:00 p.m. on July 14, 2025. Staff continued to finalize the approval documents at the time correspondence was received from the would-be Appellant on July 21, 2025. There was a period of approximately 4 days between the request for documents and delivery was provided.

2. CUP 2024-024 is not in accord with the purposes of the Zoning Code and the decision is not supported by the record: The appellant states that approval of CUP 2024-024 would be detrimental to the public health, safety, and welfare of persons residing or working in the adjacent neighborhood, and detrimental to properties in the vicinity due to crime, hours of operation, and past activities at other Dave & Buster's facilities.

Staff Response: Per the Salinas Police Department Memorandum dated July 3, 2025, the Police Department does not object to the approval of the Conditional Use Permit subject to the following recommendations stated in their Memorandum, which have been included as conditions of approval. The proposed commercial recreation and entertainment use with on-sale alcohol sales would not be detrimental to the public health, safety, and welfare of persons residing or working in the adjacent neighborhood because the conditions of approval are included in the Conditional Use Permit.

3. The CEQA exemption for CUP 2024-024 is improper: The appellant states that the exemption from the California Environmental Quality Act (CEQA) due to Section 15301 (*Existing Facilities*) is improper because it does not discuss or analyze impacts due to alcohol use, such as drunken noise and other activities.

Staff Response: The proposed use can be determined to be exempt from CEQA pursuant to Section 15301 (*Existing Facilities*) because the project consists of the operation, repair, maintenance, permitting, leasing, licensing, and minor alteration of an existing private structure, which involves negligible or no expansion of a former use. The project includes

interior and exterior alterations pursuant to Section 15301(a).

In addition, after receipt of the original appeal from Steerpoint Capital on July 25, 2025, staff received the following items (see attachments):

- a. Correspondence SSJ Law, the Applicant's legal counsel, dated August 21, 2025; and
- b. Correspondence from Cox Castle, the Appellant's legal counsel, dated August 28, 2025.

Findings:

The Planning Commission may deny the appeal of the City Planner's approval of an application for a Conditional Use Permit to establish and operate a Commercial Recreation and Entertainment use with on-sale alcohol sales if all of the findings set forth in the proposed Planning Commission Resolution are established.

Time Consideration:

The project was deemed complete on May 16, 2025. Pursuant to CEQA Section 65950(a)(5), final action was required by July 15, 2025. On June 18, 2025, the Applicant e-mailed a request for a one-time 90-day time extension pursuant to Government Code Section 65957, which extended the final deadline to October 13, 2025. The Conditional Use Permit was approved by the City Planner on July 15, 2025. However, on July 25, 2025, staff received a timely 10-day appeal of the approval of the Conditional Use Permit. Per Zoning Code Section 37-60.1300(a), an appeal shall be scheduled for a hearing before the appellate body (Planning Commission) within 60-days of the City's receipt of an appeal unless both the applicant and appellant consent to a later date. Per the Zoning Code, the final deadline for consideration of the appeal is September 23, 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 deny the appeal of the City Planner's decision to approve Conditional Use Permit 2024-024 with modifications; or
2. Find that the project proposal is not appropriate, uphold the appeal of the City Planner's approval and establish findings at the public hearing stating the reasons for not approving Conditional Use Permit 2024-024.

CEQA CONSIDERATION:

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

under Section 15301 (*Existing Facilities*) of the CEQA Guidelines, because the project consists of the operation, repair, maintenance, permitting, leasing, licensing, and minor alteration of an existing private structure, which involves negligible or no expansion of a former use. The project includes interior and exterior alterations pursuant to Section 15301(a).

ATTACHMENTS:

Proposed Planning Commission Resolution

Draft CUP 2024-024 approval document with the following exhibits:

- Exhibit "A" Vicinity Map
- Exhibit "B" Dave & Buster's – Proposed First Floor Plan
- Exhibit "C" Dave & Buster's – Proposed Second Floor Plan
- Exhibit "D" Dave & Buster's – Proposed Exterior Elevations
- Exhibit "E" Dave & Buster's – Proposed Exterior Elevations (Night)
- Exhibit "F" Dave & Buster's – Exterior Perspective I
- Exhibit "G" Dave & Buster's – Exterior Perspective (Night)
- Exhibit "H" Dave & Buster's – Exterior Perspective II
- Exhibit "I" Dave & Buster's – Exterior Perspective II (Night)
- Exhibit "J" Dave & Buster's – Exterior Perspective III
- Exhibit "K" Dave & Buster's – Exterior Perspective III (Night)
- Exhibit "L" Dave & Buster's – Digital Material Board
- Exhibit "M" Dave & Buster's – Signage Details
- Exhibit "N" Trash Enclosure with Republic Services letter dated June 3, 2024 (Sheet A103)
- Exhibit "O" Roof Exhibit (Sheet A501)
- Exhibit "P" Police Department Memorandum dated July 3, 2025
- Exhibit "Q" Engineer's Report dated April 12, 2024
- Exhibit "R" Fire Department comments dated April 4, 2025
- Exhibit "S" Permit Center comments dated May 1, 2024

Appeal of approval of Conditional Use Permit 2024-024 (CUP 2024-024) from Steerpoint Capital received via e-mail on July 25, 2025

Correspondence from SSJ Law, the Applicant's legal counsel, dated August 21, 2025

Correspondence from Cox Castle, the Appellant's legal counsel, dated August 28, 2025

CUP 2024-024 NOI Administrative Approval Report

Cc: Dave & Buster's, Applicant
Ethan Conrad Properties, Property Owner
LTD Development
Solomon, Saltsman & Jamieson
Steerpoint Capital
Bridge Group Investments, LLC
Mersho Investments, LLC
Cox Castle
Other interested parties

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

**RESOLUTION DENYING AN APPEAL OF THE CITY PLANNER’S APPROVAL OF A
CONDITIONAL USE PERMIT TO ESTABLISH AND OPERATE A 23,412 SQUARE-
FOOT COMMERCIAL RECREATION AND ENTERTAINMENT USE (DAVE &
BUSTER’S) WITH ON-SALE ALCOHOL SALES (TYPE 47 ABC LICENSE) LOCATED
AT 1104 NORTHRIDGE MALL IN THE COMMERCIAL RETAIL (CR) ZONING
DISTRICT
(CUP 2024-024)**

WHEREAS, on July 3, 2025, the Community Development Department, at the request of Dave & Buster’s, sent a Notice of Intent to Approve Conditional Use Permit 2024-024, a request to establish and operate a 23,412 square foot Commercial Recreation and Entertainment use consisting of an arcade, restaurant, and on-sale alcohol sales of beer, wine, and distilled spirits with a separate bar area (Type 47 ABC license – On-Sale General – Eating Place) located on the second floor of a former Sears store located at 1104 Northridge Mall (Assessor’s Parcel Number: 253-021-054-000); and

WHEREAS, on July 15, 2025, the City Planner approved Conditional Use Permit 2024-024 as referenced above; and

WHEREAS, on July 25, 2025, the Community Development Department received a timely 10-day appeal via email of the City Planner’s approval of Conditional Use Permit 2024-024, which was then scheduled for the next available Planning Commission hearing date; and

WHEREAS, on September 3, 2025, the Salinas Planning Commission held a duly noticed public hearing to consider the appeal of the City Planner’s approval of Conditional Use Permit 2024-024; 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 finds the project to be Exempt from the California Environmental Quality Act (CEQA) and denies the appeal of the City Planner’s approval of Conditional Use Permit 2024-024; 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 15301 of the California Environmental Quality Act (CEQA) Guidelines;***

The project has been determined to be exempt from the California Environmental Quality Act under Section 15301 (*Existing Facilities*) of the CEQA Guidelines, because the project consists of the operation, repair, maintenance, permitting, leasing, licensing, and minor alteration of an existing private structure, which involves negligible or no expansion of a former use. The project includes interior and exterior alterations pursuant to Section 15301(a).

For the Conditional Use Permit:

2. ***The proposed location of the use is in accord with the objectives of the General Plan, the Zoning Code, and the purposes of the district in which the site is located.***

The site is designated Retail by the 2002 Salinas General Plan. The proposed project is consistent with General Plan Goals and Policies. The proposed project achieves a balance of land uses in providing a recreational facility for residents consistent with Land Use Policy LU-1.1. Located on an in-fill site, the project would help maintain a compact City form, consistent with Land Use Policy LU-2.4. Located within an existing Shopping Center, the proposed Commercial Recreation use and on-sale alcohol related use would create of an activity center focal point for the adjacent neighborhoods located at the north, west, and south, consistent with Community Design Policy CD-3.9.

As shown on the official Zoning Map, the site is located in the Commercial Retail (CR) District. Per Section 37-30.190, the purpose of Commercial districts is to provide appropriately located areas consistent with the General Plan for a full range of uses including service commercial uses needed by residents of the City and strengthen the City's economic base and provide employment opportunities close to home for residents of the City. Per Section 37-30.190(k)(3), the purpose of Commercial Retail districts is to allow a wide range of uses including commercial recreation uses. Commercial Recreation includes, but it is not limited to, theaters, sports stadiums and arenas, amusement parks, bowling alleys, billiard parlors, bingo parlors, ice/roller skating rinks, golf courses, miniature golf courses, model courses, shooting galleries, tennis and racquetball courts, amusement centers and arcades, martial arts studios, dance studios, health and fitness clubs, or facilities equipped and used for sports training and conditioning; excludes adult entertainment facilities per Section 37-10.270. Per Section 37-30.200, Table 37-30.90, a Conditional Use Permit is required for the proposed Commercial Recreation use because the floor area exceeds 2,000 square feet in size.

3. ***The proposed location of the conditional use and the proposed conditions under which it would be operated or 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 adjacent to the neighborhood of such use, nor detrimental to the properties, or improvements in the vicinity or to the general welfare of the City***

The site is designated Retail by the 2002 Salinas General Plan. The proposed project is consistent with General Plan Goals and Policies. The proposed project achieves a balance of land uses in providing a recreational facility for residents consistent with Land Use Policy LU-1.1. Located on an in-fill site, the project would help maintain a compact City form, consistent with Land Use Policy LU-2.4. Located within an existing Shopping Center, the proposed Commercial

Recreation use and on-sale alcohol related use would create of an activity center focal point for the adjacent neighborhoods located at the north, west, and south, consistent with Community Design Policy CD-3.9.

Existing commercial and residential uses and U.S. Highway 101 surround the project site. The proposed project consists of a 22,717 square foot space on the second floor, with a 695 square-foot first floor lobby. The 23,412 square foot space was created following the closing of the Sears store at the Northridge Mall. The proposed Commercial Recreation and Entertainment use and on-sale alcohol use would not be detrimental to the public health, safety and general welfare of the people of the City because the following conditions are set forth in the Conditional Use Permit: hours of operation are limited to 10:00 a.m. to 12:00 a.m. Sunday through Thursday and 10:00 a.m. to 2:00 a.m. Friday and Saturday. Alcohol sales and consumption shall cease at 12:00 a.m. Sunday through Thursday and at 2:00 a.m. Friday and Saturday. In addition, no alcohol sales or consumption shall occur on the premises when the use is not otherwise open for business. All managers and persons engaged in serving alcohol 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, no alcoholic beverages shall be sold/dispensed/or offered for consumption except within the licensed premises, and any alcohol license violation and/or suspension by ABC or significant criminal activity shall constitute grounds for review and modification or revocation of the Conditional Use Permit.

Per a Salinas Police Department Memorandum dated July 3, 2025, one (1) armed security officer is to be present on the premises from at least the hours of 5:00 P.M. to close on Friday & Saturday and a second armed security officer is to be present on the premises from at least the hours of midnight (12:00 A.M.) to close on Friday & Saturday. Security Officers shall be state licensed (BSIS), uniformed and equipped with cell phones to communicate with Northridge Mall Security. Management is encouraged to collaborate with the Salinas Police Department on safety and awareness training for the Police Reporting District (PRD). Per the memorandum, ample lighting in the parking lots and enhanced video surveillance equipment shall be provided.

4. *The proposed conditional use will 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. For example, the Salinas Police Department memorandum dated July 3, 2025 requires that all alcohol sales and consumption shall cease by 2:00 a.m. daily and no alcohol sales or consumption shall occur on the premises when the use is not otherwise open for business. All managers and persons engaged in serving alcohol shall receive responsible beverage training that is certified by the Department of Alcoholic Beverage Control (ABC). Dave & Buster's staff are

required to monitor underage consumption of alcohol and eject anyone who is underage and consuming or anyone who has provided alcohol to underage persons.

5. ***The 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 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.***

The proposed project consists of a 22,717 square foot space on the second floor, with a 695 square-foot first floor lobby. The 23,412 square foot space was created following the closing of the Sears store at the Northridge Mall. Residential uses are located adjacent to the mall's southerly boundary. The closest residences (1633 Madrid Street) are approximately 967 feet away to the south, behind Northridge Mall and across a parking lot, separated by a 6-foot high masonry wall, and approximately 2,365 feet away walking distance from the subject site. Northgate Park (1600 Seville Street) is located approximately 2,275 feet away to the south, which is 1,975 feet further than what would qualify as an exception by Zoning Code Section 37-50.030(g)(2)(D). The nearest school, Santa Rita School (2014 Santa Rita Street), is located approximately 2,593 feet away to the northeast, which is 2,003 feet further than what would qualify as an exception by Zoning Code Section 37-50.030(g)(2)(D). The proposed alcohol related use does not qualify as an exception to the requirement to obtain a Conditional Use Permit because the primary use is not primarily used a restaurant as stipulated by the Zoning Code.

The Police Department's 2024 average for statistics for Police Reporting Districts (PRDs) is 73.43. The site is located within PRD 201. The crime statistics for this PRD in 2024 is 199, which is above average. Based on the crime reporting in PRD 201 many of the crimes are for Part Two Crimes (Forgery, Embezzlement, Fraud, Vandalism, Theft, Drug Abuse, DUI, Public Intoxication, Loitering, and others). Although the crime rate in PRD 201 is more than double the overall average for PRDs, the Police Department does not object to the approval of the Conditional Use Permit subject to the following recommendations stated in their Memorandum dated July 3, 2025, which has been included as Exhibit "P" and Condition No. 15 of the CUP approval document:

- a. Installation and operation of a digital surveillance system with high quality cameras focused on the points of sales, all entrances/exits, and the parking lots located adjacent to the use that is controlled by Dave & Buster's, with the capability to store the digital images (videos and photos) captured. The digital images (video and photos) must be retained for at least thirty (30) days and be made available to the Salinas Police Department upon request.
- b. Installation and maintenance of ample lighting in the parking lots located adjacent to the use, the exterior area of all entrances and exits to the use that is controlled by Dave & Buster's, and in areas to enhance the capability of

the digital surveillance system.

- c. All parking lots adjacent to the proposed use and all driveways and buildings that is controlled by Dave & Buster's shall be posted with "No Trespassing" signs in the form and manner determined by the Salinas Police Department consistent with Salinas City Code (SCC) Section 21-35, the text of which is provided below.
- d. Alcohol sales and consumption shall cease by 2:00 A.M. daily and no alcohol sales or consumption shall occur on the premises when the use is not otherwise open for business.
- e. All managers and persons engaged in serving alcohol must receive responsible beverage training that is certified by the Department of Alcoholic Beverage Control prior to serving any alcohol.
- f. Provide one armed security officer present on the premises from at least the hours of 5:00 P.M. to close. (Friday & Saturday).
- g. Provide a second armed security officer present on the premises from at least the hours of midnight (12:00 A.M.) to close. (Friday & Saturday).
- h. Security Officers shall be state licensed (BSIS), uniformed and equipped with cell phones to communicate with Northridge Mall Security. Management is encouraged to collaborate with the Salinas Police Department on safety and awareness training for the PRD.
- i. Management shall promptly contact Salinas Police Department dispatch if there is any violent crime, threats, display, use, threats of a weapon. The Northridge Mall property has exterior/interior and parking lot Security Officers. Dave & Buster's security should develop a working relationship with Northridge Mall Security regarding communications, notifications and working together. Dave & Buster's should notify Northridge Mall Security of any ejections so Northridge Mall Security can move available resources to the parking lot in that area as well as focusing their cameras on the area.

The proposed on-sale alcohol related use will not adversely affect the welfare of the area or surrounding residential neighborhood due to residences / park / school are not nearby, the use is located in an existing shopping center (Northridge Mall), and the Police Department does not object to the approval of the Conditional Use Permit subject to the conditions of approval.

PASSED AND APPROVED this 3rd day of September 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 approved by the affirmative and majority vote of said Planning Commission at a meeting held on September 3, 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

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. 2024-024

City of Salinas

Community Development Department

WHEREAS, the Salinas Planning Commission, at a public hearing duly noticed and held on September 3, 2025, found that the proposed location of the use and structure 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 structure 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 structure will comply with the provisions of the Salinas Zoning Code; that the use will not constitute a nuisance on adjoining properties or in the surrounding area; including the specific conditions required for the proposed alcohol related use; that the proposed on-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 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 that the conditional use has been evaluated in accordance with the California Environmental Quality Act, as amended; and that the Planning Commission has considered an exemption to the California Environmental Quality Act; and

NOW, THEREFORE, the Salinas Planning Commission hereby grants and issues Conditional Use Permit No. 2024-024 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: Dave & Buster's

PROPERTY OWNER: Ethan Conrad Properties

FOR USE: Establish and operate a 23,412 square foot Commercial Recreation and Entertainment use (Dave & Busters)

consisting of an arcade, restaurant, and a separate bar area with on-sale alcohol sales of beer, wine, and distilled spirits (Type 47 ABC License – On-Sale General Eating Place) located within a portion of a former Sears store at the Northridge Mall Shopping Center.

ON PROPERTY LOCATED AT: 1104 Northridge Mall

ASSESSOR'S PARCEL NO.: 253-201-054-000

ZONING DISTRICT: CR (Commercial Retail)

ENVIRONMENTAL REVIEW ACTION & DATE: The project has been determined to be exempt from the California Environmental Quality Act under Section 15301 (*Existing Facilities*) on September 3, 2025.

EXPIRATION DATE: None, once properly established, unless the subject Commercial Recreation and Entertainment use and/or on-sale alcohol use, respectively and independent of one another, ceases operation for a continuous period of six (6) months or more.

RIGHT TO OPERATE/DEVELOP

1. The Permittee shall have the right to establish and operate a 23,412 square foot Commercial Recreation and Entertainment use (Dave & Buster's) consisting of an arcade, restaurant, and a separate bar area with on-sale alcohol sales of beer, wine, and distilled spirits (Type 47 ABC License – On-Sale General Eating Place) on the second floor of a former Sears store with the primary entrance on the first floor at the Northridge Mall Shopping Center located 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" Dave & Buster's – Proposed First Floor Plan

Exhibit "C" Dave & Buster's – Proposed Second Floor Plan

Exhibit "D" Dave & Buster's – Proposed Exterior Elevations

Exhibit "E" Dave & Buster's – Proposed Exterior Elevations (Night)

Exhibit "F" Dave & Buster's – Exterior Perspective I

Exhibit "G" Dave & Buster's – Exterior Perspective (Night)

Exhibit "H" Dave & Buster's – Exterior Perspective II

Exhibit "I" Dave & Buster's – Exterior Perspective II (Night)

Exhibit "J" Dave & Buster's – Exterior Perspective III

Exhibit "K" Dave & Buster's – Exterior Perspective III (Night)

Exhibit "L" Dave & Buster's – Digital Material Board

Exhibit "M" Dave & Buster's – Signage Details

Exhibit "N" Trash Enclosure with Republic Services letter dated June 3,

2024 (Sheet A103)

Exhibit "O" Roof Exhibit (Sheet A501)

Exhibit "P" Police Department Memorandum dated July 3, 2025

Exhibit "Q" Engineer's Report dated April 12, 2024

Exhibit "R" Fire Department comments dated April 4, 2025

Exhibit "S" Permit Center comments dated May 1, 2024

LIMITATIONS ON USE

2. Hours of operation shall be limited to 10:00 a.m. to 12:00 a.m. Sunday through Thursday and 10:00 a.m. to 2:00 a.m. Friday and Saturday. Alcohol sales and consumption shall cease at 12:00 a.m. Sunday through Thursday and by 2:00 a.m. Friday and Saturday. No alcohol sales or consumption shall occur on the premises when the use is not otherwise open for business.
3. 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.
4. No alcoholic beverages shall be sold, dispensed, or offered for consumption except within the licensed premises. No off-sales of alcohol shall be allowed.
5. No live entertainment of any type including, but not limited to, live music, disc jockey, dancing, fashion shows, shall be permitted on-site. At no time shall this business allow table or chairs to be moved to create an open space which could be used as a dance floor.
6. Alcohol sale shall not occur except in conjunction with the maintenance of the premises as a "bona fide public eating place," i.e., a place which is regularly, and in a bona fide manner, used and kept open for the serving of meals to guests for compensation and which has on-site kitchen facilities for cooking an assortment of foods required for ordinary meals.
7. Pursuant to Zoning Code Section 37-50.030(f)(6), 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. Such training is required 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 regarding responsible beverage training shall be suspended only upon a finding by the City Planner that the training is not reasonably available.

8. The Permittee shall keep the exterior access doors closed during evening and nighttime hours. Permittee shall control parking lot noise and associated impacts generated by patrons.
9. No outdoor storage, display, or sale of merchandise of any kind shall be permitted.
10. 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.
11. The “Conditions of Approval” stated in the Engineer’s Report dated April 12, 2024 (Exhibit “Q”) shall be incorporated into the project.
12. If the subject Commercial Recreation and Entertainment use and/or on-sale alcohol use, respectively and independent of one another, ceases operation for a continuous period of six (6) months or more, this Conditional Use Permit shall become null and void.

FIRE PROTECTION REQUIREMENTS

13. All applicable requirements of the Salinas Fire Department including those items identified in Exhibit "R", 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

14. Prior to the issuance of any building permit, the Permittee shall collaborate with the Salinas Police Department on safety and awareness training for the Police Reporting District (PRD). Written confirmation from the Salinas Police Department demonstrating compliance with this condition shall be submitted to the Community Development Department prior to issuance of a building permit.
15. The Permittee shall comply with all requirements of the Salinas Police Department identified in Exhibit “P” Police Department Comments, dated July 3, 2025.

PARKING REQUIREMENTS

16. Bicycle parking (rack) shall be provided in accordance with Zoning Code Section 37-50.400. Install a bicycle rack on a concrete pad located near the building’s main entrance, without impacting pedestrian access.

17. 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 adjacent to the Northridge Mall Transit Stop, which is identified as a major transit stop within ½ mile of the subject site. 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.

SIGNS

18. A Sign Permit issued in accordance with the Northridge Mall Master Sign Plan, Planned Unit Development Permit 2024-001 (PUD 2024-001), and *Article V, Division 3: Signs* of the Salinas City Code, shall be required for all signs.
19. 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.

OUTDOOR LIGHTING

20. 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, for any new exterior lighting, the applicant shall submit a detailed lighting plan for review and approval by the Community Development Department.

BUILDING MATERIALS AND COLORS

21. Prior to the issuance of a building permit, the materials and colors shall be identified on the plans in accordance with Planned Unit Development Permit 2024-001 (PUD 2024-001).

LANDSCAPING

22. On-site landscaping shall comply with the requirements of *Article V, Division 4* of the Salinas Zoning Code, including, but not limited to, standards, drought resistant plants and turf, irrigation, parking lot landscaping and installation and maintenance.

RECYCLING AND SOLID WASTE DISPOSAL AREA

23. Recycling and solid waste provisions have been met through shared services through Northridge Mall with capacity adequate to achieve 50 percent recycling of the total recyclable wastes generated onsite (see Exhibit "N").

MAINTENANCE

24. 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.

PUBLIC IMPROVEMENTS

25. All existing damaged and hazardous sidewalks, and unused driveways shall be reconstructed to City standards prior to issuance of a Certificate of Occupancy.
26. 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

27. 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.
28. 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 and are subject to the approval of the City Planner.

PERMIT NOT TO SUPERSEDE OTHER REQUIRED LICENSING OR PERMITS

29. 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.
30. 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.
31. This Permit may be subject to water and sanitary sewer allocations. The Permittee will 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

32. 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

33. 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

34. 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

35. 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

36. 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.
37. The applicant(s) shall defend, indemnify, and hold harmless the City of Salinas and 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. 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.
38. 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.
39. 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

40. 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 September 3, 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: September 16, 2025

Courtney Grossman
Planning Manager, City of Salinas

(Signatures Listed Below on Pages 9 through 10 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: _____

Lisa Warren, Vice President
Dave & Buster's, Permittee

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: _____

Ethan Conrad
Ethan Conrad Properties, 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

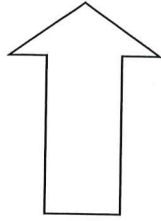
On _____ 202__, before me, _____, Notary Public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies),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

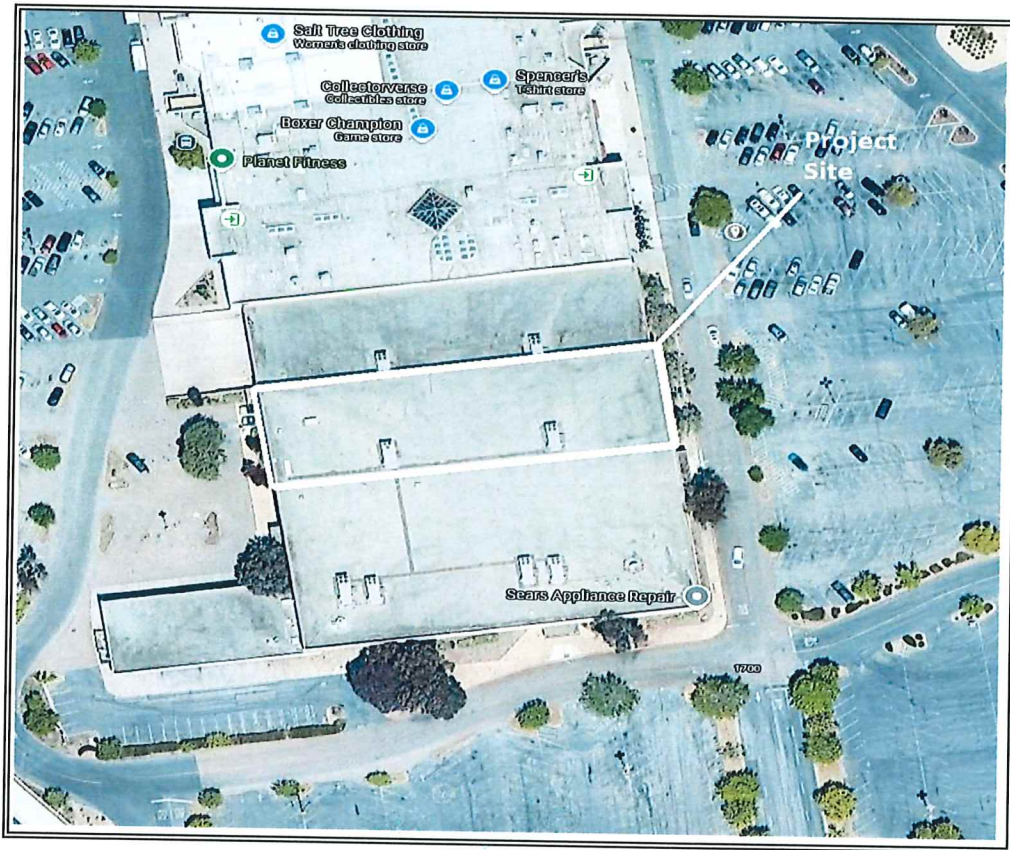
Signature _____

I:\ComDev\Planning Share Space\Conditional Use Permits\2024 CUP's\CUP 2024-024 - 1100 Northridge Mall\09-03-25 PC Materials\CUP 2024-024.docx



North

Vicinity Map



CONDITIONAL USE PERMIT 2024-024

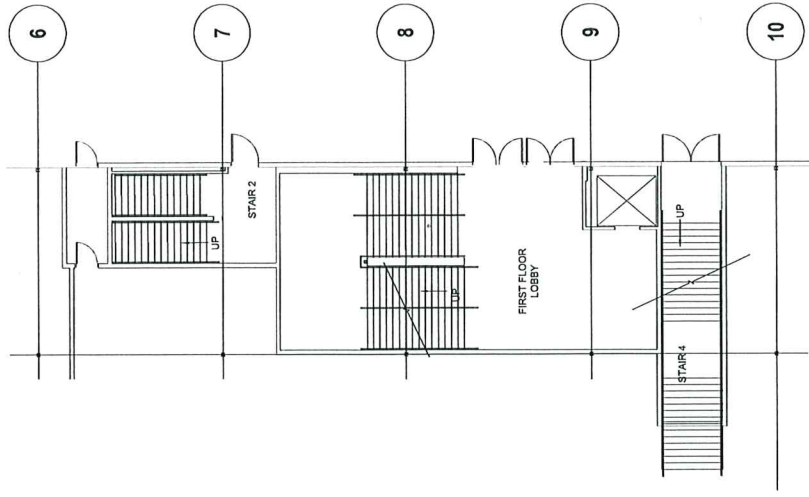
1100 Northridge Mall

Exhibit A

SQUARE FOOTAGE		SALINAS, CA
RECEPTION	1,061 SF	
BAR & DRINK	2,262 SF	
WATCH	1,183 SF	
FLEX DINING	-- SF	
SOCIAL BAYS (1-3)	904 SF	
BAR WATCH	1,387 SF	
ARCADE	8,701 SF	
WINI	487 SF	
ZOO STORAGE	267 SF	
TECH ROOM	192 SF	
BACK OF HOUSE		
KITCHEN (INCLUDES COOLER & DRY STORAGE)	2,866 SF	
OFFICES/ANCILLARY	489 SF	
TOILET ROOMS	1,364 SF	
MECH / ELEC	307 SF	
MISC./CIRCULATION	1,247 SF	
FIRST FLOOR LOBBY	695 SF	
TOTAL (LEASE AREA)	23,412 SF	

SEATING

BAR ZONE			
BAR	---	40 SEATS	
DRINK	9 TABLES	44 SEATS	
SOCIAL BAYS	6 TABLES	22 SEATS	
BAR WATCH	25 TABLES	76 SEATS	
WATCH	21 TABLES	64 SEATS	
FLEX	---	---	
TOTAL	61 TABLES	246 SEATS	



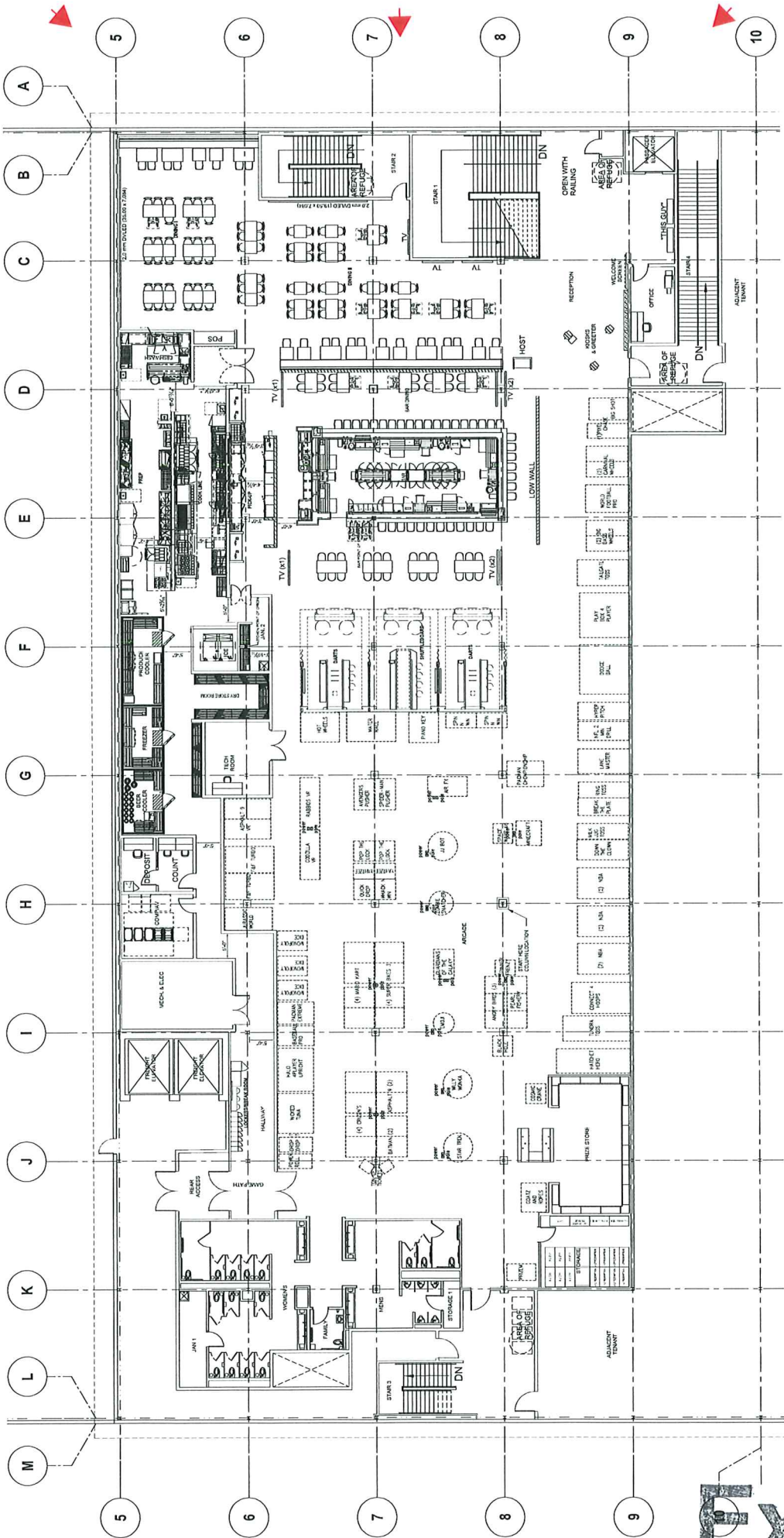
Exhibit

DAVE & BUSTER'S - PROPOSED FIRST FLOOR PLAN

SALINAS, CA



April 12th, 2025



April 12th, 2025

DAVE & BUSTER'S - PROPOSED SECOND FLOOR PLAN

SALINAS, CA





DAVE & BUSTER'S - EXTERIOR ELEVATION (N.T.S.)

SALINAS, CA

April 12th, 2025



Exhibit D



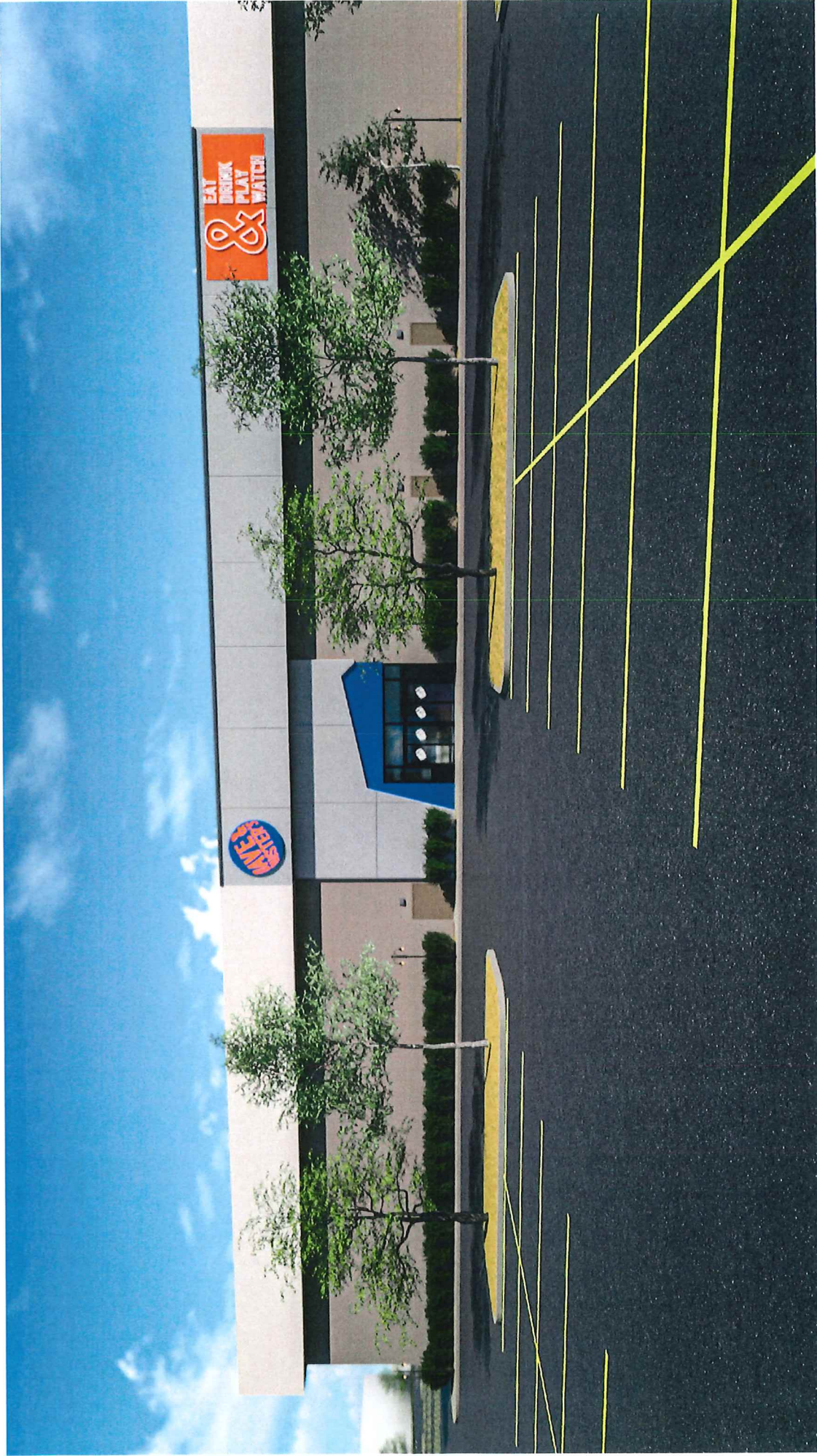
DAVE & BUSTER'S - EXTERIOR ELEVATION (N.T.S.)

SALINAS, CA

April 12th, 2025



Exhibit E

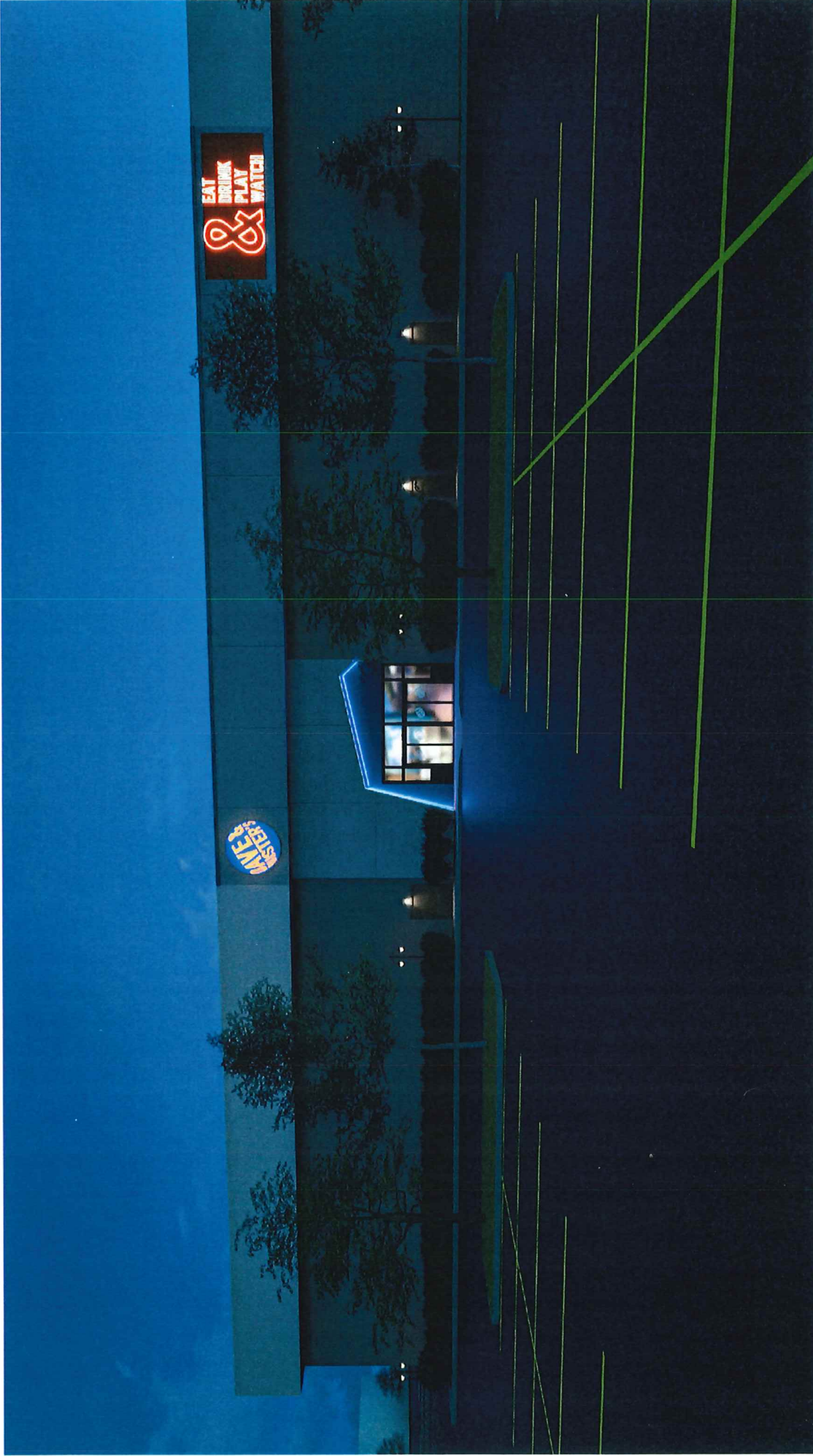


DAVE & BUSTER'S - EXTERIOR PERSPECTIVE
SALINAS, CA

April 12th, 2025



Exhibit 



DAVE & BUSTER'S - EXTERIOR PERSPECTIVE
SALINAS, CA

April 12th, 2025



Exhibit 5



DAVE & BUSTER'S - EXTERIOR PERSPECTIVE
SALINAS, CA



April 12th, 2025



DAVE & BUSTER'S - EXTERIOR PERSPECTIVE
SALINAS, CA



DAVE & BUSTER'S - EXTERIOR PERSPECTIVE
SALINAS, CA

April 12th, 2025



Exhibit 



DAVE & BUSTER'S - EXTERIOR PERSPECTIVE
SALINAS, CA

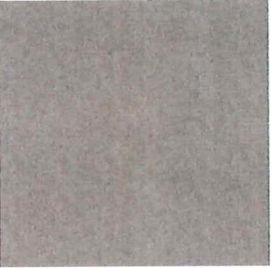
EXTERIOR FINISHES



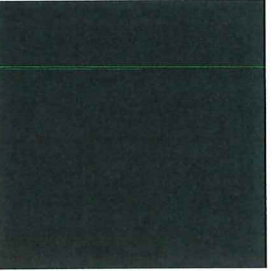
P-2
MFR: STOCORP
PRODUCT: STO-THERM SAND
COLOR: TO MATCH SW6885 KNOCKOUT ORANGE



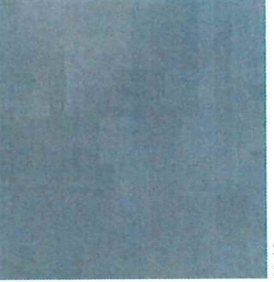
EF-5
MFR: STOCORP
PRODUCT: STO-THERM SAND
COLOR: TO MATCH SW6811 HONORABLE BLUE



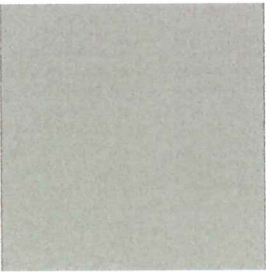
EF-9
MFR: STOCORP
PRODUCT: STO-THERM CI CLASSIC
COLOR: TO MATCH SW6003 PROPER GRAY



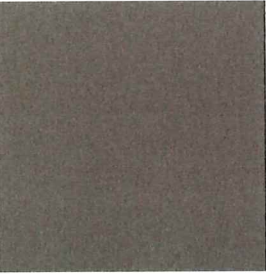
M-4
MFR: -
PRODUCT: BRAKE METAL TO MATCH
STOREFRONT
COLOR: TO MATCH RAL 9004 SIGNAL
BLACK, STAIN



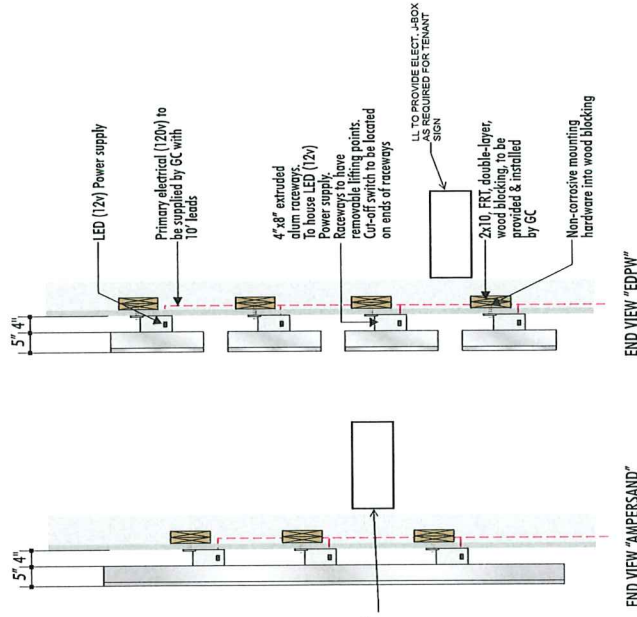
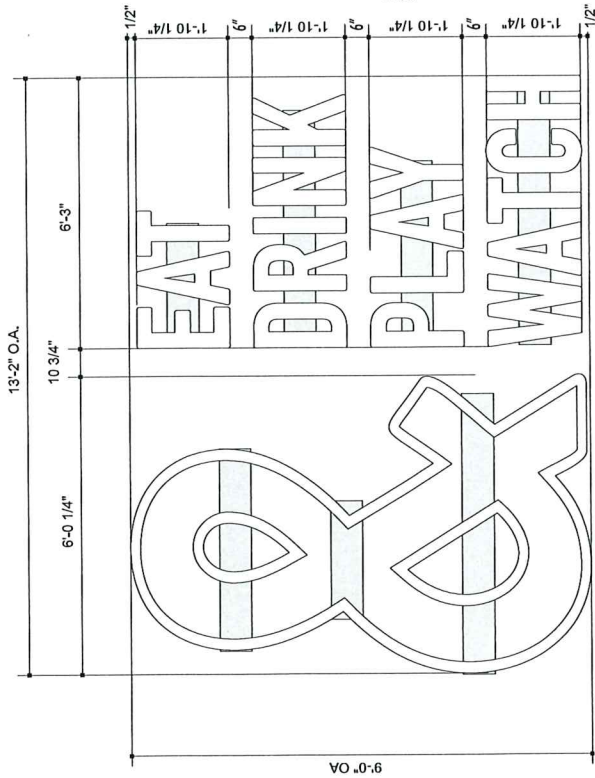
M-10
MFR: ATAS OR PAC CLAD EQUAL
PRODUCT: PREFINISHED METAL COPING
COLOR: SLATE GREY



P-11
MFR: SHERWIN WILLIAMS
PRODUCT: PROPER GRAY SW6003



P-33
MFR: SHERWIN WILLIAMS
COLOR: TO MATCH EXISTING ADJACENT
WALL



B INTERNALLY ILLUMINATED CHANNEL LETTERS on RACEWAY QTY: 1 SET
SCALE: N.T.S.

- SPECIFICATIONS**
- Fabricated aluminum, 5" deep, internally illuminated face lit, channel letters/logo
 - Returns - Brushed Aluminum.
 - Trimcap - Silver Metallic.
 - Face - White (7328) acrylic.
 - Letters/logo to be internally illuminated with 7100K white LED's.
 - LED (12V) power supplies to be located w/in raceways
 - Letters mount to front of extruded aluminum raceways with non-corrosive mounting hardware
 - Primary power (120V) to signage to be provided by GC with 8'-0" leads
 - GC to provide adequate wood blocking (double layer of 2"x10" FRT wood blocking) for raceways.
 - Raceways - 4" x 8" extruded aluminum raceway, painted to match color of fascia (Color TBD).
 - Raceways to have removable lifting points.
 - Cut-off switch to be located on ends of raceways
 - Raceways mount to fascia with non-corrosive mounting hardware to supplied wood blocking.



DAY VIEW



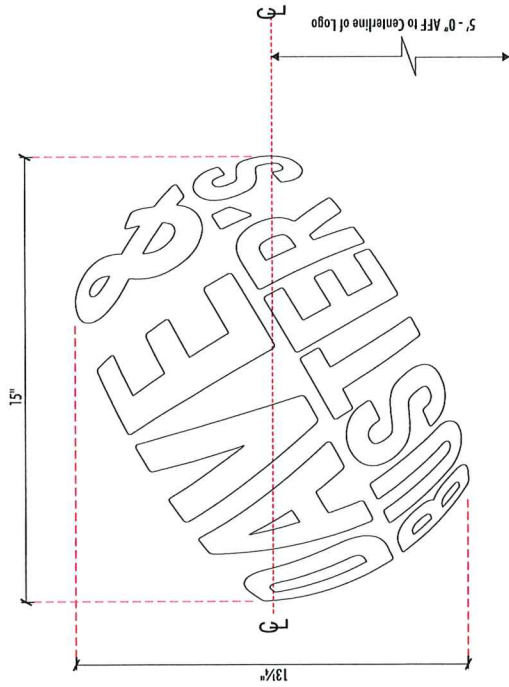
NIGHT VIEW



SCALE: N. 1/8".
U.L. LABELS REQUIRED
INSTALL IN ACCORDANCE W/
NATIONAL ELECTRIC CODES

ALL COMPONENTS TO BE ULL-APPROVED





DOOR VINYL

SCALE: N.T.S.

EIGHT (8) REQUIRED - MANUFACTURE AND INSTALL

- 1st surface 3M Frosted Crystal (7725SE-324) vinyl on glass doors

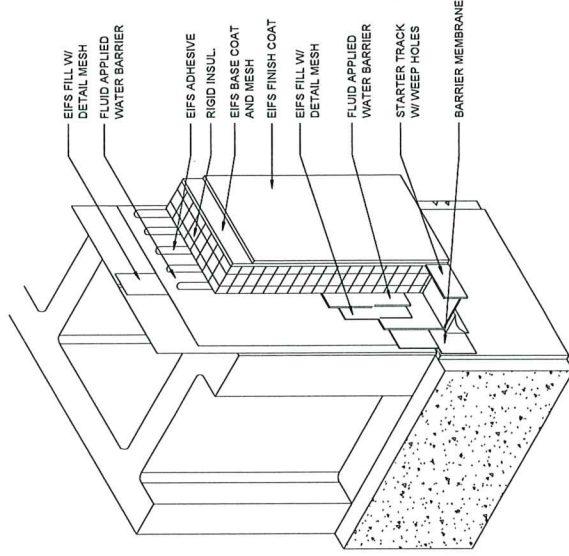
SQ FT = 1.38 (Ea. Vinyl Logo)



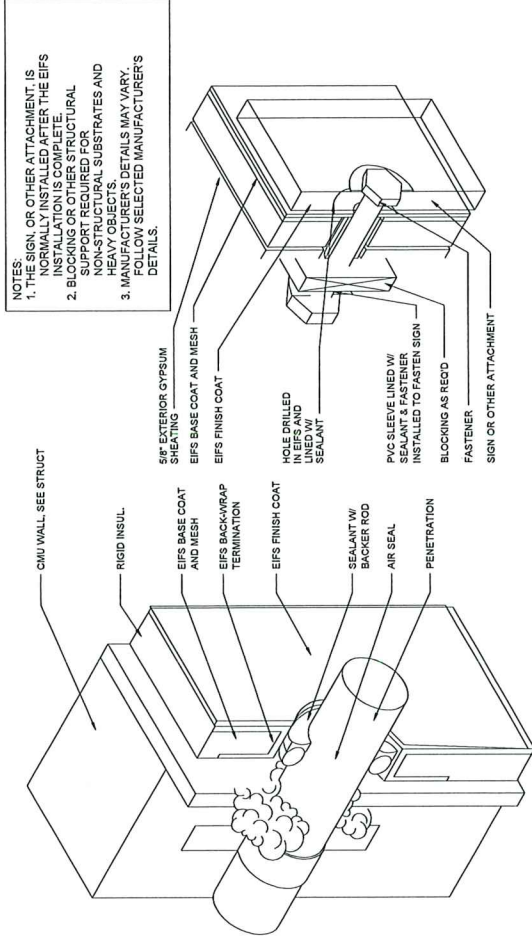
FRONT / SOUTH EXTERIOR ELEVATION ENTRY DOORS

SCALE: N.T.S.

DAVE & BUSTER'S - SIGNAGE DETAILS
Salinas, CA



- NOTES:
1. PROTECT WALL ASSEMBLY FROM RISING DAMP.
 2. TERMINATE SYSTEM A 2' ABOVE SIDEWALK/ASPHALT OR AS REQUIRED BY CODE.
 3. DIRECT SPRINKLERS AWAY FROM THE WALL.
 4. PROTECT THE WALL FROM DIRT ACCUMULATION BY COVERING EXPOSED EARTH WHERE BACK SPLASH MAY OCCUR.
 5. PROVIDE ULTRA-HIGH IMPACT RESISTANT FINISH TO A MINIMUM HEIGHT OF 6'-0" ABOVE FINISHED GRADE.
 6. MANUFACTURER'S DETAILS MAY VARY FROM SELECTED MANUFACTURER'S DETAILS.
 7. DRAINABLE EIFS TO BE INSTALLED PER MFG REQUIREMENTS.



- NOTES:
1. THE SIGN OR OTHER ATTACHMENT IS NON-STRUCTURAL. THE EIFS INSTALLATION IS COMPLETE.
 2. BLOCKING OR OTHER STRUCTURAL SUPPORT REQUIRED FOR HEAVY OBJECTS.
 3. MANUFACTURER'S DETAILS MAY VARY FROM SELECTED MANUFACTURER'S DETAILS.

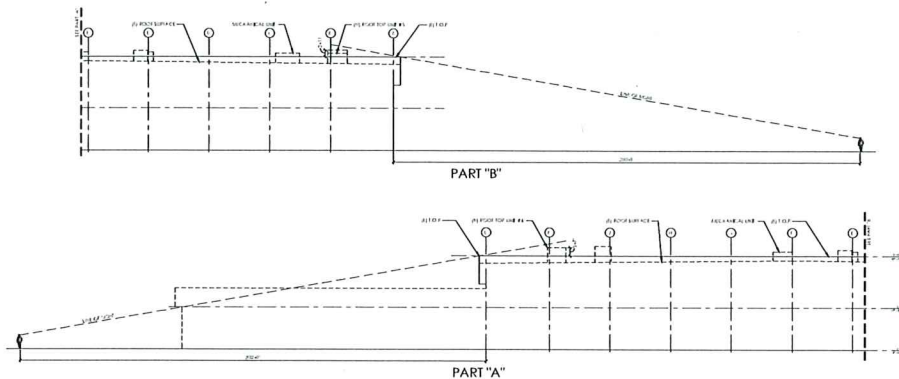
TYP EIFS DETAIL



EXISTING IMAGE AT 200 FT FROM THE BLDG. TO THE WESTERN ELEVATION
SCALE 5'

EXISTING IMAGE AT 200 FT FROM THE BLDG. TO THE SOUTHERN ELEVATION
SCALE 4'

EXISTING IMAGE AT 200 FT FROM THE BLDG. TO THE EASTERN ELEVATION
SCALE 3'



LINE OF SIGHT-SOUTH ELEVATION
SCALE 2 1/2" = 1'-0"

LINE OF SIGHT-EAST ELEVATION
SCALE 1 1/2" = 1'-0"

GENERAL NOTES

THE SHOWN BUILDING HEIGHTS ARE BASED ON THE SHOWN PLAN AND SECTION.



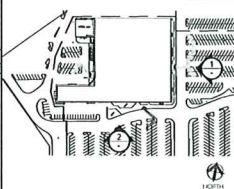
DESIGN GROUP, INC.
1700 N. MAIN STREET
SALINAS, CA 95066
TEL: (831) 435-1111
WWW.PINCDESIGN.COM



CITY SUBMITTAL
SALINAS, CALIFORNIA
1700 N. MAIN STREET
SALINAS, CA 95066
TEL: (831) 435-1111
WWW.PINCDESIGN.COM

NEW IMAGE FOR BUILDING ELEVATION
1700 N. MAIN STREET
SALINAS, CA 95066

KEY PLAN



REVISION	DATE	BY	CHKD

A501



CITY OF SALINAS

POLICE DEPARTMENT

MEMORANDUM

DATE: July 3, 2025

TO: Tom Wiles, Senior Planner

FROM: Gerardo Magana, Sergeant

SUBJECT: CUP 2024-024 (Dave & Buster's)

This Memorandum supersedes and replaces Salinas Police Department Memoranda dated April 5, 2024, May 9, 2024, May 15, 2025, and May 19, 2025, regarding the proposed establishment and operation of a Dave & Buster's located at 1104 Northridge Mall, Salinas, California 93906. The Salinas Police Department has issued this Memorandum to make clear its final recommendations related to Conditional Use Permit 2024-024.

The proposed location (1104 Northridge Mall) is within the former Sears building at the Northridge Mall shopping center, which is within Police Reporting District (PRD) #201. According to the Police Department's statistics office, the 2024 crime statistics for PRD #201 is 199 crimes, which is above 2024 PRD average of 73.43 crimes throughout the City of Salinas. A majority of the crimes that occur in this area are Part II crimes, which consist of a variety of crimes such as Forgery, Embezzlement, Fraud, Vandalism, Theft, Drug Abuse, DUI, Public Intoxication, Loitering, and others.

City of Salinas PRD #201	
Year 2024	
Murder	0
Robbery	8
Burglary	18
Rape	1
Aggravated Assault	3
Simple Assault	11
Stolen Vehicles	4
Larceny	133
Part Two Crimes	20
Arson	1
TOTAL	199
***all charges include attempted**	

Based on a review of the proposed use (Dave & Buster's) and the analysis of crime data for the PRD in which the proposed use is located compared to the citywide average (199 vs 73.43), 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:

- Installation and operation of a digital surveillance system with high quality cameras focused on the points of sales, all entrances/exits, and the parking lots located adjacent to the use that is controlled by Dave & Buster's, with the capability to store the digital images (videos and photos) captured. The digital images (video and photos) must be retained for at least thirty (30) days and be made available to the Salinas Police Department upon request.
- Installation and maintenance of ample lighting in the parking lots located adjacent to the use, the exterior area of all entrances and exits to the use that is controlled by Dave & Buster's, and in areas to enhance the capability of the digital surveillance system.
- All parking lots adjacent to the proposed use and all driveways and buildings that is controlled by Dave & Buster's shall be posted with "No Trespassing" signs in the form and manner determined by the Salinas Police Department consistent with Salinas City Code (SCC) section 21-35, the text of which is provided below.
- Alcohol sales and consumption shall cease by 2:00 A.M. daily and no alcohol sales or consumption shall occur on the premises when the use is not otherwise open for business. All managers and persons engaged in serving alcohol must receive responsible beverage training that is certified by the Department of Alcoholic Beverage Control prior to serving any alcohol.
- Provide one armed security officer present on the premises from at least the hours of 5:00 P.M. to close. (Friday & Saturday).
- Provide a second armed security officer present on the premises from at least the hours of midnight (12:00 A.M.) to close. (Friday & Saturday).
- Security Officers shall be state licensed (BSIS), uniformed and equipped with cell phones to communicate with Northridge Mall Security. Management is encouraged to collaborate with the Salinas Police Department on safety and awareness training for the PRD.
- Management shall promptly contact Salinas Police Department dispatch if there is any violent crime, threats, display, use, threats of a weapon. The Northridge Mall property has exterior/interior and parking lot Security Officers. Dave & Buster's security should develop a working relationship with Northridge Mall Security regarding communications, notifications and working together. Dave & Buster's should notify Northridge Mall Security of any ejections so Northridge Mall Security can move available resources to the parking lot in that area as well as focusing their cameras on the area.

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.



City of Salinas

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

Phone: (831) 758-7251 • Fax: (831) 758-7938 • www.cityofsalinas.org

ENGINEER'S REPORT

PURPOSE: CUP2024-024

LOCATION: 1100 Northridge Mall

APPLICANT: Lisa Warren

ARCHITECT: LDG

DATE: 4/12/2024

PLANNER: Thomas Wiles

REVIEWER: Fernando Rizo, QSP/QSD
Assistant Engineer

DEVELOPMENT PROPOSAL: Commercial Rec. & Ent. (Dave & Busters)

RECOMMENDATION: Approved with Conditions

SWDS THRESHOLD: N/A

NPDES CATEGORY: N/A

DEVELOPMENT REVIEW: *Development Review Submittal prepared by LDG dated March 18, 2024.*

CONDITIONS OF APPROVAL

1. Offsite Improvements – Any construction, reconstruction, or closure of the right of way shall require an encroachment permit.
2. NPDES Compliance – Contractor shall provide construction BMPs for site improvements.
3. Development Impact Fees – No change in use is proposed based on the application. Sanitary sewer impact fees may be anticipated dependent on fixture unit count.
4. Addressing – Prior to issuance of a building permit, applicant shall provide a complete address change/assignment application and exhibits for processing. City of Salinas addressing records reflect site address as 1100 Northridge Mall. Proposed addressing shall be consistent with Northridge Mall addressing sequence.

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.



City of Salinas

SALINAS FIRE DEPARTMENT

Fire Prevention Division – Office of the Fire Marshal

65 W. Alisal Street • Salinas, California 93901

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

Plan Review Notes

Date:	April 4, 2025
Project Number	CUP2024-024
Owner Name	Ethan Conrad, Owner
Applicant Name	Lisa Warren, VP Development Dave & Busters
Address	1100 Northridge Mall
Project Description	Conditional Use Permit – Commercial Recreation & Entertainment (Dave & Buster's)
Plan Review Sequence	2 nd Review
<i>Plans for the above referenced project have been reviewed. At the time of building permit submittal, the following information shall be included on the construction plans.</i>	
<u>Special Amusement Area</u> – On the plans submitted with the tenant improvement building permit application, add the following note to the plans: <i>This facility shall comply with the requirements for Special Amusement Area as defined in the California Building Code and California Fire Code.</i>	
<u>Fire Protection Systems</u> – On the plans submitted with the tenant improvement building permit application, add the following note to the plans: <i>2022 California Fire Code Section 901.4.3 Alterations in Buildings and Structures. For any alteration within a building or structure, the fire protection and life safety systems shall be extended, altered or augmented to maintain and continue fire protection within the building or structure. Persons shall not remove or modify any fire protection or life safety system installed or maintained under the provisions of this code or the California Building Code without approval from the fire code official.</i>	
<u>Fire Sprinkler System</u> - On the plans submitted with the tenant improvement building permit application, add the following note to the plans: <i>Plans for modifications to the existing fire sprinkler system within this tenant space are considered a deferred submittal and shall be submitted to the Salinas Fire Department via email to fireprevention@ci.salinas.ca.us.</i>	
<u>Fire Alarm System</u> - On the plans submitted with the tenant improvement building permit application, add the following note to the plans: <i>Any new fire alarm system within the tenant space shall be made to connect to the existing building fire alarm system. Plans for installation of a new tenant space fire alarm system and</i>	

Exhibit R

modifications to the existing building fire alarm system are considered a deferred submittal and shall be submitted to the Salinas Fire Department via email to fireprevention@ci.salinas.ca.us.

Kitchen Fire Suppression System – On the plans submitted with the tenant improvement building permit application, add the following note to the plans:

Hood and duct fire protection system is 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. Plans for installation of a new hood and duct fire protection system are considered a deferred submittal and shall be submitted to the Salinas Fire Department via email to fireprevention@ci.salinas.ca.us.

Address Posting – On the plans submitted with the tenant improvement building permit application, add the following note to the plans:

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 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.*

KnoxBox Emergency Key Lock Box – At the time of building permit application, add the following note to the plans:

KnoxBox - A commercial KnoxBox key lock box shall be installed and maintained on the exterior wall 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

COMMUNITY DEVELOPMENT DEPARTMENT

65 W. Alisal Street • Salinas, California 93901
(831) 758-7251 • (831) 758-7938 (Fax) • www.ci.salinas.ca.us

PLANNING APPLICATION REVIEW - BUILDING

Date: 5/1/2024
Application: CUP2024-024
Address: 1100 Northridge Mall
Scope: Scope
Contact: Ethan Conrad
Planner: Thomas Wiles

1. Please identify the accessible route to other building within the facility and to the public way.
NO RESPONSE REQUIRED REQUIREMENTS TO BE VERIFIED AT BUILDING PERMIT SUBMITTAL.
2. Specific Building comments will be generated upon building permit submittal.
Building permit shall comply with California Code of Regulations, Title 24.
NO RESPONSE REQUIRED

(End of Comments)

Angeline Anzini
City of Salinas Permit Services
Community Development Department

Exhibit 51

Fee: _____

Planner: _____

Official Use Only

CITY OF SALINAS
Community Development Department
65 West Alisal Street
Salinas, CA 93901
(831) 758-7206

Permit No.: _____

Date Received: _____

Official Use Only

**DEVELOPMENT REVIEW
APPLICATION**

- ☐ Site Plan Review
☐ Conditional Use Permit
☐ Rezoning
☐ Planned Unit Development

- ☐ General Plan Amendment
☐ Master Sign Plan
☐ Subdivision Map (TM, Parcel, LLA, etc.)
☒ Other (Please specify) Appeal of CUP

APPLICANT INFORMATION

Steerpoint Capital

Name

10880 Wilshire Blvd., Ste. 1280

Address

Los Angeles

CA

90024

City

State

Zip

Phone

Fax

E-mail

Jason Jaffe

Digitally signed by Jason Jaffe
Date: 2015.07.25 18:04:01 -0700

Signature*

Jason Jaffe, Dir. of Leasing and Asset Strategy

Printed Name

PROJECT DESCRIPTION

Site Address

1104 Northridge Mall, 93906

253-201-054-000

Assessor's Parcel Number

Description of Proposal:

Appeal of CUP granted for operation of a Dave & Buster's facility to be located at
1104 Northridge Mall. See attached Exhibit A for detailed description of appeal.

PROPERTY OWNER INFORMATION

Bridge Group Investments, LLC and Mersho Investments, LLC (Steerpoint Capital)

Name

10880 Wilshire Blvd., Ste. 1280

Address

Los Angeles

CA

90024

City

State

Zip

E-mail

Jason Jaffe

Signature*

Jason Jaffe, Dir. of Leasing and Asset Strategy

Printed Name

RELATED FILES

COMMENTS

Official Use Only

* I/we declare under penalty of perjury that the information contained in this Application, including any plans and documents submitted herewith, are true and correct to the best of my/our knowledge. I/we further declare that I/we agree to the Standard Permit Conditions shown on the reverse side. I/we recognize that this application(s) may be subject to the California Environmental Quality Act, §21000 et seq. of the Public Resources Code.



EXHIBIT A

Appeal of Conditional Use Permit No. 2024-24

Procedural Statement

This appeal is submitted under protest and with full reservation of rights to supplement its contents. The City of Salinas has not afforded the appellant the required due process pursuant to the City's own code or general procedural due process requirements. The City claims that it approved the above-referenced conditional use permit (CUP) on July 15, 2025, yet, despite repeated requests from the appellant and its counsel, did not provide any project approval documents until 2:25 pm on Friday, July 25, 2025, the date an appeal is due. The City's code provides a 10-day appeal period from the date of project approval, which presumes the City has released the relevant approval documents.

Further, it is unclear how the City could have approved the CUP on July 15th when, per correspondence from the City, no approval documents had been drafted as of that date. On July 21, 2025, City Planning stated that "The Planning Commission Administrative Staff Report has been drafted and is currently being reviewed by the Planning Manager." Such a statement indicates that six days after the alleged approval, no final approval document existed. It is apparent that no such documents existed until July 25, 2025.¹ As such, the City's official action did not occur until July 25th. It is therefore improper for the City to run its appeal period from July 15, 2025.

Grounds for Appeal

The determination is not in accord with the purposes of the zoning code and the decision is not supported by the record

The use, a Dave and Buster's, would be detrimental to the public health, safety, and welfare of persons residing or working in the adjacent neighborhood, and detrimental to properties in the vicinity.

As conditioned, Dave and Buster's will serve a full line of alcoholic beverages and will be able to operate until 12:00 am or 2:00 am (depending on the night). There is a well-documented security and crime element in conjunction with the operation of a Dave and Buster's. *See*

¹ Adding to the strangeness, the City's staff report is dated July 3, 2025, yet the City did not provide it until July 25th. Is the City back-dating documents to make it appear that it undertook decisions well before it did?

Attachment 1. As a known generator of crime, operation of a Dave and Buster's will endanger residents, workers, and patrons of the Mall. This is particularly concerning given the appellant's efforts to invest in the Mall and significant security resources. A large-format late night alcohol/entertainment use such as Dave and Buster's has the potential to overwhelm existing security at the Mall and degrade the Mall's viability.

The CUP approval contains no analysis of the pervasive crime created by the operation of a Dave and Buster's. As such, the findings are not supported by substantial evidence. Indeed, the drafted findings note that the crime rate for the project location is more than double the overall average for the City. There is no evidence in the record that an alcohol-fueled crime generator is appropriate for this location and will not be detrimental to residents, Mall patrons, or properties.

The CEQA exemption is improper

The CEQA exemption, under the "Existing Facilities" exemption, is improper. The exemption analysis states that the project involves "minor alteration of an existing private structure," but contains no discussion or analysis of the actual use. The use involves serving alcohol until 2:00 am to hundreds of patrons, who then will engage in significant drunken noise (among other activities), yet no mention of the use or the use's impacts is included in the CEQA determination.

ATTACHMENT 1

<https://patch.com/maryland/odenton/bowie-man-accused-gunfire-arundel-mills-dave-busters-police>



Gunfire At Arundel Mills Mall Prompts Bowie Man's Arrest: Police

Bowie Man Accused Of Gunfire at Arundel Mills Dave & Buster's: Police - Odenton-Severn, MD - A gunshot was fired at the Arundel Mills Dave & Buster's, police said. A Bowie man was arrested.

patch.com

<https://www.amny.com/news/man-sentenced-deadly-stabbing-times-square-dave-busters/>



Man sentenced for deadly stabbing at Times Square - amNewYork

Man sentenced for deadly stabbing at Times Square Dave & Buster's. Defendant receives 20 years for fatal attack during arcade dispute, closing case.

www.amny.com

<https://www.fox13seattle.com/news/man-shot-outside-auburn-dave-busters>



Man shot outside Auburn Dave & Buster's | FOX 13 Seattle

The man was taken to Harborview Medical Center with non-life-threatening injuries. Police have not located a suspect. Anyone with information is asked to call the Auburn Police Department's tip line at 253-288-7403. To get the best local news, weather and sports in Seattle for free, sign up for the daily FOX Seattle Newsletter. Download the free

FOX LOCAL app for mobile in the Apple App
Store ...

www.fox13seattle.com

?

November 2023 - [Windows shattered by gunfire at Dave & Buster's in west Toledo | wtol.com](http://www.wtol.com)

November 2023 - [3 male suspects wanted after assaulting and robbing victims in Dave & Buster's restroom \(fox5dc.com\)](http://www.fox5dc.com)

November 2023 - [Third person arrested for 2022 fatal shooting of football star outside Sugarloaf Mills \(fox5atlanta.com\)](http://www.fox5atlanta.com)

August 2023 - [Man gets life without parole for killing a father in front of his daughter at Dave & Buster's near Spring Branch \(click2houston.com\)](http://www.click2houston.com)

August 2023 - [Guard slashed by woman in LI Dave and Buster's: NCPD \(pix11.com\)](http://www.pix11.com)

July 2023 - [Shots fired in Dave & Buster's parking lot in Homestead -- WPXI](http://www.wpxi.com)



RECEIVED

AUG 22 2025

COMMUNITY DEVELOPMENT
DEPARTMENT

SOLOMON SALTSMAN & JAMIESON

A Partnership of Professional Corporations
426 Culver Boulevard | Playa Del Rey, CA 90293
Telephone: 310.822.9848 | Facsimile: 310.822.3512
Toll Free: 800.405.4222
www.ssjlaw.com

Stephen Allen Jamieson

Partner

email: sjamieson@ssjlaw.com

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
Licensed in California, Wisconsin and Michigan

SAJ/hj

Cc: Lisa Brinton
Chris Callihan
Courtney Grossman
Tom Wiles
Ethan Conrad
Patricia Barajas, City Clerk
Client Team

August 28, 2025

VIA E-MAIL

Larisa McKelvey Day
Chairperson
Salinas Planning Commission
200 Lincoln Avenue
Salinas, CA 93901

Re: Appeal of Conditional Use Permit No. 2024-24

Dear Ms. McKelvey Day and Members of the Planning Commission:

This office represents Bridge Group Investments, LLC and Mersho Investments, LLC (collectively “Steerpoint”), the owner (“Owner”) of the Northridge Mall (the “Mall”) and the appellant of the above-referenced conditional use permit (“CUP”), which permits construction of an almost 23,000 square foot Dave and Buster’s with alcohol service until 2:00 a.m. (the “Project”).¹ Given the Mall’s location immediately adjacent to the Project, it will suffer the most immediate negative consequences from this ill-considered Project. As set forth below, the City’s CUP findings are legally deficient and the City cannot approve the Project.

1. The CUP Findings are Not Supported by Substantial Evidence

To approve a CUP, the City must make findings supported by substantial evidence in the administrative record. Substantial evidence is not synonymous with any evidence—rather, it is defined as evidence of “ponderable legal significance...reasonable in nature, credible, and of solid value [, and] relevant evidence that a reasonable mind might accept as adequate to support a conclusion...” *See Young v. Gannon* (2002) 97 Cal.App.4th 209, 225. In other words, “[w]here findings are devoid of evidentiary support, or are based upon inferences arbitrarily drawn and without reasonable foundation, or are contrary to facts universally accepted as true and judicially known, the administrative order will be reversed as not being supported by substantial evidence in the light of the whole record.” *Lorimore v. State Personnel Board* (1965) 232 Cal.App.2d 183, 187.

The substantial evidence test is essentially a reasonableness test and requires that a reasonable person, having weighed the evidence in the entire record, be able to reach the same

¹ Despite numerous communications between this office and City Planning staff concerning the appeal and this office submitting the appeal, this office has received no communications from the City regarding the appeal. This office is only aware that the City has apparently scheduled an appeal hearing because the City informed Steerpoint.

conclusion reached by the City to be deemed lawful. *See Kirkorowicz v. California Coastal Commission* (2000) 83 Cal.App.4th 980, 986; *Sierra Club v. California Coastal Commission* (1993) 12 Cal.App.4th 602, 610.

Here, among other findings, the City must find that “[t]he proposed location of the conditional use and the proposed conditions under which it would be operated or maintained...will not be detrimental to the public health, safety, or welfare of persons residing or working adjacent to the neighborhood of such use, nor detrimental to the properties, or improvements in the vicinity or to the general welfare of the City.” The City cannot make this finding, and the “evidence” cited in support of the finding is not evidence at all. The finding simply states that states the Project’s hours of operation and that alcohol won’t be sold outside of those hours or sold for off-site consumption.

The finding says nothing about the Project’s actual operations; namely, that it is a massive, 23,000 square foot establishment that is functionally a giant bar. The Project is permitted to open at 10:00 a.m. but does not have to provide security until 5:00 p.m., providing hours a day of alcohol service in a giant, over half-acre setting with no security.

Concern over the Project’s operation is not speculative. With its appeal, Steerpoint submitted evidence of numerous instances of violent behavior at Dave & Buster’s – murders, shootings, stabbings, assaults, robberies – the list goes on and on. As such, not only is there not substantial evidence to support the City’s finding, but the only evidence in the record is that the Project will be detrimental to public health, safety, and welfare, particularly to the “properties [and] improvements in the vicinity[.]” *See Topanga Ass’n for a Scenic Community v. County of Los Angeles* (1974) 11 Cal.3d 506 (findings not supported by substantial evidence are invalid).

Remarkably, other statements of fact in the CUP approval are further evidence of the folly of approving the Project. CUP Finding No. 4 notes that the crime rate for the area’s Police Reporting District is over 2.7 times higher than the overall City average.² The City’s justification for approving a Project for an operator with demonstrated nationwide issues contributing to serious crime is to state that the Police Department does not object to the Project as long as it has security cameras and installation of “ample lighting,” whatever exactly that means.

The finding further states that “[t]he proposed on-sale alcohol related use will not adversely affect the welfare of the area...[because] the use is located in an existing shopping center.” Again, this is not substantial evidence (or evidence at all) supporting the finding, particularly in light of the objective crime statistics for the area.

Given the Mall’s importance to the economic vitality of north Salinas, it is particularly important that the City not permit uses that could have a cascading negative effect on surrounding commercial and retail property.

² Given that the overall City average includes this PRD, this PRD’s crime rate is more than 2.7 times higher than the rest of the City.

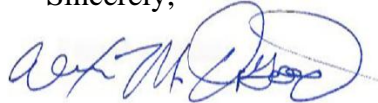
2. The Project's CEQA Exemption is Improper

The City approved the CUP using the "Existing Facilities" exemption (CEQA Guidelines section 15301), stating that the Project is just the "operation...and minor alteration of an existing private structure[.]" This dramatically misstates the scope of the Project relative to the property's former use, a department store. There is a significant, material difference between a department store that operated during the day and early evening and a massive bar that will operate until 2:00 a.m. The Project will attract hundreds of patrons until late at night and many of them will be inebriated, very noisy, and destructive.

The Existing Facilities exemption is not automatically appropriate simply because the same physical shell will remain regardless of the new use. The City must actually analyze the impact of the proposed use. *See Azusa Land Reclamation Company, Inc. v. Main San Gabriel Basin Watermaster* (1997) 52 Cal.App.3d 1165 (landfill that planned to import substantial additional waste not eligible for existing facilities exemption). Here, the former and proposed uses are substantially different, yet the City provides no findings or other evidence substantiating the use of the exemption. This violates CEQA, and the City cannot approve the CUP using this exemption.

For the foregoing reasons, the CUP approval is legally deficient, and the Planning Commission should grant the appeal.

Sincerely,



Alexander M. DeGood

cc: Tom Wiles, Senior Planner



City of Salinas

COMMUNITY DEVELOPMENT DEPARTMENT * 65 W. Alisal Street * Salinas, California 93901 * (831) 758-7206 *

**TO: COURTNEY GROSSMAN
PLANNING MANAGER**

**FROM: THOMAS WILES
SENIOR PLANNER**

DATE: JULY 3, 2025

SUBJECT: CONDITIONAL USE PERMIT 2024-024; A REQUEST TO ESTABLISH AND OPERATE A 23,412 SQUARE-FOOT COMMERCIAL RECREATION AND ENTERTAINMENT USE (DAVE & BUSTER'S) WITH ON-SALE ALCOHOL SALES (TYPE 47 ABC LICENSE) LOCATED AT 1104 NORTHRIDGE MALL IN THE COMMERCIAL RETAIL (CR) ZONING DISTRICT

BACKGROUND

Dave & Buster's is requesting approval of a Conditional Use Permit to establish and operate a 23,412 square foot Commercial Recreation and Entertainment use consisting of an arcade, restaurant, and on-sale alcohol sales of beer, wine, and distilled spirits with a separate bar area (Type 47 ABC license – On-Sale General – Eating Place) located on the second floor of a former Sears store at the Northridge Mall. Per Zoning Code Section 37-30.200, Table 37-30.90, a Commercial Recreation and Entertainment use exceeding 2,000 square feet is subject to approval of a Conditional Use Permit. Per Section 37-50.030(c), a Conditional Use Permit is required for all alcohol related uses except as provided in Section 37-50.030(g).

The proposed project consists of a 22,717 square foot space on the second floor, with a 695 square-foot first floor lobby. The site was vacated following the closing of the Sears store. The exterior façade improvements, including the building materials and colors of the former Sears store site, were approved by Planned Unit Development Permit 2024-001 (PUD 2024-001).

Per Zoning Code Sections 37-60.500(a) and (b), the City Planner shall have the authority to administratively grant a Conditional Use Permit (including, but not limited to, a live entertainment permit or a residential design review) without a public hearing based on review of the project if the proposed use or structure is statutorily or categorically exempt from the California Environmental Quality Act (CEQA); and no protest of the City Planner's decision is received prior to or on the date intended for approval. Per the Zoning Code, a notice shall be mailed or delivered by the City Planner to all owners of real property as shown on the latest equalized assessment roll (or other reliable method as approved by the City Council) within 300-feet of the subject property at least 10-days prior to the City Planner's intended date of approval of the conditional use permit. On July 3, 2025, a Notice of Intent to Approve (NOI) was sent to all property owners within 300-feet of the subject property and all interested parties with a deadline of July 14, 2025.

The Applicant is proposing to transfer an existing Type 47 On-Sale General Eating Place License from “The Village Restaurant” (ABC License No. 529633) located at 1490 Constitution Boulevard #A to the project site. A Type 47 On-Sale General Eating Place License includes sale of beer, wine, and distilled spirits for consumption on the licensed premises. The Conditional Use Permit prohibits off-sales of alcohol. Hours of operation shall be limited to 10:00 a.m. to 12:00 a.m. Sunday through Thursday and 10:00 a.m. to 2:00 a.m. Friday and Saturday. Per the attached Police Department memorandum dated July 3, 2025, all alcohol sales and consumption shall cease by 2:00 a.m. daily and no alcohol sales or consumption shall occur on the premises when the use is not open for business.

The project site is owned by Ethan Conrad Properties and 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:	Shopping center / CR – GW-1 (Commercial Retail – West Boronda Road @ U.S. 101 Overlay)
South:	Multifamily dwellings / R-H-2.1 (High Density Residential)
East:	Harden Ranch Shopping Center / CR – SP-1 (Commercial Retail – Harden Ranch Specific Plan Overlay)
West:	U.S. Highway 101

FINDINGS

In order to approve a Conditional Use Permit, the following findings (in bold type) must be established; evidence is presented after each finding.

1. The proposed location of the use is in accord with the objectives of the General Plan, the Zoning Code, and the purposes of the district in which the site is located.

The site is designated Retail by the 2002 Salinas General Plan. The proposed project is consistent with General Plan Goals and Policies. The proposed project achieves a balance of land uses in providing a recreational facility for residents consistent with Land Use Policy LU-1.1. Located on an in-fill site, the project would help maintain a compact City form, consistent with Land Use Policy LU-2.4. Located within an existing Shopping Center, the proposed Commercial Recreation use and on-sale alcohol related use would create of an activity center focal point for the adjacent neighborhoods located at the north, west, and south, consistent with Community Design Policy CD-3.9.

As shown on the official Zoning Map, the site is located in the Commercial Retail (CR) District. Per Section 37-30.190, the purpose of Commercial districts is to provide appropriately located areas consistent with the General Plan for a full range of uses including service commercial uses needed by residents of the City and strengthen the City’s economic base and provide employment opportunities close to home for residents of the City. Per Section 37-30.190(k)(3), the purpose of Commercial Retail districts is to allow a wide range of uses including commercial recreation uses. Commercial Recreation includes, but it is not limited to, theaters, sports stadiums and arenas, amusement parks, bowling alleys, billiard parlors, bingo parlors, ice/roller skating rinks, golf courses, miniature golf courses, model courses, shooting galleries, tennis and racquetball courts, amusement centers and arcades, martial arts studios, dance studios, health and fitness clubs, or facilities equipped and used for sports training and conditioning; excludes adult entertainment facilities per Section 37-10.270. Per Section 37-30.200,

Table 37-30.90, a Conditional Use Permit is required for the proposed Commercial Recreation use because the floor area exceeds 2,000 square feet in size.

2. ***The proposed location of the conditional use and the proposed conditions under which it would be operated or 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 adjacent to the neighborhood of such use, nor detrimental to the properties, or improvements in the vicinity or to the general welfare of the City***

The site is designated Retail by the 2002 Salinas General Plan. The proposed project is consistent with General Plan Goals and Policies. The proposed project achieves a balance of land uses in providing a recreational facility for residents consistent with Land Use Policy LU-1.1. Located on an in-fill site, the project would help maintain a compact City form, consistent with Land Use Policy LU-2.4. Located within an existing Shopping Center, the proposed Commercial Recreation use and on-sale alcohol related use would create of an activity center focal point for the adjacent neighborhoods located at the north, west, and south, consistent with Community Design Policy CD-3.9.

Existing commercial and residential uses and U.S. Highway 101 surround the project site. The proposed project consists of a 22,717 square foot space on the second floor, with a 695 square-foot first floor lobby. The 23,412 square foot space was created following the closing of the Sears store at the Northridge Mall. The proposed Commercial Recreation and Entertainment use and on-sale alcohol use would not be detrimental to the public health, safety and general welfare of the people of the City because the following conditions are set forth in the Conditional Use Permit: hours of operation are limited to 10:00 a.m. to 12:00 a.m. Sunday through Thursday and 10:00 a.m. to 2:00 a.m. Friday and Saturday. Alcohol sales and consumption shall cease at 2:00 a.m. daily and no alcohol sales or consumption shall occur on the premises when the use is not otherwise open for business. All managers and persons engaged in serving alcohol 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, no alcoholic beverages shall be sold/dispensed/or offered for consumption except within the licensed premises, and any alcohol license violation and/or suspension by ABC or significant criminal activity shall constitute grounds for review and modification or revocation of the Conditional Use Permit.

Per a Salinas Police Department Memorandum dated July 3, 2025, one (1) armed security officer is to be present on the premises from at least the hours of 5:00 P.M. to close on Friday & Saturday and a second armed security officer is to be present on the premises from at least the hours of midnight (12:00 A.M.) to close on Friday & Saturday. Security Officers shall be state licensed (BSIS), uniformed and equipped with cell phones to communicate with Northridge Mall Security. Management is encouraged to collaborate with the Salinas Police Department on safety and awareness training for the Police Reporting District (PRD). Per the memorandum, ample lighting in the parking lots and enhanced video surveillance equipment shall be provided.

3. ***The proposed conditional use will 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. For example, the Salinas Police Department memorandum dated July 3, 2025 requires that all alcohol sales and consumption shall cease

by 2:00 a.m. daily and no alcohol sales or consumption shall occur on the premises when the use is not otherwise open for business. All managers and persons engaged in serving alcohol shall receive responsible beverage training that is certified by the Department of Alcoholic Beverage Control (ABC). Dave & Buster's staff are required to monitor underage consumption of alcohol and eject anyone who is underage and consuming or anyone who has provided alcohol to underage persons.

4. *The 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 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.*

The proposed project consists of a 22,717 square foot space on the second floor, with a 695 square-foot first floor lobby. The 23,412 square foot space was created following the closing of the Sears store at the Northridge Mall. Residential uses are located adjacent to the mall's southerly boundary. The closest residences (1633 Madrid Street) are approximately 967 feet away to the south, behind Northridge Mall and across a parking lot, separated by a 6-foot high masonry wall, and approximately 2,365 feet away walking distance from the subject site. Northgate Park (1600 Seville Street) is located approximately 2,275 feet away to the south, which is 1,975 feet further than what would qualify as an exception by Zoning Code Section 37-50.030(g)(2)(D). The nearest school, Santa Rita School (2014 Santa Rita Street), is located approximately 2,593 feet away to the northeast, which is 2,003 feet further than what would qualify as an exception by Zoning Code Section 37-50.030(g)(2)(D). The proposed alcohol related use does not qualify as an exception to the requirement to obtain a Conditional Use Permit because the primary use is not primarily used a restaurant as stipulated by the Zoning Code.

The Police Department's 2024 average for statistics for Police Reporting Districts (PRDs) is 73.43. The site is located within PRD 201. The crime statistics for this PRD in 2024 is 199, which is above average. Based on the crime reporting in PRD 201 many of the crimes are for Part Two Crimes (Forgery, Embezzlement, Fraud, Vandalism, Theft, Drug Abuse, DUI, Public Intoxication, Loitering, and others). Although the crime rate in PRD 201 is more than double the overall average for PRDs, the Police Department does not object to the approval of the Conditional Use Permit subject to the following recommendations stated in their Memorandum dated July 3, 2025, which has been included as Exhibit "P" and Condition No. 15 of the CUP approval document:

- a. Installation and operation of a digital surveillance system with high quality cameras focused on the points of sales, all entrances/exits, and the parking lots located adjacent to the use that is controlled by Dave & Buster's, with the capability to store the digital images (videos and photos) captured. The digital images (video and photos) must be retained for at least thirty (30) days and be made available to the Salinas Police Department upon request.
- b. Installation and maintenance of ample lighting in the parking lots located adjacent to the use, the exterior area of all entrances and exits to the use that is controlled by Dave & Buster's, and in areas to enhance the capability of the digital surveillance system.
- c. All parking lots adjacent to the proposed use and all driveways and buildings that is controlled by Dave & Buster's shall be posted with "No Trespassing" signs in the form and manner determined by the Salinas Police Department consistent with Salinas City Code (SCC) Section 21-35, the text of which is provided below.
- d. Alcohol sales and consumption shall cease by 2:00 A.M. daily and no alcohol sales or consumption shall occur on the premises when the use is not otherwise open for business. All

- managers and persons engaged in serving alcohol must receive responsible beverage training that is certified by the Department of Alcoholic Beverage Control prior to serving any alcohol.
- e. Provide one armed security officer present on the premises from at least the hours of 5:00 P.M. to close. (Friday & Saturday).
 - f. Provide a second armed security officer present on the premises from at least the hours of midnight (12:00 A.M.) to close. (Friday & Saturday).
 - g. Security Officers shall be state licensed (BSIS), uniformed and equipped with cell phones to communicate with Northridge Mall Security. Management is encouraged to collaborate with the Salinas Police Department on safety and awareness training for the PRD.
 - h. Management shall promptly contact Salinas Police Department dispatch if there is any violent crime, threats, display, use, threats of a weapon. The Northridge Mall property has exterior/interior and parking lot Security Officers. Dave & Buster's security should develop a working relationship with Northridge Mall Security regarding communications, notifications and working together. Dave & Buster's should notify Northridge Mall Security of any ejections so Northridge Mall Security can move available resources to the parking lot in that area as well as focusing their cameras on the area.

The proposed on-sale alcohol related use will not adversely affect the welfare of the area or surrounding residential neighborhood due to residences / park / school are not nearby, the use is located in an existing shopping center (Northridge Mall), and the Police Department does not object to the approval of the Conditional Use Permit subject to the conditions of approval.

ENVIRONMENTAL DETERMINATION

The project has been determined to be exempt from the California Environmental Quality Act under Section 15301 (*Existing Facilities*) of the CEQA Guidelines, because the project consists of the operation, repair, maintenance, permitting, leasing, licensing, and minor alteration of an existing private structure, which involves negligible or no expansion of a former use. The project includes interior and exterior alterations pursuant to Section 15301(a).

RECOMMENDATION

Given the conditions of approval recommended in the permit to ensure the project's compatibility with the surrounding commercial and residential uses, and U.S. Highway 101 staff recommends approval of the Conditional Use Permit. It is therefore recommended that the City Planner determine that the findings can be established in support of the project and approve the request for a Conditional Use Permit based upon the facts stated above and evidence presented herein.

BY:



Thomas Wiles
Senior Planner