

SALINAS PLANNING COMMISSION

Staff Report

City of Salinas

Community Development
Department
65 West Alisal Street
Salinas, CA 93901
(831) 758-7206
(831) 758-7215 fax

Director:

Megan Hunter

Planning Manager:

Courtney Grossman

Planning Commission:

Matt Nohr, Chair
George Anzo
John Meeks
Joel Hernandez Laguna
Richard Giffin
Brad Griffin
Matthew Ottone, Vice-Chair

Planning Manager Approval

Agenda Item
ID#19-296

DATE: May 15, 2019

TO: Planning Commission

FROM: Courtney Grossman, Planning Manager

BY: Thomas Wiles, Senior Planner

SUBJECT: CONDITIONAL USE PERMIT 2018-007; A REQUEST TO AUTHORIZE DEMOLITION AND RECONSTRUCTION OF AN EXISTING CONVENIENCE STORE AND FUELING CANOPY AND MODIFY AN EXISTING OFF-SALE ALCOHOL LICENSE LOCATED AT 417 NORTH MAIN STREET IN THE MIXED ARTERIAL DISTRICT – NORTH MAIN STREET/SOLEDAD STREET FOCUSED GROWTH OVERLAY DISTRICT (MAF-FG-2) DISTRICT.

RECOMMENDATION

Staff recommends that the Planning Commission affirm the findings and adopt the attached Resolution approving a Conditional Use Permit to authorize demolition and reconstruction of an existing Convenience Store with Gas Pumps and modify an existing off-sale alcohol related use.

BACKGROUND

J.R. Beard of LHB & Associates on behalf of 3030 Fuels, LLC, is requesting approval of a Conditional Use Permit to authorize the following;

1. Demolish an existing 1,676 square-foot convenience store (Shell) and a 1,180 square-foot fueling canopy with four (4) fuel dispensers, and retain an existing carwash structure;
2. Construct a new 3,035 square-foot convenience store

with 1,462 square-feet of gross retail space with 10 off-street parking spaces;

3. Construct a new 3,200 square-foot canopy, including installation of two (2) additional fuel dispensers for a total of six (6) dispensers; and
4. Modify an existing off-sale alcohol related use authorized by CUP 2010-017 to be relocated from the existing 1,676 square-foot convenience store to the new 3,035 square-foot convenience store.

The site is located at the northwest corner of North Main Street and Casentini Street at 417 North Main Street. The property is located in the Mixed Arterial Frontage – North Main Street/Soledad Street Focused Growth Overlay (MAF-FG2) District. The following provides an overview of the land uses and zoning districts adjacent to the project site:

North:	MAF – FG-2 (Mixed Arterial Frontage – North Main Street/Soledad Street Focused Growth Overlay)/Storage
South:	MAF – FG-2-F (Mixed Arterial Frontage – North Main Street/Soledad Street Focused Growth Overlay – Flood Plain)/Vacant
East:	MX – FG2 – F (Mixed Use – North Main Street/Soledad Street Focused Growth Overlay- Flood Plain Overlay)/Health Services, Retail, Service Station
West:	MAF – FG-2 (Mixed Arterial Frontage – North Main Street/Soledad Street Focused Growth Overlay)/Storage

ANALYSIS

Per Zoning Code Section 37-30.240, a convenience store with gas pumps in the MAF-FG2 Zoning District requires consideration through the administrative Site Plan Review (SPR) development review process. However, there are three (3) effective Conditional Use Permits in force and effect on the subject property as described below:

1. Conditional Use Permit 1966-021 (CUP 1966-021); was approved by the Planning Commission on September 7, 1966, which authorized the original service station use;
2. Conditional Use Permit 2010-017 (CUP 2010-017); was approved administratively by the City Planner on March 1, 2011 which authorized an off-sale alcohol license within the convenience store; and
3. Conditional Use Permit 2011-012 (CUP 2011-012) was approved by the Planning Commission on February 15, 2012, to allow the construction and operation of an adjacent carwash structure to the existing convenience store.

Accordingly, all three Conditional Use Permits will be consolidated into one Permit. The subject property is currently located on two (2) existing lots. A lot consolidation will be

required prior to issuance of a building permit.

Proposed Convenience Store

An existing one-story 1,180 square-foot convenience store with gas pumps will be demolished and replaced with a new one-story 3,035 square-foot convenience store. The new convenience store will consist of 1,462 square-feet of gross retail space, with retail counter space, coolers, and a check out area. The convenience store will also contain storerooms, restrooms, a workroom, and an electrical room. The convenience store will include an articulated roof with a maximum height of 20-feet, 6-inches. The exterior will consist of a stone veneer base, exterior plaster with a smooth finish, and plaster coated foam/trim cornice molding. The proposed Floor Area Ratio (FAR) will be .129, which is below the maximum allowed .30.

Proposed Fueling Canopy

An existing 1,180 square-foot fueling canopy will be demolished and a new 3,200 square-foot fueling canopy will be constructed. The proposed fueling canopy will be 18-feet, 4-inches high, with a clearance of 15-feet, 6-inches. All canopy signage and exterior colors are required to comply with the Zoning Code. Two (2) additional fuel dispensers are proposed, which will increase the number of fuel dispensers from four (4) to six (6) and the number of fuel pumps from eight (8) to twelve (12).

Off-Street Parking

Ten (10) off-street parking spaces are proposed. Per Zoning Code 37-50.360, Table 37-50.100., a convenience store with gas pumps requires a minimum of one (1) off-street parking space for every 250 square-feet of retail floor area. A total of 1,462 square-feet of gross retail space is proposed, which requires a minimum of six (6) off-street parking spaces. Therefore, ten (10) proposed off-street parking spaces conform with the minimum number of required off-street parking spaces. On-site driveway access will remain the same.

Off-sale alcohol license

As mentioned above, on March 1, 2011, the City Planner approved Conditional Use Permit 2010-017 (CUP 2010-017), which authorized a Type 21 off-sale alcohol license for the sale of beer and wine only within the existing 1,676 square-foot convenience. However, the convenience store is proposed to be expanded from 1,676 square-feet to 3,035 square-feet; which requires changes to existing CUP 2010-017, which are addressed with the new Conditional Use Permit.

The proposed location is in a neighborhood with a mix of commercial uses to the north, south, east, and west. There are 2,795 Dwelling Units and a population of 8,971 in CT 18.

The closest school to the proposed location is Mt. Toro High School located at 10 Sherwood Place, which is approximately 1,530 feet from the site, and the closest park is Bataan Memorial Park, which is approximately 2,240 feet. Per the attached Police Department comments dated April 16, 2018, the subject property is located in an Area of Undue Concentration due to crime. The Police Department does not object to the application as long as digital surveillance and ample lighting are provided on-site. Conditions have been included with the draft Conditional Use Permit, as well as other Conditions including, but not limited to, limiting hours of alcohol sales, prohibiting on-site drinking, and the limitation on cooler space for alcoholic beverages. Per the California Department of Alcoholic Beverage Control (ABC), the subject property is also undue concentrated due to number of off-sale alcohol licenses (5 active, 4 authorized for Census Tract 18.02). However, this project does not increase the number of licenses.

ENVIRONMENTAL REVIEW

The environmental impacts of the project have been analyzed in accordance with the California Environmental Quality Act (CEQA). The site was previously analyzed as a LUST (Leaking Underground Storage Tank) site during the processing of the carwash structure per CUP 2011-012 and a Mitigated Negative Declaration was processed. However, per the attached State Water Resources Control Board GeoTracker, Case T0605327136 on the project site was closed on November 18, 2014. Therefore, the project site is no longer on the Cortese List and the proposed project can be found categorically exempt (Class 3) from further environmental analysis per CEQA Guidelines Section 15303(c) (*New Construction or Conversion of Small Structures*).

FINDINGS

Conditional Use Permit 2018-007:

The Planning Commission may approve an application for Conditional Use Permit 2018-007 if all of the findings set forth in the attached proposed Planning Commission Resolution are established.

TIME CONSIDERATION

The project was deemed complete on April 27, 2019. Final action is required by June 26, 2019 pursuant to Government Code Section 65950(a)(4).

ALTERNATIVES AVAILABLE TO THE COMMISSION

The Planning Commission has the following alternatives:

1. Affirm the findings set forth in the attached Resolution, find the project exempt from the California Environmental Quality Act (CEQA), and approve Conditional Use Permits 2018-007 with modifications; or
2. Find that the proposal is not appropriate and establish findings at the public hearing stating the reasons for not approving Conditional Use Permit 2018-007.

CONCLUSION

The proposed project is consistent with the Zoning Code and the General Plan. The proposed demolition and reconstruction of an existing Convenience Store with Gas Pumps will provide expanded retail services and will not result in an increase in the number of off-sale alcohol licenses in the City of Salinas.

COURTNEY GROSSMAN
Planning Manager

BY: _____
Thomas Wiles
Senior Planner

Attachments: Proposed Planning Commission Resolution
Draft Conditional Use Permit (CUP 2018-007), including the following exhibits:

- Exhibit "A" Vicinity Map
- Exhibit "B" Conceptual Site Plan (Sheet A-1)
- Exhibit "C" Parking Site Plan and Parking Area Calculation Plan (Sheet A-1.1)
- Exhibit "D" Conceptual Floor Plan (Sheet A-2)
- Exhibit "E" Conceptual Exterior Elevations (Sheet A-3)
- Exhibit "F" Conceptual Canopy Exterior Elevations (Sheet A-4)
- Exhibit "G" Demolition Site Plan (Sheet C-1)
- Exhibit "H" Grading and Drainage Site Plan (Sheet C-2)
- Exhibit "I" Existing Conditions Landscape Plan (Sheet L1.0)
- Exhibit "J" Conceptual Planting Plan (Sheet L2.0)
- Exhibit "K" Engineer's Report, dated April 8, 2019
- Exhibit "L" Police Department Comments, dated April 16, 2018

Conditional Use Permit 2010-017 (CUP 2010-017)
Conditional Use Permit 2011-012 (CUP 2011-012)
State Water Resources Control Board GeoTracker Case "T0605327136"
ABC License Number #504730 – 417 North Main Street
Active Off-Sale Retail Licenses in Census Tract 18.02
Number of Licenses Authorized in Census Tract 18.02