



A G E N D A

CITY OF SEASIDE
PLANNING COMMISSION

REGULAR MEETING
COUNCIL CHAMBER
440 Harcourt Avenue
Wednesday, March 11, 2015
7:00 PM

PLEASE TURN OFF YOUR CELL PHONES UPON ENTERING THE MEETING

John Owens	Chair
Keith Dodson	Commissioner
Michael Lechman	Commissioner
Margaret Leighton	Commissioner
Paul Mugan	Commissioner
Denise Ross	Commissioner

1. **CALL TO ORDER**
2. **ROLL CALL - ESTABLISHMENT OF QUORUM**
3. **ELECTION OF OFFICERS**
4. **PUBLIC COMMENT**
5. **NEW BUSINESS**

- A. USE PERMIT APPLICATION NO. UP-14-10. MARK GEISREITER, REED GEISREITER, AND RICHARD GEISREITER, PROPERTY OWNER, AND WALGREENS CO., APPLICANT, ARE REQUESTING USE PERMIT APPROVAL FOR THE OFF-SALE OF HARD LIQUOR WITHIN AN EXISTING RETAIL STORE/PHARMACY LOCATED AT 1055 FREMONT BOULEVARD IN THE CC (COMMUNITY COMMERCIAL) ZONING DISTRICT. THE PROJECT IS CATEGORICALLY EXEMPT, CLASS 1, SECTION 15301 FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) GUIDELINES.**

PURPOSE: The project consists of a Use Permit application for the off-sale of hard liquor in addition to the existing off-sale of beer and wine within an existing retail store/pharmacy located at 1055 Fremont Boulevard. Section 17.14.030 of the Seaside Zoning Ordinance requires a Use Permit for alcoholic beverage sales in the Community Commercial Zoning

District.

RECOMMENDATION: Staff recommends approval of Use Permit Application No. UP-14-10 granting approval for the retail sale of hard liquor for off-site consumption at a Walgreens retail store/pharmacy based on the findings and evidence cited in the staff report and subject to the Conditions of Approval provided as Exhibit A. Staff further recommends that the Planning Commission make a determination of Public Convenience or Necessity in accordance with State of California, Department of Alcoholic Beverage Control regulations.

B. USE PERMIT APPLICATION NO. UP-14-09. ERASMO AIELLO, PROPERTY OWNER, AND PAT CORRIGAN, APPLICANT, ARE REQUESTING APPROVAL OF A USE PERMIT TO ALLOW THE ON-SALE OF HARD LIQUOR (CLASS 47 ALCOHOLIC BEVERAGE CONTROL LICENSE) IN ADDITION TO THE EXISTING ON-SALE OF BEER AND WINE (CLASS 41 ALCOHOLIC BEVERAGE CONTROL LICENSE) FOR THE RE-OPENING OF A 96 SEAT SIT DOWN FULL SERVICE RESTAURANT AT 1901 FREMONT BOULEVARD IN THE REGIONAL COMMERCIAL (CRG) ZONING DISTRICT. THE PROPOSED PROJECT IS CATEGORICALLY EXEMPT, SECTION 15301, EXISTING FACILITIES, FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

PURPOSE:

The project consists of a use permit application for the on-sale of hard liquor in addition to the existing on-sale of beer and wine within a 96 seat sit down full service restaurant located at 1901 Fremont Boulevard. Section 17.14.030 of the Seaside Zoning Ordinance requires a use permit for alcoholic beverage sales in the Regional Commercial zoning district.

RECOMMENDATION:

Staff recommends approval of the use permit subject to the findings, evidence, and Conditions of Approval provided as Attachment 1 and Project Plans provided as Exhibit "A" to Attachment 1.

C. USE PERMIT APPLICATION NO. UP-15-01. ALEX CHEHADA, PROPERTY OWNER, AND EDDIE HURT, APPLICANT, REQUEST APPROVAL OF A USE PERMIT TO ALLOW THE EXPANSION OF LIQUOR, BEER, AND WINE SALES WITHIN AN EXISTING RETAIL NEIGHBORHOOD MARKET (FOOD CORNER MARKET) LOCATED AT 1800 NOCHE BUENA STREET, IN THE COMMUNITY COMMERCIAL (CC) ZONING DISTRICT. THE PROJECT IS CATEGORICALLY EXEMPT, CLASS 1, SECTION 15301 FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) GUIDELINES.

PURPOSE:

In accordance with Section 17.14.030.B, Table 2-4 (Allowed Land Uses and Permit Requirements for Commercial Zones) of the Seaside Municipal Code, the applicant is

requesting the approval of a Use Permit to allow for the expansion of the floor area which would be dedicated to the off-sale of beer, and wine beverages within existing retail neighborhood market (Food Corner Market) from 205 square feet to 245 square feet. The project site is located at 1800 Noche Buena Street in the Community Commercial Zoning District.

RECOMMENDATION:

Staff recommends approval of Use Permit Application No. UP-15-0, granting approval to expand the floor area dedicated to the off-sale of liquor, beer, and wine sold at an existing retail neighborhood market (Food Corner Market) located at 1800 Noche Buena Street based on the findings and evidence cited in the staff report and subject to the Conditions of Approval provided as Attachment 1, Exhibit A.

6. **OLD BUSINESS**
7. **REPORTS FROM COMMISSIONERS**
8. **REPORTS FROM STAFF**
9. **ADJOURNMENT**

Next Regularly Scheduled Meeting:
Wednesday, March 25, 2015 at 7:00 pm
Seaside City Hall

The City of Seaside is an ADA accessible facility and is committed to include the disabled in all of its services, programs and activities. Any person who requires accommodation to be able to participate in this meeting is asked to contact the office of the City Clerk at 899-6707, no fewer than two business days prior to the meeting to allow for reasonable arrangements.

The City Council Chambers is equipped with a portable microphone for anyone unable to come to the podium. Assisted listening devices are also available.

Meetings that are held in the City Council Chambers are broadcast live to all Seaside residents on Comcast Channel 25 and U-verse Channel 99. Meetings are also available through live streaming at: <http://cvp.telvue.com/player?id=T01629&video=52314&noplaylists=1&width=400&height=300> Videos of past meetings are available on demand through the City's website: <http://www.ci.seaside.ca.us>

Agenda-related writings or documents provided during public meetings are available for public inspection during the meeting or from the office of the City Clerk. This agenda is posted in compliance with California Government Code Section 54954.2(a) or Section 54956.

**Planning Commission Regular Meeting
March 11, 2015 7:00 PM**



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 5.A.

TO: Planning Commission

FROM: John Dunn, City Manager

BY: Lisa Brinton, Community and Economic Development Services Manager
Bob Larsen, Associate Planner
Rick Medina, Senior Planner

DATE: March 11, 2015

SUBJECT: **USE PERMIT APPLICATION NO. UP-14-10. MARK GEISREITER, REED GEISREITER, AND RICHARD GEISREITER, PROPERTY OWNER, AND WALGREENS CO., APPLICANT, ARE REQUESTING USE PERMIT APPROVAL FOR THE OFF-SALE OF HARD LIQUOR WITHIN AN EXISTING RETAIL STORE/PHARMACY LOCATED AT 1055 FREMONT BOULEVARD IN THE CC (COMMUNITY COMMERCIAL) ZONING DISTRICT. THE PROJECT IS CATEGORICALLY EXEMPT, CLASS 1, SECTION 15301 FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) GUIDELINES.**

PURPOSE

The project consists of a Use Permit application for the off-sale of hard liquor in addition to the existing off-sale of beer and wine within an existing retail store/pharmacy located at 1055 Fremont Boulevard. Section 17.14.030 of the Seaside Zoning Ordinance requires a Use Permit for alcoholic beverage sales in the Community Commercial Zoning District.

RECOMMENDATION

Staff recommends approval of Use Permit Application No. UP-14-10 granting approval for the retail sale of hard liquor for off-site consumption at a Walgreens retail store/pharmacy based on the findings and evidence cited in the staff report and subject to the Conditions of Approval provided as Exhibit A. Staff further recommends that the Planning Commission make a determination of Public Convenience or Necessity in accordance with State of California, Department of Alcoholic Beverage Control regulations.

SITE AND VICINITY CHARACTERISTICS

The subject property is 55,315 square feet (1.27 acres) in size and is located at the northwest corner of Canyon Del Rey Boulevard and Fremont Boulevard. The site is bordered on the south by Laguna Grande Park, on the east by a Burger King, and on the north and west by a mix of commercial and residential uses. The site has three driveways. One driveway is off of Canyon del Rey, a second driveway is off of Fremont Boulevard, and a third driveway is off of Charles Avenue which is the primary exit for cars using the pharmacy drive through lane. A location map is provided as Attachment 2.

Figure 1: Project Site Adjacent Land Uses

NW	N			NE
	Mix of Residential and Commercial	Mix of Residential and Commercial	Commercial Offices	
W	Mix of Residential and Commercial	Project Site	Burger King	E
	Laguna Grande Park	Laguna Grande Park	Safeway	
SW	S			SE

PROJECT DESCRIPTION

Use Permit approval is required to allow retail alcoholic beverage sales for off-site consumption in a portion of an existing Walgreens retail store/pharmacy located at 1055 Fremont Boulevard. The existing one-story structure is 13,903 square feet in area with approximately 9,700 square feet (70 percent) off the structure dedicated to the retail sales/pharmacy area and the remainder used for storage and mechanical equipment. Approximately 45 square feet, or 0.5 percent of the retail floor area, is currently used for the display of beer and wine. The applicant proposes to add approximately 30 square feet of hard liquor display for a total display area of approximately 75 square feet, or 0.8 percent of the retail floor area, that will be used for hard liquor, beer, and wine display. The liquor display areas will be in view of the cash registers. Walgreens is open 24

hours, so in compliance with state law the applicant will not sell alcoholic beverages from 2 AM to 6 AM. To control this, the store's point of sales system will be programmed not to allow the sale of liquor during these hours. The applicant indicates that there will be no physical change to the interior space, building envelope, building exterior, or landscaping. They have also indicated that no signs or other advertising will be placed on the outside of the store to indicate that alcoholic beverages are sold within.

ENVIRONMENTAL REVIEW

The proposed project qualifies as categorical exempt under the California Environmental Quality Act (CEQA) Guidelines Section 15301, Existing Facilities. This class consists of the operation of existing public or private structures with negligible or no expansion of an existing use.

Evidence: The proposed project will consist of the off-sale of hard liquor in addition to the existing off-sale of beer and wine at an existing retail store/pharmacy. Negligible or no expansion of the existing improvements is required for the off-sale of hard liquor in addition to the existing off-sale of beer and wine at the retail store/pharmacy.

STAFF ANALYSIS

General Plan

The City's General Plan contains the following Implementation Plan regarding the sale of alcoholic beverages.

Implementation Plan LU-2.2.2 Alcoholic Beverage Control. Work with Alcoholic Beverage Control (ABC) to regulate the on-sale and off-sale of packaged alcoholic beverages.

The City's General Plan also includes a policy, LU-2-3, that discourages certain over-represented uses in the community including liquor and convenience stores, and mini-markets among other uses. Since the existing retail store/pharmacy sales and related alcoholic beverage sales are not considered to be liquor or convenience stores as defined in the City's Zoning Ordinance this policy is not applicable and is provided for information purposes only.

Zone District

The property is located in the Community Commercial (CC) zone district. General Retail stores 5,000 square feet and larger and Drug stores (pharmacies) are permitted uses in the CC zone. Accessory alcoholic beverage sales are permitted in the CC zone subject to use permit approval

(SMCS 17.24.030; Table 2-4).

The Zoning Ordinance includes the following definitions that are relevant to this use permit application.

17.70 Definitions

Alcoholic Beverage Sales. The retail sale of beer, wine, and/or spirits for off-premise consumptions, in conjunction with a convenience store, grocery store, drug store, and/or primary retail use. Where Article 2 (Zones, Allowed Uses, and Zoning Standards) provides that the primary retail use is otherwise permitted (a "P" use in the Article 2 land use tables), the inclusion or addition of alcoholic beverage sales will require the approval of the planning permit required by Article 2 (i.e., Use Permit or Minor Use Permit) for the entire combination of land uses.

The proposed use meets the definition of primary retail use and a drug store. Use permit approval is required to allow retail sale of alcoholic beverages for off-site consumption in conjunction with the retail store/pharmacy use.

Public Convenience or Necessity

The applicants have filed an application with the State of California Department of Alcoholic Beverage Control (ABC) for a Type 21 License (Off Sale General). ABC licensing regulations contain provisions for community input with regard to the geographic distribution and concentration of the sale of alcoholic beverages. This enables communities to limit the number of new licenses that are issued in geographic areas defined as either high crime areas (an area that exceeds the city's average crime rate by 20 percent), or that are areas of "undue concentration." According to the Seaside Police Department, the subject property is not within a high crime area or an area of increased law enforcement activity.

"Undue concentration" is determined by the number of licenses in relation to the population within a geographic area. According to the California Alcohol Beverage Control (ABC) Salinas district office, there are currently 13 existing off-sale retail alcohol licenses within Census Tract 140, where Walgreens is located. Based on the ratio of off-sale retail alcohol licenses per total population in all of Monterey County, the maximum concentration of off-sale retail alcohol licenses is 6 licenses before licenses are considered "over concentrated." By making a determination of Public Convenience or Necessity (PCN) for the establishment of the retail alcohol license for off-site consumption as part of Walgreens business operation, the City acknowledges and supports the applicants request for an off-sale retail alcohol (Type 21) license from the ABC despite the Tract's "overconcentration" of alcohol-outlet licenses because it is an ancillary use to the primary General Retail/Drug store use. Attachment 5 is a map of the Existing

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ABC licenses in the City of Seaside for Off-sale Type 20 (Beer and Wine) and Type 21 (General – beer, wine, and spirits). Attachment 6 is a map showing all Retail Alcohol (On and Off-Sale) for the City of Seaside.

According to information from the ABC, “public convenience or necessity” is established when it is determined that the business provides a benefit to the community. State law does not mandate the criteria used to determine PCN; determination is the responsibility of local jurisdictions. A public convenience or necessity determination allows local jurisdictions to influence alcohol-outlet density to improve and maintain the quality of neighborhoods. The applicant states that “Walgreens provides for a different shopping experience than any other business in the vicinity that currently sells alcohol. Many people prefer not to shop at liquor stores – choosing instead to shop for alcoholic beverages at a general retailer like Walgreens that provide for a safe, friendly shopping experience suitable for all members of the family.” The applicant concludes that “The addition of distilled spirits will enable Walgreens to provide its customers with the convenience of one-stop shopping consumers have come to expect from a national pharmacy and general retailer.” The proposed use will continue employment opportunities in the city, furthers the city’s economic development goals, and will increase tax revenues to the city.

The use permit application was forwarded to the Seaside Police Department for review and comment. The Police Department has stated that the subject property is not in a high crime area and is not an area that is the target of law enforcement activity. The Police Department has not identified any issues of concern regarding the proposed sale of alcoholic beverages in conjunction with the retail store/pharmacy, subject to the recommended Conditions of Approval.

Since the proposed use requires a determination of public convenience or necessity due to an over concentration of alcohol-outlet uses in the area, and since the property is adjacent to an existing mixed-use neighborhood, it is appropriate to apply Conditions of Approval to safeguard public health, safety and welfare. The recommended Conditions of Approval in Exhibit A will reduce the potential of a detrimental impact to the neighborhood.

FINDINGS

USE PERMIT

In accordance with the requirements of SMCS 17.52.070.F, the Planning Commission is required to make all of the following findings in order to grant approval of the use permit application.

1. The proposed use is allowed within the zone district and complies with all other applicable provisions of the Zoning Ordinance and Municipal Code.

Evidence: The property is located in the CC zoning district. General retail stores 5,000

square feet or larger and drug stores are permitted uses in the CC zoning district. Alcoholic beverage sales are permitted in the CC zoning district subject to use permit approval (SMCS 17.24.030; Table 2-4).

2. The proposed use is consistent with the General Plan and any applicable Specific Plan

Evidence: The proposed use is consistent with the City's General Plan Implementation Plan LU-2.2.2 Alcoholic Beverage Control. The proposed use requires approval of a license from the State of California Department of Alcoholic Beverage Control (ABC). In accordance with ABC requirements, the City will make a determination of public convenience or necessity as part of this use permit application.

3. The design, location, size and operating characteristics of the activity in the use permit are compatible with the existing and planned future land uses in the vicinity.

Evidence: Subject to the recommended Conditions of Approval, the sale of alcoholic beverages in conjunction with a retail store/pharmacy is compatible with the commercial character of the area.

4. Subject to compliance with the Conditions of Approval, granting the use permit will not be detrimental to the public interest, health safety, convenience, or welfare, or materially injurious to persons, property or improvements in the vicinity and zone district in which the property is located.

Evidence: Subject to the recommended conditions of approval, the sale of alcoholic beverages in conjunction with a retail store/pharmacy will not result in a detrimental impact on the property or in the vicinity of the property because: no alcohol may be consumed on the property, exterior sale, advertising, and/or display of alcoholic beverages is prohibited, and Conditions of Approval place limits on the container size and sale quantities of certain types of alcoholic beverages to prohibit single-unit sales.

PUBLIC CONVENIENCE OR NECESSITY

In order for the ABC to approve the Type 21 license, the City is required to make a determination of public convenience or necessity. Staff recommends the Planning Commission support this determination based on the following findings.

1. According to information received from the Seaside Police Department, the subject property is not located in an area that has excessive crime rates nor is it in an area of targeted law enforcement activities.

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2. The subject property is located in a commercial area and is compatible with existing and planned land uses.
3. Retail alcoholic beverage sales are limited to less than 1 percent of the floor area of the retail store/pharmacy and recommended Conditions of Approval prohibit single-unit beverage container sales.
4. The proposed use helps to continue employment opportunities within the city, contributes to the city's tax revenues, and establishes a business model that is unique in the city.

FISCAL IMPACT

There is no fiscal impact associated with this item.

ATTACHMENTS

1. Attachment 1 - Draft Resolution UP-14-10
 2. Attachment 2 - Location Map UP-14-10
 3. Attachment 3 - Floor Plan UP-14-10
 4. Attachment 4 - Applicant's Project Description
 5. Attachment 5 - Existing Type 20 & 21 ABC licenses
 6. Attachment 6 - ABC License for City of Seaside
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**PLANNING COMMISSION
DRAFT RESOLUTION NO. 14-##**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SEASIDE, STATE OF CALIFORNIA, APPROVING USE PERMIT NO. UP-14-10 TO ALLOW THE RETAIL SALE OF HARD LIQUOR FOR OFF-SITE CONSUMPTION IN CONJUNCTION WITH AN EXISTING RETAIL STORE/PHARMACY IN THE CC ZONING DISTRICT LOCATED AT 1055 FREMONT BOULEVARD (APN 011-365-013).

WHEREAS, Mark, Reed, and Richard Geisreiter, Property Owners, and Walgreen Co., Applicant, have filed an application for Use Permit approval, UP-14-03, to allow the retail sale of hard liquor for off-site consumption in conjunction with a retail store/pharmacy use in the CC Zoning District on property located at 1055 Fremont Boulevard (APN 011-365-013); and,

WHEREAS, Section 17.24.030 of the Seaside Zoning Code allows the sale of alcoholic beverages in the CC district subject to use permit approval; and,

WHEREAS, a duly notice public hearing has been held on February 11, 2015; and,

WHEREAS, the Planning Commission reviewed the staff report, received and considered oral comments at the public hearing concerning the proposed use and acted to grant approval of Use Permit Application No. UP-14-10 on February 11, 2015 in accordance with Section 17.14.030, Table 2-4 of the Seaside Zoning Code; and

WHEREAS, the proposed use is Categorically Exempt by Class 1, Section 15301 of the California Environmental Quality Act (CEQA); therefore,

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission adopts the following findings approving Use Permit Application No. UP-14-10:

1. The proposed use is allowed within the zone district and complies with all other applicable provisions of the Zoning Ordinance and Municipal Code.

Evidence: The property is located in the CC zone district. General Retail stores 5,000 square feet and larger and pharmacies are permitted uses. Alcoholic beverage sales are permitted in the CC zoning district subject to use permit approval (SMCS 17.14.030; Table 2-4).

2. The proposed use is consistent with the General Plan and any applicable Specific Plan

Evidence: The proposed use is consistent with the City's General Plan Implementation Plan LU-2.2.2 Alcoholic Beverage Control. The proposed use requires approval of a license from the State of California Department of Alcoholic Beverage Control (ABC). In accordance with ABC requirements, the City will make a determination of public convenience or necessity as part of this use permit application.

The general retail store/pharmacy helps contribute to the livability and economic viability of neighborhood.

3. The design, location, size and operating characteristics of the activity in the use permit are compatible with the existing and planned future land uses in the vicinity.

Evidence: Subject to the recommended Conditions of Approval, the sale of alcoholic beverages in conjunction with a retail store/pharmacy is compatible with the commercial character of Fremont Boulevard.

4. Subject to compliance with the Conditions of Approval, granting the use permit will not be detrimental to the public interest, health safety, convenience, or welfare, or materially injurious to persons, property or improvements in the vicinity and zone district in which the property is located.

Evidence: Subject to the recommended conditions of approval, the sale of alcoholic beverages in conjunction with a retail store/pharmacy will not result in a detrimental impact on the property or in the vicinity of the property because: no alcohol may be consumed on the property, exterior sale, advertising, and/or display of alcoholic beverages is prohibited, and Conditions of Approval place limits on the container size and sale quantities of certain types of alcoholic beverages to prohibit single-unit sales.

BE IT FURTHER RESOLVED, that the Planning Commission makes a determination of public convenience or necessity in conjunction with the approval of Use Permit Application No. UP-14-10:

1. According to information received from the Seaside Police Department, the subject property is not located in an area that has excessive crime rates nor is it in an area of targeted law enforcement activities.
2. The subject property is located in a commercial area and is compatible with existing and planned land uses.
3. Retail alcoholic beverage sales are limited to less than 1 percent of the floor area of the retail store/pharmacy and recommended Conditions of Approval prohibit single-unit beverage container sales.
4. Retail sale of alcoholic beverages is a typical component of retail store/pharmacy operations and the proposed use compatible with the local land uses.
5. The existing retail store/pharmacy provides jobs within the city, contributes to the city's tax revenues, and establishes a business model that is unique in the city.

BE IT FURTHER RESOLVED, the Planning Commission hereby grants Use Permit Application No. UP-14-10 subject to the following terms and conditions:

Project Specific:

1. All conditions and mitigations previously applied to the Walgreens project remain in effect.

2. All sales of alcoholic beverages are required to be conducted within the confines of the enclosed building.
3. No alcoholic beverages may be consumed on the property.
4. No beer or malt beverage or wine cooler product shall be sold as a single container. These products are required to be sold in manufacturer pre-packaged multi-unit containers.
5. No alcoholic beverage tasting is permitted on the premises unless prior approvals are obtained from the State of California Department of Alcoholic Beverage Control and the City of Seaside, Resource Management Services Department.
6. No exterior signs or other forms of advertising promoting or indicating availability of alcoholic beverage products are permitted.
7. Days and hours of operation are limited to 6:00 a.m. – 2:00 a.m. daily unless otherwise approved by the City of Seaside, Resource Management Services Department.

Standard:

1. Except as modified by required conditions of approval, plans submitted for a building permit shall substantially conform to the plans approved for discretionary permits for this project.
2. The applicant agrees as a condition and in consideration of the approval of this discretionary permit that it will defend, indemnify and hold harmless the City of Seaside or its agents, officers and employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void or annul this approval. The applicant will reimburse the City for any court costs and attorney's fees, which the City may be required by a court to pay as a result of such action. City may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his obligations under this condition. The City shall promptly notify the applicant of any such claim, action, or proceeding, and the City shall cooperate fully in the defense thereof.
3. Any proposed future development or change in use shall comply with the requirements of the Fire, Health, Planning, Code Enforcement, Building and Public Works Departments.
4. The proposed project shall comply with the applicable requirements of the Monterey Peninsula Water Management District for the installation of any new water fixtures and landscape irrigation equipment.
5. The issuance of building permits involving the installation of new water shall be subject to the availability of an adequate supply of water and sewer capacity to serve the project.
6. Water conservation fixtures shall be provided in the project.

7. The permit shall have no force or effect unless and until accepted, and the terms thereof agreed to, in writing, by the applicant and property owner within fifteen (15) days from the date of its approval.
8. Use permit approval will become null and void if any required building permit is not obtained within one (1) year from the date of approval.
9. For purposes of assuring compliance, the applicant, agents, representatives or their assignees agree not to deny or impede access to the subject property by City employees in the performance of their duties.

PASSED AND ADOPTED at the regular meeting of the Planning Commission of the City of Seaside, State of California, on the 11th day of February, 2015, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

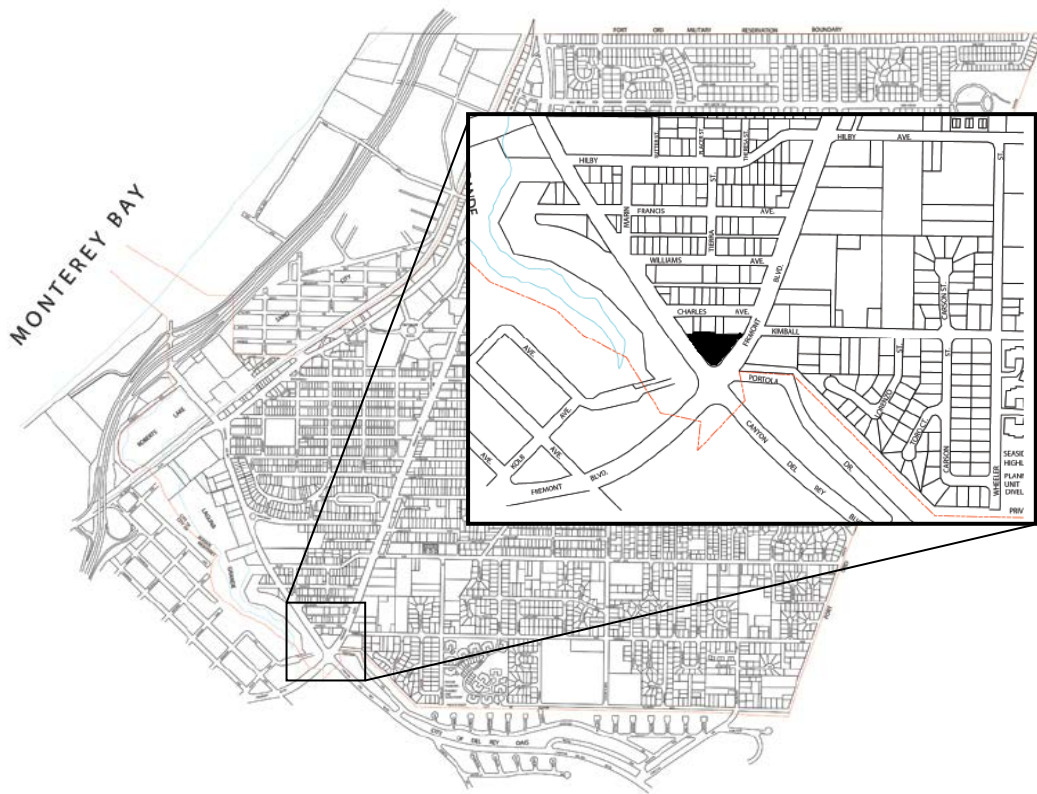
John Owens, Chairperson

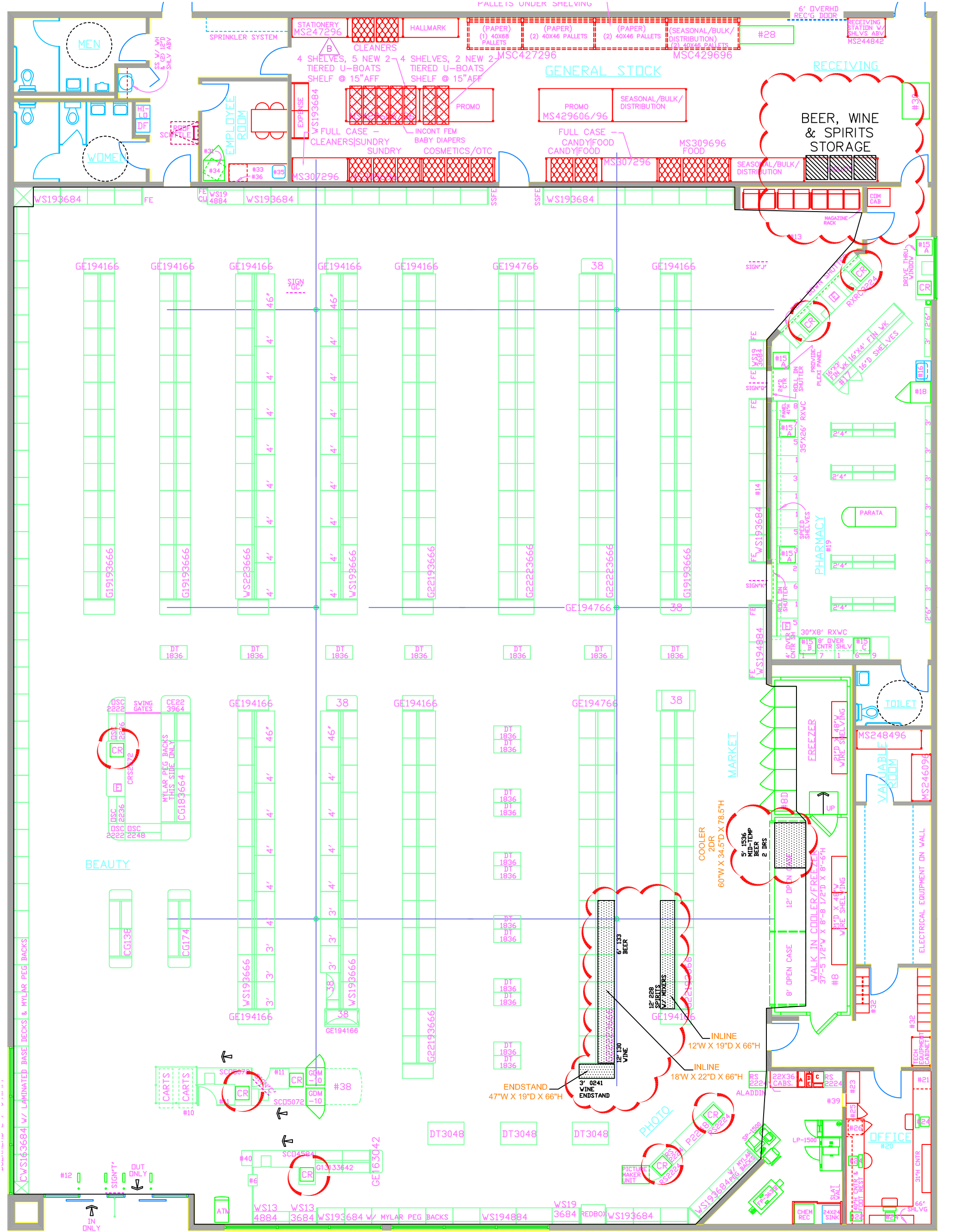
ATTEST:

Planning Commission Secretary

Location Map

Project Location: 1055 Fremont Boulevard





STORE #2867
SEASIDE, CA

BEER, WINE & SPIRITS SALES

BEER, WINE & SPIRITS STORAGE

CR

MAIN CHECKOUT

LEGEND

BEER, WINE & SPIRITS AREA	
CURRENT	
TOTAL BEER & WINE SALES: 45 SQ. FT.	
TOTAL STORE SALES: 9,700 SQ. FT.	
% SALES FLOOR DEVOTED TO BEER & WINE .46%	
PROPOSED	
TOTAL STORAGE: 19 SQ. FT.	
TOTAL BEER, WINE & SPIRITS SALES: 75 SQ. FT.	
TOTAL STORE SALES: 9,700 SQ. FT.	
% SALES FLOOR DEVOTED TO BEER, WINE & SPIRITS .77%	

**Project Description for Conditional Use Permit for the
Sale of Beer, Wine and Spirits at Walgreens located at
1055 Fremont Blvd., Seaside, CA 93955**

On June 16, 2010, the City of Seaside approved Conditional Use Permit UP-10-02, authorizing Walgreen Co. to sell beer and wine for off-sale consumption at its store located at 1055 Fremont Blvd., Seaside, CA 93955 (the "Store"). Since 2010, the Store has been selling beer and wine at the Store in strict compliance with the conditions set forth in the CUP. However, there has been significant customer demand for Walgreens to carry distilled spirits in addition to the current beer and wine offering. In an effort to satisfy this customer demand, Walgreens respectfully submits this Use Permit Application for the sale of beer, wine and spirits.

1. Project Description

The Store contains approximately 9,700 square feet of store space, of which approximately forty-five (45) feet of store space is currently devoted to the display of beer and wine. With the introduction of distilled spirits, the display of beer, wine and spirits will be approximately seventy-five (75) square feet. With the addition of distilled spirits, the total display area devoted to the sale of alcoholic beverages will remain at less than 1% of the total sales floor (approximately .77%).

There will be no physical change to the interior space, nor to the building envelope, building exterior or landscaping. These minor interior changes will involve no grading, construction or construction equipment at the Store.

Given the limited nature of the additional product line, it is anticipated that many of the same customers who currently shop at Walgreens will continue to shop there, with the added benefit of "one stop" shopping. The addition of spirits will not materially increase the number of truck deliveries or vehicles that currently come to the Store, and (b) the additional traffic generated by this product line will be minimal.

2. Operational Statement

The Store is open 24 hours per day, 7 days a week. However, Walgreens is requesting to sell alcoholic beverages only between the hours of 6:00 a.m. – 2:00 a.m. The Store's point of sale systems will be programmed not to allow the sale of spirits during these hours to ensure compliance.

As with its beer and wine selection, the distilled spirits product mix and the price points at which the product will be offered will be designed to appeal to light to moderate drinkers. The Store will **not** sell distilled spirits in bottles less than 200 milliliters (i.e. airplane bottles), and the average price of a 750ml bottle will be approximately \$19, while the average price of a 1.75L bottle will be close to \$24.

In addition, Walgreens will not place signs or other advertisements on the outside of the Store to indicate that alcoholic beverages are sold within.

3. *Public Convenience or Necessity*

While there are businesses adjacent to the Store that sell distilled spirits, these businesses are different than Walgreens. Walgreens sells thousands of different types of products including sundries grocery items such as fruit, meat, cheese, milk, bread, crackers, chips, and candy. The adjacent businesses that sell alcohol for off-sale consumption are liquor stores and a Safeway. According to Google maps, the nearest pharmacy and general retailer selling alcohol is over one mile away (Safeway has a pharmacy, but it is a grocery store as opposed to a general retailer). As such, Walgreens provides for a different shopping experience than any other business in the vicinity that currently sells alcohol.

Many people prefer not to shop at liquor stores – choosing instead to shop for alcoholic beverages at a general retailer like Walgreens that provide for a safe, friendly shopping experience suitable for all members of the family. So, just because Walgreens intends to carry a few products that may be similar to those sold at neighboring businesses, this in no way means that it is going to be another liquor store, and does not diminish the convenience that adding a selection of spirits to the beer and wine selection at the Store will provide.

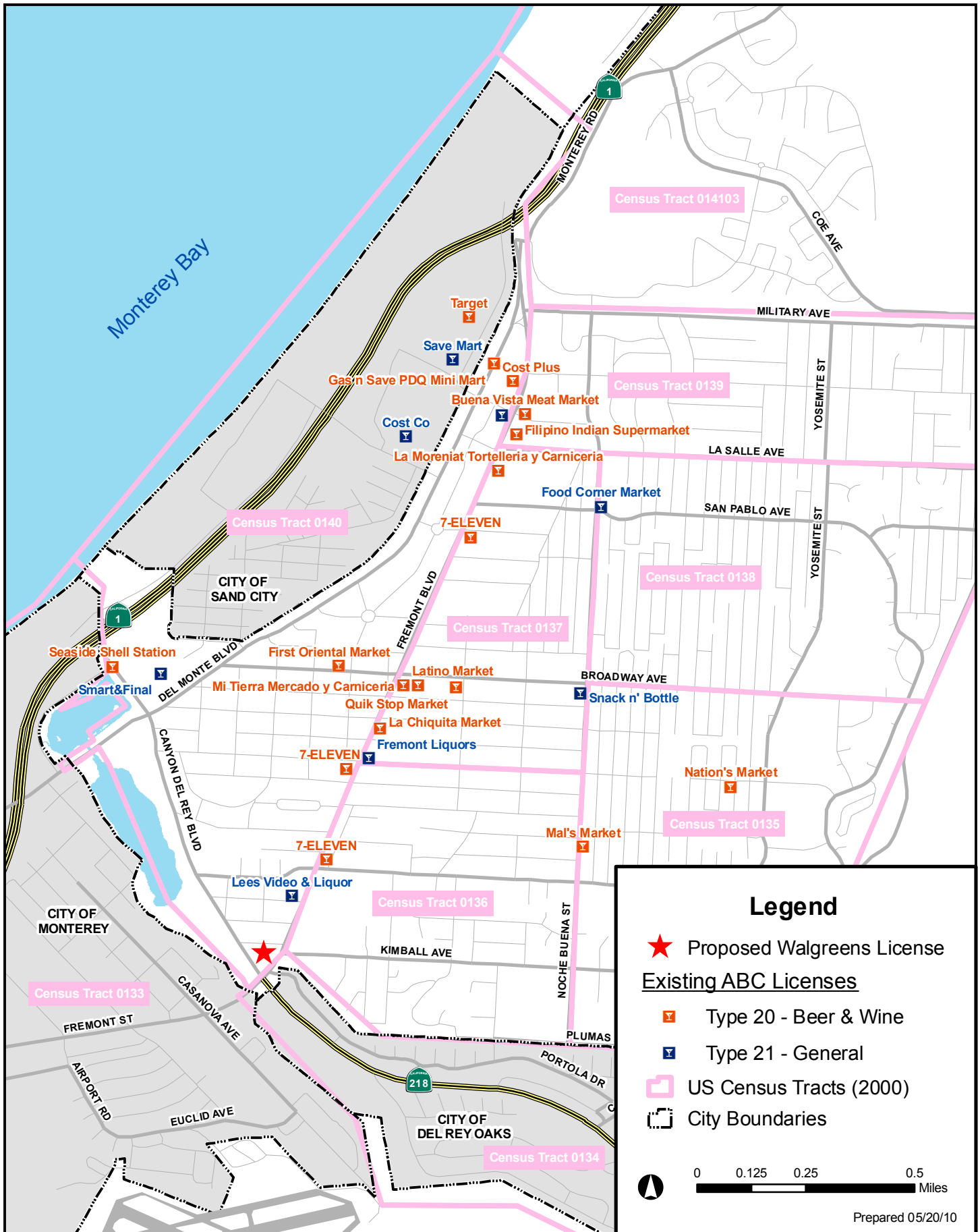
The vast majority of national pharmacy chains in California sell beer, wine and spirits. By adding spirits to its beer and wine inventory, Walgreens will provide a “one-stop” shopping experience for its customers so they can pick up a bottle of wine for dinner or a six pack for the house while shopping for their general sundries, without having to make an additional trip to another store for a bottle of distilled spirits. This convenience will result in increased efficiency for shoppers, and is consistent with what today’s consumers expect from a retail pharmacy and general merchandiser such as Walgreens.

4. *Conclusion*

The addition of distilled spirits will enable Walgreens to provide its customers with the convenience of one-stop shopping consumers have come to expect from a national pharmacy and general retailer. While there may be other stores in the vicinity that sell alcoholic beverages, they are not general retailers, and provide a different shopping experience than Walgreens. Walgreens is committed to providing the convenience of one-stop shopping in a safe and conscientious manner, with minimal disruption to the surrounding neighborhood. Therefore, Walgreens respectfully requests that you approve the Use Permit.

City of Seaside

Concentration of Off-Sale Liquor Licenses by Census Tract



City of Seaside

Retail Alcohol Licenses (On-Sale and Off-Sale) by Census Tract





**CITY OF SEASIDE
STAFF REPORT**

Item No.: 5.B.

TO: Planning Commission

FROM: John Dunn, City Manager

BY: Lisa Brinton, Community and Economic Development Services Manager
Bob Larsen, Associate Planner
Rick Medina, Senior Planner

DATE: March 11, 2015

SUBJECT: **USE PERMIT APPLICATION NO. UP-14-09. ERASMO AIELLO, PROPERTY OWNER, AND PAT CORRIGAN, APPLICANT, ARE REQUESTING APPROVAL OF A USE PERMIT TO ALLOW THE ON-SALE OF HARD LIQUOR (CLASS 47 ALCOHOLIC BEVERAGE CONTROL LICENSE) IN ADDITION TO THE EXISTING ON-SALE OF BEER AND WINE (CLASS 41 ALCOHOLIC BEVERAGE CONTROL LICENSE) FOR THE RE-OPENING OF A 96 SEAT SIT DOWN FULL SERVICE RESTAURANT AT 1901 FREMONT BOULEVARD IN THE REGIONAL COMMERCIAL (CRG) ZONING DISTRICT. THE PROPOSED PROJECT IS CATEGORICALLY EXEMPT, SECTION 15301, EXISTING FACILITIES, FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.**

PURPOSE

The project consists of a use permit application for the on-sale of hard liquor in addition to the existing on-sale of beer and wine within a 96 seat sit down full service restaurant located at 1901 Fremont Boulevard. Section 17.14.030 of the Seaside Zoning Ordinance requires a use permit for alcoholic beverage sales in the Regional Commercial zoning district.

RECOMMENDATION

Staff recommends approval of the use permit subject to the findings, evidence, and Conditions of Approval provided as Attachment 1 and Project Plans provided as Exhibit "A" to Attachment 1.

BACKGROUND

Meeting Date: March 11, 2015

This application was previously heard at the February 25, 2015 Planning Commission meeting. On a motion to approve the application, the request received a 2 - 2 vote and was continued to the March 11, 2015 Planning Commission meeting. The restaurant is currently open for business and is serving beer and wine with meals in compliance with an existing use permit. The Police Department has reviewed the current application and has voiced no objections to the proposed use.

SITE LOCATION AND DESCRIPTION

The project site is located at the northwest corner of Fremont Boulevard and La Salle Avenue and is developed with an existing 3,573 sq. ft. restaurant building and a 21 space off-street parking lot. Vehicular ingress and egress to the center is provided by driveways on Auto Center Parkway at the west end of the site and a driveway off La Salle Avenue towards the east end of the site. The site is bordered to the west, north, and south by motels and retail commercial businesses to the east. (See Figure 1). A Location Map is provided as Attachment 2.

NW	N		NE
	Motel	Motel	Retail Business
W	Motel	Project Site	Retail Business
	Motel	Motel	Gas Station
SW	S		SE

PROJECT DESCRIPTION

The restaurant was originally constructed as a “Golden West” pancake house in the 1970’s. The building was later converted in the 1990’s to an independent sit-down restaurant. After being vacant for some time, the restaurant reopened in the summer of 2014 as Lucky’s Roadside restaurant. The current applicant is

Figure 1: Project Site Adjacent Land Uses

proposing to reopen the restaurant as a 96 seat full service family sit down restaurant. The new restaurant will be called Gusto Pasta and Pizzeria. The applicant also owns Bigoli Pasta Company. The restaurant will offer Bigoli pastas and other related products for sale at the restaurant. The on-sale of beer and wine license transferred to the new owner on February 2, 2015. The applicant is requesting a Use Permit to allow hard liquor to also be served at the restaurant with meals. The serving of alcohol with meals differentiates this restaurant from a Bar/Tavern. The Seaside Zoning Ordinance defines a Bar/Tavern as “a business where alcoholic beverages are sold for on-site consumption, which is not part of a larger restaurant”. No separate

Meeting Date: March 11, 2015

lounge area will be created within the restaurant. The restaurant will be open for lunch and dinner from 11 AM to 11 PM weekdays and 11 AM to Midnight on the weekends. The Police, Fire, and Building Departments have reviewed the application and have offered no objections to the request.

The following table (Table 1) lists the types and number of ABC retail licenses within 300 feet of 1901 Fremont Boulevard.

Table 1

Type of License within 300 feet of 1901 Fremont Boulevard	Number
20 Off-sale of beer and wine	1
21 Off-sale general (beer, wine, and spirits)	0
41 On-sale of beer and wine	0
47 On-sale general (beer, wine, and spirits)	1
Total of all License Types	2

Included as Attachment 6 is a City of Seaside ABC Retail Alcohol License Map showing all On and Off-sale licenses within the City of Seaside by Census Tract.

ENVIRONMENTAL REVIEW

The proposed project qualifies as categorical exemption under the California Environmental Quality Act (CEQA) Guidelines Section 15301, Existing Facilities. This class consist of the operation of existing public or private structures with negligible or no expansion of an existing use.

Evidence: The proposed project will consist of the serving of hard liquor in addition to beer and wine at an existing sit down restaurant. Negligible or no expansion of the existing improvements is required for the on-sale of hard liquor in addition to the on-sale of beer and wine at the restaurant.

STAFF ANALYSIS AND FINDINGS

USE PERMIT FINDINGS

In accordance with Seaside Municipal Code (SMC) Section 17.14.030, Table 2-4, an application for the sale of alcoholic beverages shall be filed under the Use Permit process to determine whether the following findings can be made concerning the proposed project:

- 1) The proposed use is allowed within the applicable zone and complies with all other applicable provisions of this Zoning Ordinance and the Municipal Code.**

Site Improvements

The proposed project will be located within a developed restaurant that is equipped with all required utilities, trash enclosures, and off-street parking. No exterior improvements are proposed or required for the project.

Hard Liquor Sales

Section 17.14.030, Table 2-4 of the Seaside Municipal Code (SMC) requires the issuance of a use permit for the on-sale of alcoholic beverages. In accordance with a Class 47 On-Sale Liquor License, the sale of hard liquor would be served only at the tables with meals. The design, location, size, and operation of the restaurant is consistent and compatible with the existing and planned uses for the neighborhood. The Police Department has not identified any issues with the request and would support the approval of on-sale hard liquor in accordance with the proposed hours of operation.

2) The proposed use is consistent with the General Plan and any applicable specific plan.

Seaside General Plan

The project site is designated as Regional Commercial (RGC) in the Seaside General Plan. Regional Commercial uses are defined as large scale commercial development with retail, entertainment, and or service uses of a scale and function to serve a regional market.

Land Use Element

Goal LU-1: Promote a mixture of land uses and a balance of jobs and housing to support a community in which people can live, work and play.

Policy LU-1.3: Encourage regional commercial development and visitor-serving commercial development that will enhance the identity of Seaside and attract visitors to the community.

***Evidence:**The proposed sale of hard liquor will enhance the dining experience at a restaurant that will be visited by locals and tourists on a regular basis. The applicant is directing a large portion of his signage towards the Costco and auto dealership traffic on Del Monte Boulevard. The Bigoli pasta sales also have a regional following. This will increase*

the economic activity for the City of Seaside.

- 3) Granting the permit would not be detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zone district in which the property is located.**

The granting of a use permit will not create significant noise, traffic, or other conditions or situations that may be objectionable or detrimental to other permitted uses in the vicinity or adverse to the public interest, health, safety, convenience, or welfare of the City.

CONCLUSION

Based on the analysis, staff recommends approval of the use permit. The serving of hard liquor at the Gusto Pasta and Pizzeria restaurant complies with the intent of the Seaside General Plan and the requirements of Title 17 of the Seaside Municipal Code.

FISCAL IMPACT

There is no fiscal impact associated with this item.

ATTACHMENTS

1. Attachment 1 - Draft Resolution UP-14-09
 2. Exhibit A - Project Floor Plans
 3. Attachment 2 - Location Map
 4. Attachment 3 - Site Photographs
 5. Attachment 4 - Interior Photos
 6. Attachment 5 - ABC Licenses within 300 feet of 1901 Fremont
 7. Attachment 6 - All Seaside ABC On and Off-Sale Licences
-

RESOLUTION NO. 14-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SEASIDE, STATE OF CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT TO ALLOW THE ON-SALE OF HARD LIQUOR SALES LOCATED AT 1901 FREMONT BOULEVARD (APN 011-525-009).

WHEREAS, Patrick Corrigan, Applicant, and Erasmo Aiello, Property Owner, have applied for a Conditional Use Permit to allow on-sale hard liquor sales within an existing 96-seat sit down restaurant located at 1901 Fremont Boulevard, in the Regional Commercial (CRG) Zoning District; and

WHEREAS, the proposed project is a discretionary approval, and it is the responsibility of the Planning Commission to consider and weigh the merits of the application and public input in relation to the policies, standards and intent of the Seaside General Plan and Seaside Municipal Code; and

WHEREAS, the Seaside Planning Commission considered oral comments and written information concerning the proposed amendment at a duly noticed public hearing at public meeting held on February 11, 2015; and

WHEREAS, the project is Categorically Exempt, Section 15301 from the California Environmental Quality Act (CEQA) Guidelines.

Evidence: The proposed project will consist of the serving hard liquor at an existing sit down restaurant.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission adopts the following findings for Conditional Use Permit Application No. 14-09:

1. The proposed use is allowed within the applicable zone and complies with all other applicable provisions of this Zoning Ordinance and the Municipal Code; consistent with the General Plan, design, location, size and operating characteristics of the proposed activity, the site is physically suitable for the type, density, and intensity, and granting the permit would not be detrimental to the public interest, health, safety, convenience or welfare of the City.

Evidence: The location, size, design, and operating characteristics of the proposed restaurant is compatible with the existing and future land uses on Fremont Boulevard where the proposed use is to be located; the sale of hard liquor with meals will not create a bar or tavern use; and the sale of hard liquor will not create significant noise, traffic, or other conditions or situations that may be objectionable or detrimental to other permitted uses in the vicinity or adverse to the public interest, health, safety, convenience, or welfare of the City.

Evidence: The operation of a sit down full service restaurant is consistent and in harmony with the Regional Commercial General Plan Land Use Designation and Regional Commercial Zoning District.

Evidence: In accordance with Land Use Policy LU-4.1, the existing restaurant is compatible with the surrounding land uses and available infrastructure.

2. The on-sale of hard liquor at the project site would not create an undue concentration of alcohol establishments in the area and would not be detrimental to the health, safety, and welfare of the community.

Evidence: The sale of hard liquor will only be sold with meals at the dining room tables for on-site consumption; a separate bar/lounge area is not proposed as part of this application.

3. The approval of the proposed project is in compliance with the requirements of the California Environmental Quality Act (CEQA).

Evidence: In accordance with Section 15301(Existing Facilities) of the California Environmental Quality Act (CEQA), in that the operation of existing public or private structures with negligible or no expansion of an existing use. The on-sale of hard liquor will not expand the existing use of the restaurant.

BE IT FURTHER RESOLVED, that the Planning Commission approves Conditional Use Permit Application No. 14-09 subject to the following conditions:

1. Except as modified by the conditions of approval, the plans submitted for a Building Permit must be in compliance with the plans stamped "Received Seaside Community Development Department December 30, 2014" provided as Exhibit "A".
2. The Seaside Police Department shall retain the right to have Use Permit Application 14-09 brought back to the Planning Commission for the revocation of the on-sale alcohol sales if the sale of alcohol at the restaurant results in excessive calls for service or matters of civil disobedience.

Fire Department:

3. Compliance shall be maintained with the 2013 California Fire Code. This condition also requires compliance with the maximum occupancy load set for this establishment.

Building Department:

4. Compliance shall be maintained with the 2013 California Building Code.

Standard:

5. Use Permit approval is subject to revocation procedures contained in S.M.C.S. 17.80.060 in the event any of the conditions of this approval are violated, this discretionary permit was granted on the basis of false or misleading information, written or oral, given willingly or negligently by

the applicant or property owner, and/or there has been a discontinuance of the use, or purposed for which the permit was issued, for a period of 180 days or more.

6. This Use Permit is subject to procedures and requirements of Chapter 17.64 (Permit Implementation, Time Limits, and Extensions), and those related to appeals and revocation in Article 6 (Zoning Ordinance Administration) of Title 17 of the Municipal.
7. The applicant agrees as a condition and in consideration of the approval of this discretionary permit that they will, defend, indemnify and hold harmless the City of Seaside or its agents, officers and employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void or annul this approval. The applicant will reimburse the City for any court costs and attorney's fees, which the City may be required by a court to pay as a result of such action. The City may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his obligations under this condition. The City shall promptly notify the applicant of any such claim, action, or proceeding and the City shall cooperate fully in the defense thereof
8. The project shall comply with the requirements and the applicable ordinances of the Monterey Peninsula Water Management District (MPWMD) and Monterey Regional Water Pollution Control Agency.
9. The permit shall have no force or effect unless and until accepted, and the terms thereof agreed to, in writing, by the applicant and property owner within fifteen (15) days from the date of its approval.
10. This Use Permit shall expire and become void 12 months from the date of approval, or upon the expiration of another time limit established by the review authority, unless project use has commenced within the required time limit, and construction continues thereafter under a valid Building Permit, or the Zoning Administrator has granted an extension of time.
11. For purposes of assuring compliance, the applicant, agents, representatives or their assignees agree not to deny or impede access to the subject property by City employees in the performance of their duties.

PASSED AND ADOPTED at the regular meeting of the Planning Commission of the City of Seaside, State of California, on the 25th day of February 2015, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

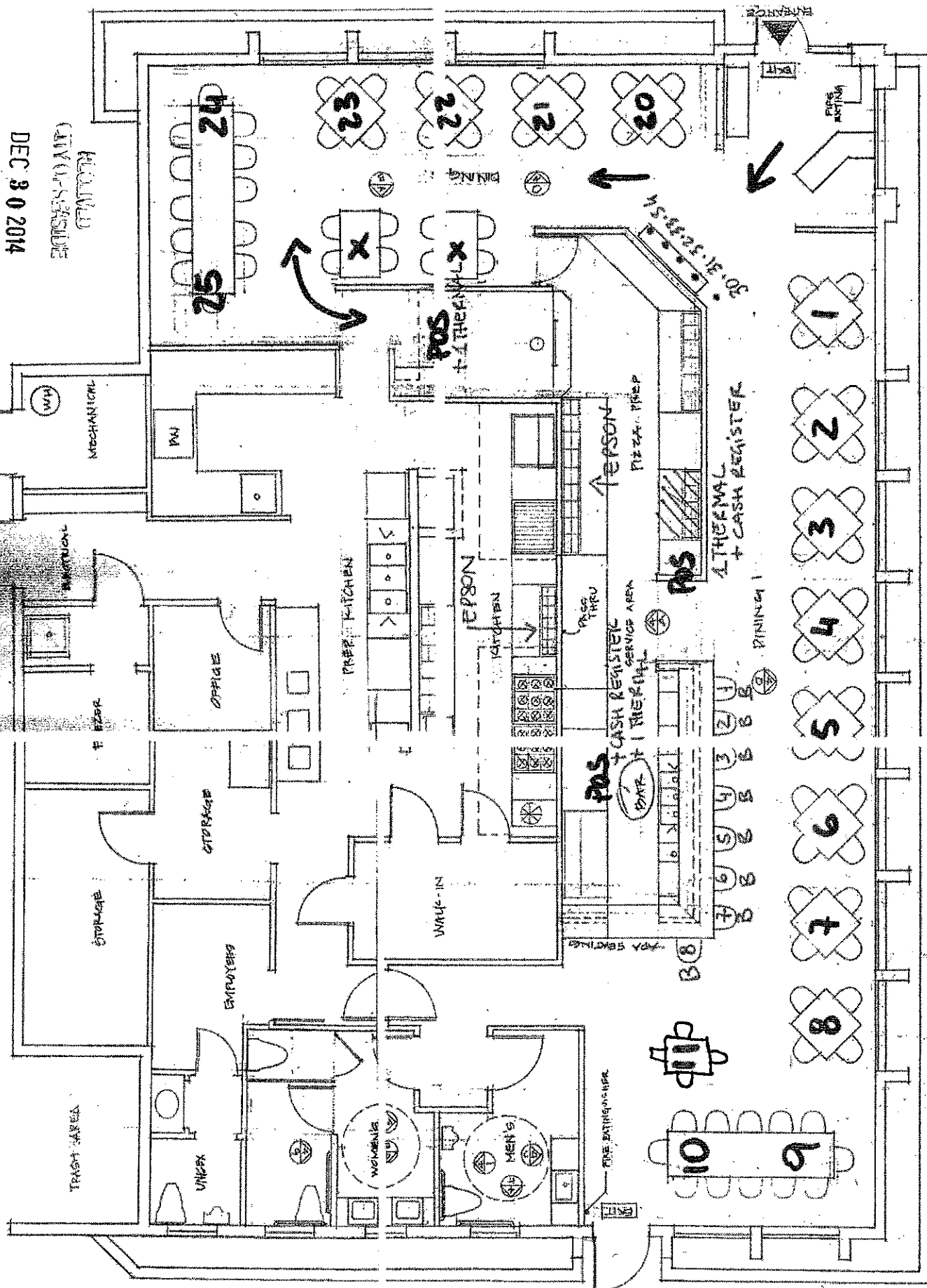
John Owens,
Planning Commission Chairperson

ATTEST:

Planning Commission Secretary

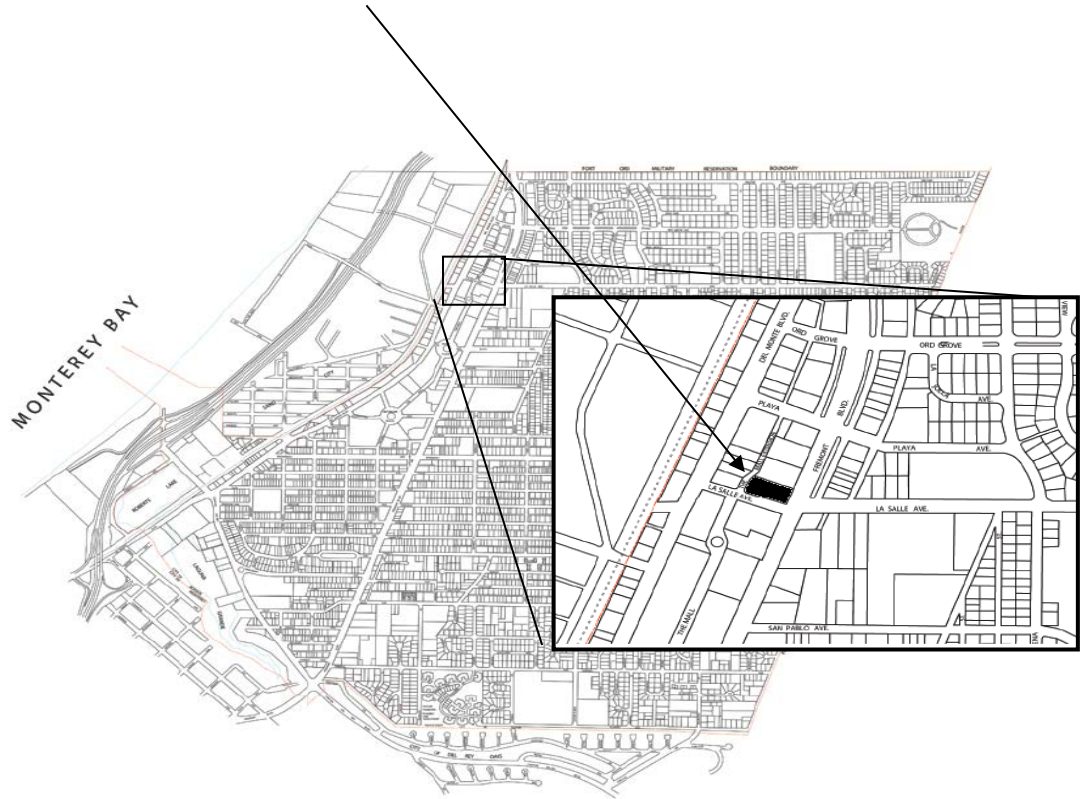
11/10/19

RECEIVED
CIVIL SERVICE
DEC 30 2014
RESOURCES MANAGEMENT
SERVICES



Location Map

Project Site: 1901 Fremont Boulevard



SITE PHOTOGRAPHS - 1901 FREMONT BOULEVARD



View of site from SW corner of Fremont Boulevard and La Salle Avenue.



View of site from S side of La Salle Avenue looking towards restaurant and parking lot.

Gusto Pasta and Pizza - 1901 Fremont Street

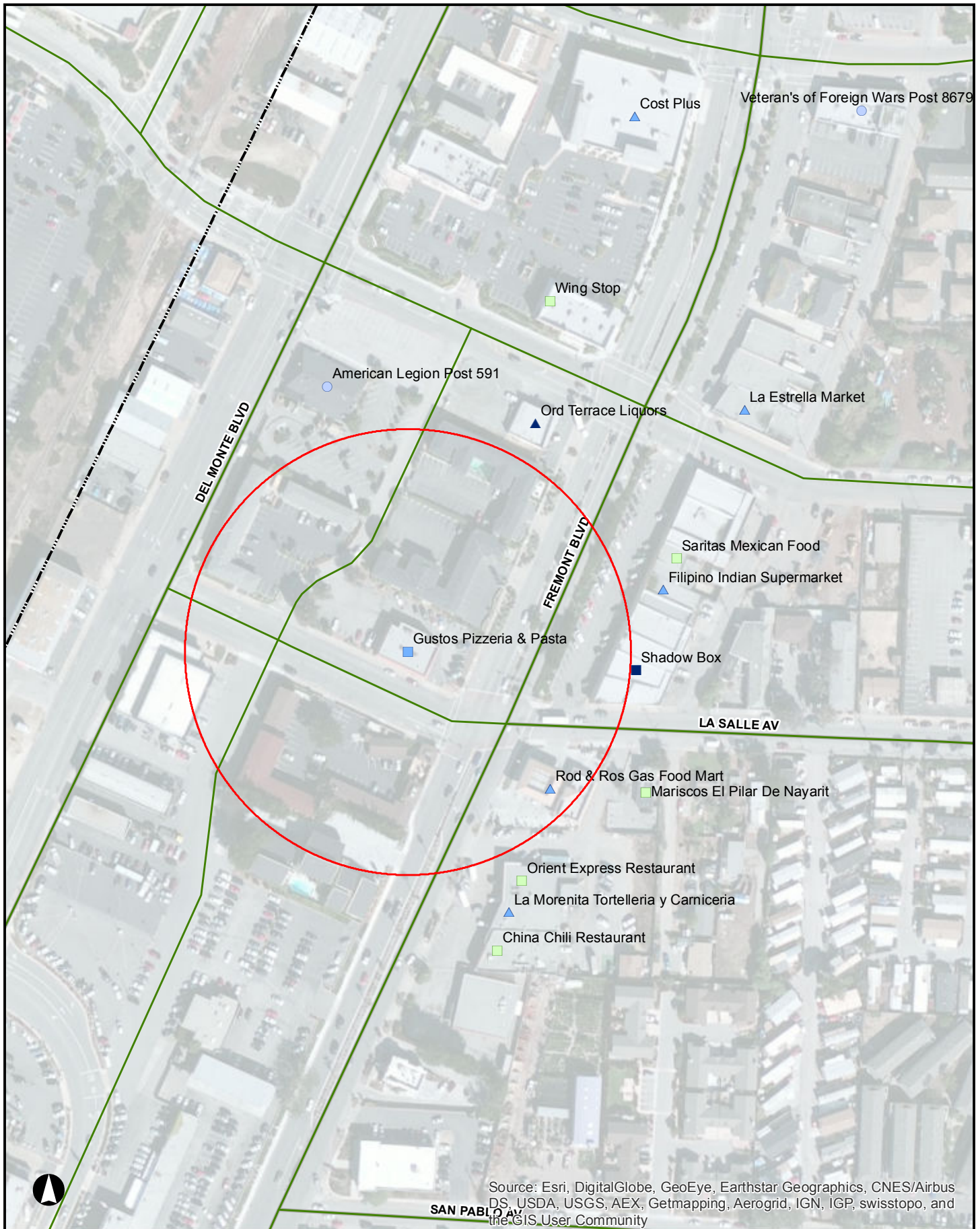


Gusto Pasta and Pizza - 1901 Fremont Street



City of Seaside

Gustos Pizzeria & Pasta (300' Radius)



Updated 03/04/15

City of Seaside

Retail Alcohol Licenses (On-Sale and Off-Sale) by Census Tract





**CITY OF SEASIDE
STAFF REPORT**

Item No.: 5.C.

TO: Planning Commission

FROM: John Dunn, City Manager

BY: Lisa Brinton, Community and Economic Development Services Manager
Diana Ingersoll, Deputy City Manager Resource Management Services
Rick Medina, Senior Planner

DATE: March 11, 2015

SUBJECT: **Use Permit Application No. UP-15-01. Alex Chehada, Property Owner, and Eddie Hurt, Applicant, request approval of a Use Permit to allow the expansion of liquor, beer, and wine sales within an existing retail neighborhood market (Food Corner Market) located at 1800 Noche Buena Street, in the Community Commercial (CC) Zoning District. The project is Categorically Exempt, Class 1, Section 15301 from the California Environmental Quality Act (CEQA) Guidelines.**

PURPOSE

In accordance with Section 17.14.030.B, Table 2-4 (Allowed Land Uses and Permit Requirements for Commercial Zones) of the Seaside Municipal Code, the applicant is requesting the approval of a Use Permit to allow for the expansion of the floor area which would be dedicated to the off-sale of beer, and wine beverages within existing retail neighborhood market (Food Corner Market) from 205 square feet to 245 square feet. The project site is located at 1800 Noche Buena Street in the Community Commercial Zoning District.

RECOMMENDATION

Staff recommends approval of Use Permit Application No. UP-15-0, granting approval to expand the floor area dedicated to the off-sale of liquor, beer, and wine sold at an existing retail neighborhood market (Food Corner Market) located at 1800 Noche Buena Street based on the findings and evidence cited in the staff report and subject to the Conditions of Approval provided as Attachment 1, Exhibit A.

BACKGROUND

Meeting Date: March 11, 2015

On February 25, 2015, the Planning Commission conducted a public hearing on the proposed project. The application was represented by the applicant's architect, Eddie Hurt. Mr. Hurt provided an overview of the proposed tenant improvements that would include the installation of a new refrigerated cooler that would be used for the sale of beer, wine, and deli products and the modifications which would be made to increase the width of the interior aisles containing dry goods from 2'-6" to 4'-0" to comply with current American with Disability Act standards. Mr. Hurt also provided an overview of the business owner's plan to replace the existing delicatessen case and prep area with the new refrigerated cooler in order to provide a dedicated floor area space for the display of craft beer selections and how the operations of the taqueria/delicatessen area did not work at the project site. The current business owner took over the operations of the Food Corner Market in October of 2013.

In review of the proposal, motion was made by Commissioner Dodson and seconded by acting Chair Lechman to approve the requested use permit. As a result of 2-2 vote on the Motion, with Commissioner Mugan and Commissioner Ross voting no, the Planning Commission acted to continue the public hearing to the March 11, 2015 Planning Commission Meeting in order to have additional members present to receive an affirmative vote either in favor or for the denial of the project and to receive additional information to address the following issues that were brought forth by the Planning Commission in their discussion on the continuance:

1. A report from the Seaside Police Department on the calls for service and/or incidents they have responded to as they relate to the business operations of the Food Corner Market since current business owner took over on October of 2013; and
2. A map identifying the location of existing off-sale retail alcohol outlets within the City; and
3. A map showing the surrounding area which received a notice of the public hearing.

SITE LOCATION AND DESCRIPTION

The project site consists of an existing retail neighborhood market (Food Corner Market) located at the northeast corner of Noche Buena Street and San Pablo Avenue. The Food Corner Market is 1,970 square feet in area and stands on an approximately 9,375 square foot lot. The property is located immediately adjacent to David Cutino Park to the north and east, with a chain link fence separating the two uses. Surrounding land uses across the street to the west and south consist of single-family residences. Site photographs are included as Attachment 4.

Figure 1: Project Site Adjacent Land Uses

Meeting Date: March 11, 2015

NW	N			NE
	Single-Family Residences	David Cutino Park	David Cutino Park	
W	Single-Family Residences	Project Site	David Cutino Park	E
	Single-Family Residences	Single-Family Residences	Single-Family Residences	
SW	S			SE

PROJECT DESCRIPTION

The Food Corner Market has been in existence since the early 1960s. The off-sale of liquor/beer/wine has always been an accessory use at this market. In 2006 the owner was granted a use permit to renovate the interior of the market in order to provide for a taqueria/delicatessen as part of the market's business services. One and one-half aisles of retail shelving along the north wall were replaced with the taqueria/delicatessen. The taqueria/delicatessen serves takeout food only. The market configuration currently includes the sale of hard liquor near the front register, a beer cooler along the east (back) wall, and beer/wine displays along the easterly 12 feet of the center aisle. The total liquor, beer, and wine display area currently accounts for 205 square feet or 34 percent of the existing 605 square feet of retail display space. The 56 square feet of deli cases that are to be removed are included in these figures. The former taqueria cook and prep line and counter area that are to be removed are not counted in these figures as this area is not being used at the present time. This can be seen on the Existing Floor Plan/Existing Layout portion of the Project Plans. A private parking lot for 7 parking spaces and 1 handicapped space is located to the north of the building. A side door from the market provides direct access to the parking lot.

The applicant bought the market less than 2 years ago. They indicated that the taqueria/delicatessen has not been a successful venture. They have submitted plans to remove the taqueria/delicatessen and convert this portion of the market back to retail sales. A new 22 square foot deli case will be installed against the wall where the taqueria/delicatessen counter had been located. A new 12 square foot display of chips and similar items will be located between the new

deli case and the side door that faces the parking lot to the north. A new 62 square foot beer refrigerator case will be installed next to the deli case and will extend 20 feet along the north wall to the rear office in the northeast corner of the building. The total square footage of retail display space will be increased to 645 square feet with the total liquor, beer, and wine display area increasing to 245 square feet or 38 percent of the total retail display space. The hard liquor will continue to be displayed near the cash register. The beer and wine displays will be concentrated in the northeast portion of the store. The three east/west aisles will remain, but they will be increased in width as indicated in Table 1 below. The remainder of the store layout will maintain its current layout. This can be seen on the Proposed Floor Plan/Proposed Layout portion of the Project Plans.

Table 1 - Aisle Width

Aisle Number	1	2	3
Existing Width	2 feet 9 inches	3 feet 0 inches	3 feet 2 inches
Proposed Width	4 feet 0 inches	4 feet 0 inches	7 feet 0 inches

ENVIRONMENTAL REVIEW

This project is exempt from the California Environmental Quality Act pursuant to Class 3, Section 15301: Existing Facilities. Class 3 consists of the operation of existing public or private structures with negligible or no expansion of an existing use.

Evidence: The proposed project will consist of the off-sale of liquor/beer/wine at an existing grocery store. Negligible or no expansion of the existing improvements is required for the off-sale of liquor/beer/wine at the existing neighborhood market.

STAFF ANALYSIS

Police Department Calls for Service

Provided as Attachment 6 is a memo submitted by Deputy Police Chief, Louis Lumpkin, regarding the Planning Commission's request for information regarding any calls service the Police Department has responded to since October of 2013. Deputy Chief Lumpkin reported that the Seaside Police Department has responded to three calls for service since October of 2013 at or near the 1800 block of Noche Buena. These calls involved personal matters which were not directly related to the operations of the Food Corner Market and/or incidents outside of the store. Deputy Chief Lumpkin will be present address the Planning Commission on this matter and to answer any questions.

Off-Sale Alcohol Outlets

Meeting Date: March 11, 2015

A map identifying the location of the existing on-sale and off-sale alcohol outlets within the City of Seaside is provided as Attachment 7. There are a total of 30 off-sale outlets in the City. The project site is located within Census Tract 138. The nearest retail stores with Class 20 beer and wine off-sale alcohol licenses are the Rod and Ros Gas Station/convenience store, La Morenita Grocery Store, and the Indian-Filipino grocery store which are all located near the intersection of Fremont Boulevard and La Salle Avenue approximately 1,500 feet to the west. The nearest liquor store with a Class 21 alcohol license is Terrace Liquors which is located at the southwest corner of Tioga Avenue and Fremont Boulevard approximately 2,000 feet to the northwest.

Public Notice

A parcel map identifying the location of the subject parcels which received the public notice for the use permit request is provided as Attachment 8. Based on the project site abutting a single-family neighborhood and a City Park, the typical 300-foot radius for a public notice was extended to a radius of 900 feet to ensure that all of the property owners within the immediate city blocks were being notified. The area within the yellow circle on the parcel map represents the 300-foot radius that is required by law. The 900 foot radius is represented by the perimeter areas of the parcel map. To date, the City has not received any oral or written comments on the requested use permit.

Zoning Code

The property is located in the Community Commercial (CC) Zone District. General retail and grocery/specialty stores (less than 5,000 sq. ft.) are permitted uses in the CC zone. In accordance with Footnote 3 under Table 2-4 (Allowed Land Uses and Permit Requirements for Commercial Zones), accessory beverage sales for all land uses shall require the approval of a use permit. The project site was established as a neighborhood grocery store in the early 1960's. A grocery store is defined in the Seaside Municipal Code as a retail business where the majority of the floor area open to the public is occupied by food products. The existing floor plan identifies 400 sq. ft. being allocated with food products and 205 sq. ft. being allocated with alcohol products. The proposed floor plan would continue to maintain 400 sq. ft. of floor area for food products with the area being allocated for alcohol sales increasing from 200 sq. ft. to 245 sq.ft.. The proposed change would result in 62% of the store being allocated for food products with 38% being allocated for alcohol products. With the interior remodel, a majority of the grocery store would continue to be open to the public would be occupied by food products.

Options

As a discretionary permit, in its evaluation of the project the Planning Commission has the option to seek modifications to the conditions of approval and project floor plan. Some areas the project site/business operations the Planning Commission could examine are as follows:

1. Hours of Operation; and/or
2. Modification in percentage of floor area being proposed for the display of alcohol.

FINDINGS

USE PERMIT FINDINGS

In accordance with S.M.C. Section 17.12.050, Table 2-4, an application for the expansion of off-sale liquor, beer, and wine sales shall be filed under the Use Permit process to determine whether the following findings can be made concerning the proposed project:

- 1. The proposed use is allowed within the applicable zone and complies with all other applicable provisions of this Zoning Ordinance and the Municipal Code.**

Zoning Ordinance Conformance

This project is located within the Community Commercial Zoning District in which the retail off-sale of Alcoholic Beverages is permitted with Use Permit approval (S.M.C.S. 17.12.050, Table 2-4).

- 1. The proposed use is consistent with the General Plan and any applicable specific plan.**

Seaside General Plan Conformance

The Seaside General Plan Land Use Designation for the project site is Community Commercial. The land use classification is intended to include retail sales and service oriented business activities. According to the Seaside General Plan, the Community Commercial land designation is intended to promote retail sales and services activities in the local community or neighborhood. The proposed project is proposing to expand retail sales of alcoholic beverages within an existing neighborhood market.

- 1. The design, location, size, and operating characteristics of the proposed activity are compatible with the existing and planned future land uses in the vicinity.**

Subject to the recommended Conditions of Approval, the accessory use of alcoholic beverage sales is compatible with the primary use of a retail market in the neighborhood.

- 2. The site is physically suitable for the type, density and intensity of use being proposed, including access, utilities, and the absence of physical constraints.**

The project site is served by existing water, wastewater, and electrical infrastructure and facilities with adequate capacity to serve the proposed project.

- 3. Granting the permit would not be detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zone district in which the property is located.**

Meeting Date: March 11, 2015

The granting of a use permit will not create significant noise, traffic, or other conditions or situations that may be objectionable or detrimental to other permitted uses in the vicinity or adverse to the public interest, health, safety, convenience, or welfare of the City. The Police Department has voiced no objection to the use permit request.

FISCAL IMPACT

There is no fiscal impact.

ATTACHMENTS

1. Attachment 1 - Draft Resolution
 2. Attachment 1 Exhibit "A" - Project Plans
 3. Attachment 2 - Location Map
 4. Attachment 3 - Site Photographs
 5. Attachment 4 - Conditions of Approval for UP-06-19
 6. Attachment 5 - Applicant's Project Narrative
 7. Attachment 6 - Police Department Memo
 8. Attachment 7 - Location of ABC Licences within the City of Seaside
 9. Attachment 8 - Public Notice Map
-

**PLANNING COMMISSION
DRAFT RESOLUTION NO. UP-15-XX**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SEASIDE, STATE OF CALIFORNIA, APPROVING USE PERMIT NO. UP-15-01 TO ALLOW THE EXPANSION OF SQUARE FOOTAGE ALLOCATED TO THE SALE OF BEER AND WINE WITHIN AN EXISTING RETAIL MARKET AT 1800 NOCHE BUENA STREET IN THE COMMUNITY COMMERCIAL (CC) ZONING DISTRICT.

WHEREAS, Alex Chehada and John Casas (applicant and property owner) have applied for a Use Permit to allow:

- a) To allow the expansion of square footage allocated to the sale of beer and wine in accordance with a Class 21 Alcohol License within an existing retail grocery store at 1800 Noche Buena Street (APN 012-801-002).

WHEREAS, the proposed project requires discretionary approval, and it is the responsibility of the Planning Commission to consider and weigh the merits of the application and public input in relation to the policies, standards and intent of the Seaside General Plan and Seaside Municipal Code; and

WHEREAS, the Seaside Planning Commission considered oral comments and written information concerning the proposed permit at a duly noticed public hearing at public meeting held on February 25, 2015 and March 11, 2015; and

WHEREAS, the project is a Categorically Exempt, Class 1, Section 15301 meeting the following conditions:

- a) The operation of an existing private structure with negligible or no expansion of an existing use.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission adopts the following findings for Use Permit Application No. UP-15-01

1. The proposed use is allowed within the applicable zone and complies with all other applicable provisions of this Zoning Ordinance and the Municipal Code.

Evidence: The proposed project is a permitted use in the Community Commercial Zoning District as a retail market with the off-sale of beer and wine, subject to a Use Permit under Seaside Municipal Code Section (SMCS) 17.14.030, Table 2-4: Allowed Land Uses and Permit Requirements.

Evidence: The proposed development would be subject to the regulations set forth in the Seaside General Plan and Zoning Ordinance and would result in an improved site that would enhance the character of the community.

2. The design, location, size, and operating characteristics of the proposed activity are compatible with the existing and planned future land uses in the vicinity.

Evidence: *The location, size, and operating characteristics of the project will be compatible with the character of the site, and the land uses and development intended for the surrounding neighborhood by the Seaside General Plan.*

3. The proposed use is consistent with the General Plan and any applicable specific plan.

Evidence: *The proposed project is consistent with the underlying Community Commercial General Plan land use designation as a retail market that sells beer and wine.*

4. The site is physically suitable for the type, density and intensity of use being proposed, including access, utilities, and the absence of physical constraints.

Evidence: *The project site is served by existing water, wastewater, and electrical infrastructure and facilities with adequate capacity to serve the proposed project.*

5. Granting the permit would not be detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zone district in which the property is located.

Evidence: *The granting of a Use Permit will not create significant noise, traffic, or other conditions or situations that may be objectionable or detrimental to other permitted uses in the vicinity or adverse to the public interest, health, safety, convenience, or welfare of the City.*

BE IT FURTHER RESOLVED, that the Planning Commission approves Use Permit Application No. UP-15-10 subject to the following conditions:

Standard:

1. Use Permit approval is subject to revocation procedures contained in S.M.C.S. 17.60 in the event any of the conditions of this approval are violated, this discretionary permit was granted on the basis of false or misleading information, written or oral, given willingly or negligently by the applicant or property owner, and/or there has been a discontinuance of the use, or purposed for which the permit was issued, for a period of 180 days or more.
2. This Use Permit is subject to procedures and requirements of Chapter 17.64 (Permit Implementation, Time Limits, and Extensions), and those related to appeals and revocation in Article 6 (Zoning Ordinance Administration) of Title 17 of the Municipal.

3. The applicant agrees as a condition and in consideration of the approval of this discretionary permit that it will defend, indemnify and hold harmless the City of Seaside or its agents, officers and employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void or annul this approval. The applicant will reimburse the City for any court costs and attorney's fees, which the City may be required by a court to pay as a result of such action. City may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his obligations under this condition. The City shall promptly notify the applicant of any such claim, action, or proceeding, and the City shall cooperate fully in the defense thereof.
4. Any proposed future development shall comply with the requirements of the Fire, Health, Planning, Code Enforcement, Building and Public Works Departments.
5. The project shall comply with the requirements and the applicable ordinances of the Monterey Peninsula Water Management District (MPWMD).
6. The project shall be responsible for all applicable local and/or regional development and/or impact fees including, but not limited to, sewer, water, and traffic fees, which shall be paid prior to building permit issuance.
7. The permit shall have no force or effect unless and until accepted, and the terms thereof agreed to, in writing, by the applicant and property owner within fifteen (15) days from the date of its approval.
8. This Use Permit shall expire and become void 12 months from the date of approval, or upon the expiration of another time limit established by the review authority, unless use has commenced within the required time limit or the Zoning Administrator has granted an extension of time. In accordance with Section 17.54.080.B.1.a of the Zoning Code, the applicant must file request for time extension at least 30 days prior to expiration date in order to receive consideration of time extension by the Commission.
9. For purposes of assuring compliance, the applicant, agents, representatives or their assignees agree not to deny or impede access to the subject property by City employees in the performance of their duties.

PASSED AND ADOPTED at the regular meeting of the Planning Commission of the City of Seaside, State of California, on the March 11, 2015, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

John Owen, Chairperson

ATTEST:

Planning Commission Secretary

USE PERMIT APPLICATION NO. UP-15-01

These permits are hereby accepted upon the express terms and conditions hereof, and shall have no force or effect unless and until agreed to, in writing, by the applicant and property owner(s).

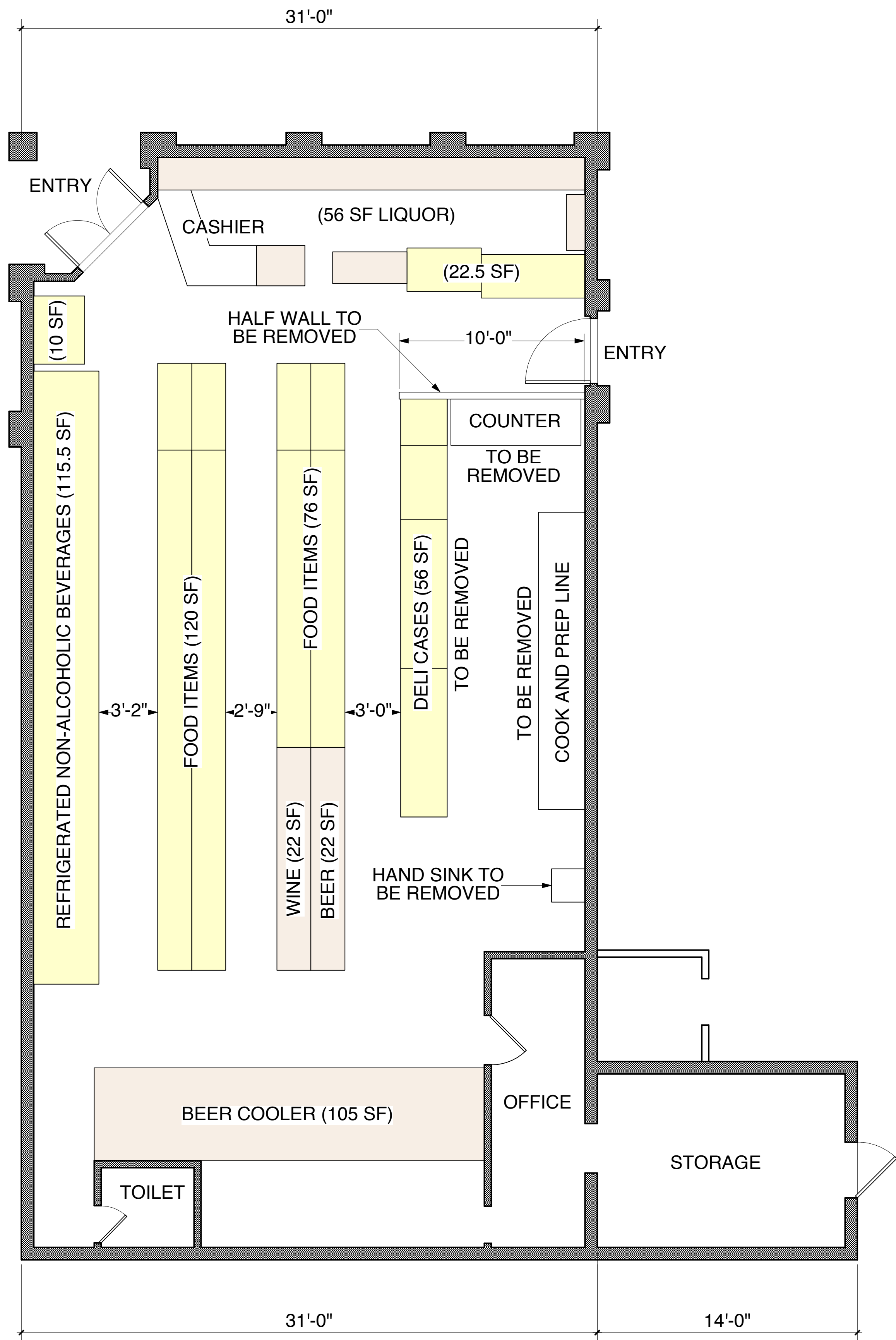
The undersigned hereby acknowledge the approved terms and conditions and agree to fully conform to, and comply with, said terms and conditions within the time frames approved by the City of Seaside Planning Commission.

Applicant's Signature

Date

Property Owner's Signature (if different from above)

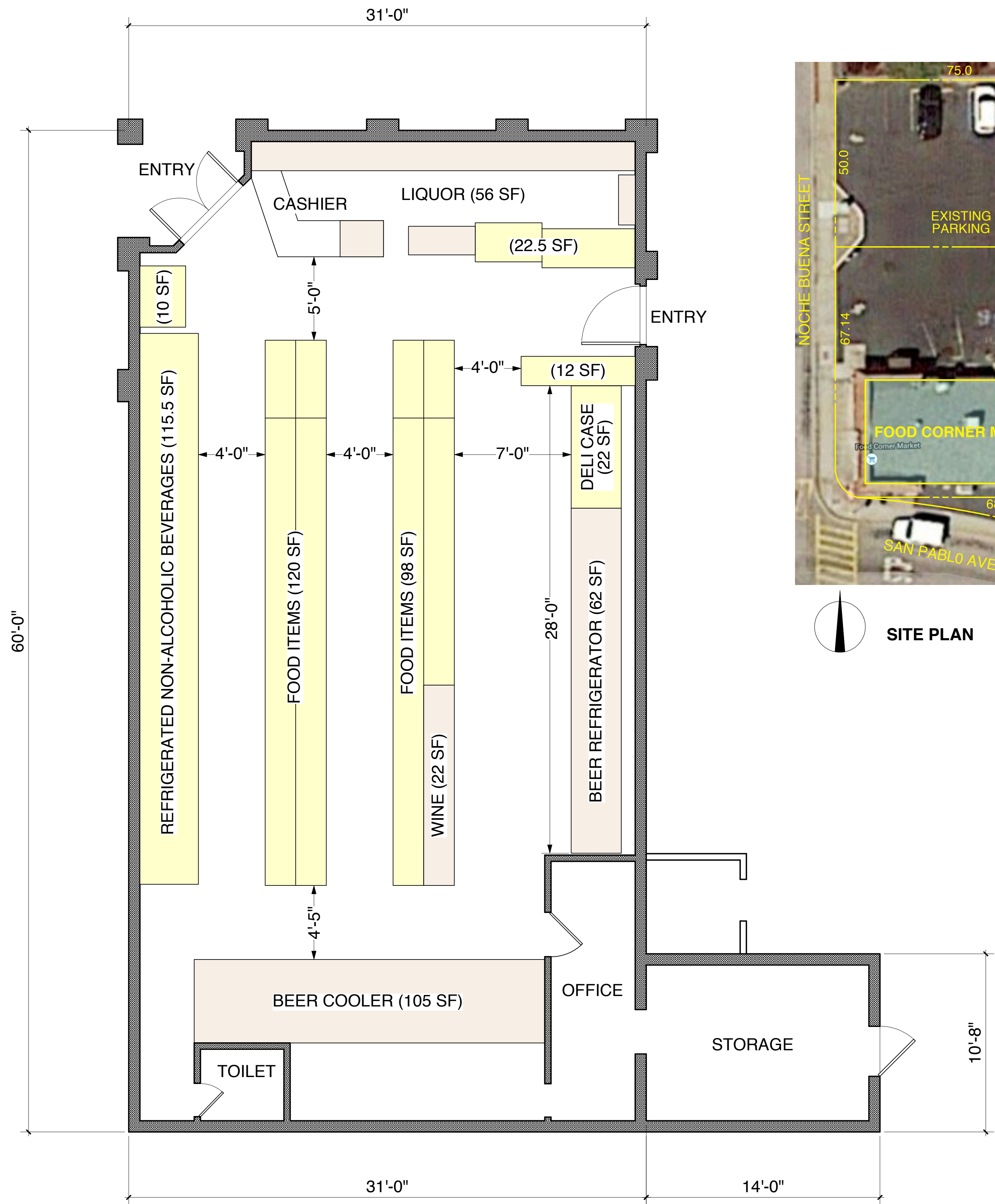
Date



EXISTING LAYOUT

NON-ALCOHOL:	400 SF (66%)
ALCOHOL:	205 SF (34%)

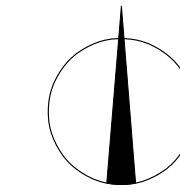
EXISTING FLOOR PLAN 1/4" = 1'- 0"



PROPOSED LAYOUT

NON-ALCOHOL:	400 SF (62.0%)	SAME AREA AS EXISTING LAYOUT
ALCOHOL:	245 SF (38.0%)	40 SF NET INCREASE

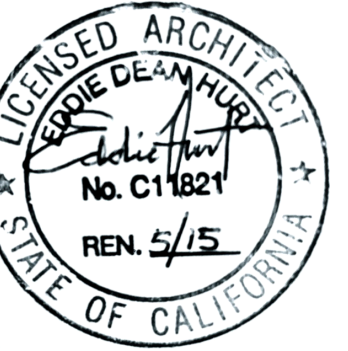
PROPOSED FLOOR PLAN 1/4" = 1'- 0"



SITE PLAN 1" = 20'



EDDIE HURT
ARCHITECT
172 PACIFIC AVENUE
PACIFIC GROVE, CA 93950
PHONE (831) 917-2600
edhurt@pacbell.net



PROPOSAL TO REMOVE
EXISTING DELI CASES &
COOKING EQUIPMENT
AND TO INSTALL A BEER
REFRIGERATOR AT

FOOD CORNER MARKET

1800 NOCHE BUENA ST
SEASIDE, CA 93955

APN: 012-801-002

CONTACT: ALEX CHEHADA
PHONE: (760) 963-4977

SITE PLAN

EXISTING FLOOR PLAN

PROPOSED FLOOR PLAN

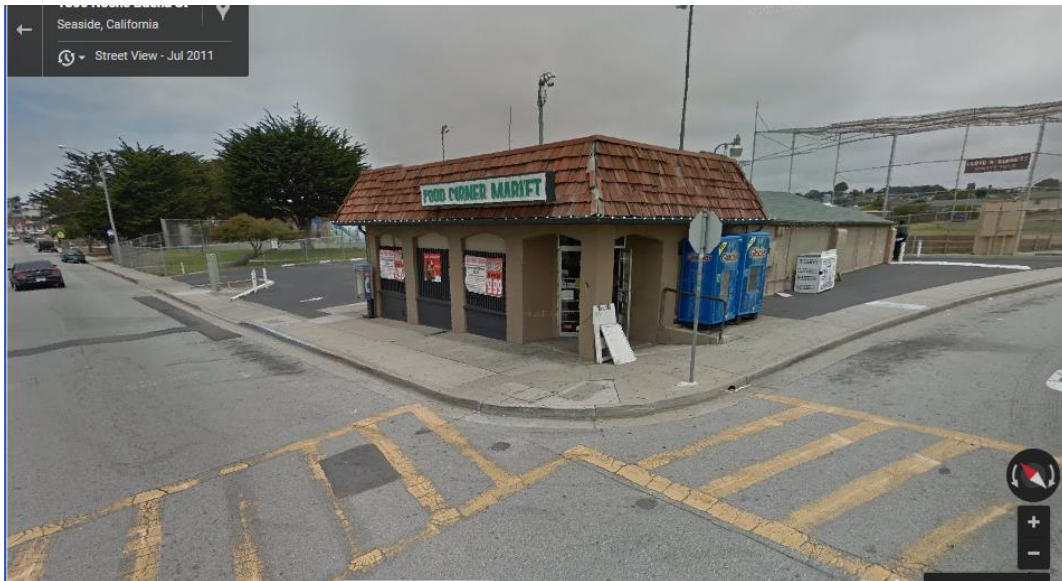
FEB 9, 2015

A1
OF 1 SHEET

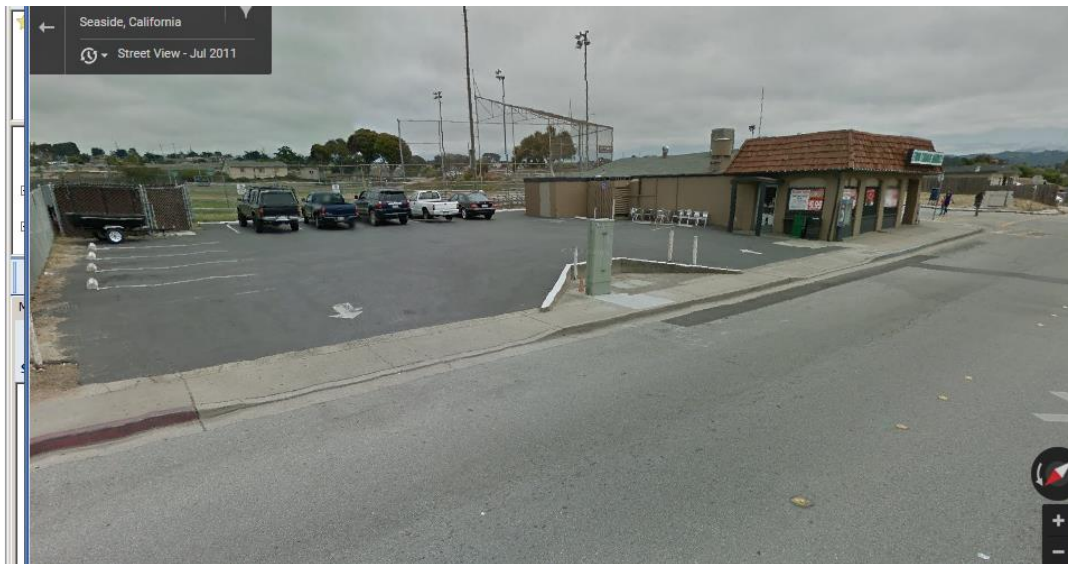
Project Location: 1800 Noche Buena Street



SITE PHOTOGRAPHS



View from intersection of Noche Buena Street and San Pablo Avenue



View towards parking lot from Noche Buena Street

RESOLUTION NO. 06-36

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SEASIDE, STATE OF CALIFORNIA, APPROVING USE PERMIT APPLICATION NO. UP-06-19 FOR THE RENOVATION OF AN EXISTING FAMILY GROCERY STORE (FOOD CORNER MARKET) TO INCORPORATE A TAQUERIA/DELICATESSEN AS PART OF THE BUSINESS OPERATION AT 1800 NOCHE BUENA STREET (APN 012-801-081).

WHEREAS, Rosalie Casas, Property Owner, and David & Marsha Casas, Applicants, have applied for a Use Permit to renovate an existing family grocery to install a taqueria/delicatessen as part of the business operation at 1800 Noche Buena Street (Food Corner Market); and

WHEREAS, the proposed project is a discretionary approval, and it is the responsibility of the Planning Commission to consider and weigh the merits of the application and public input in relation to the policies, standards and intent of the Seaside General Plan and Seaside Municipal Code; and

WHEREAS, Section 17.18.040 of the Seaside Municipal Code (SMC) allows convenience food stores/markets in the Neighborhood Retail Zoning District, subject to the approval of a Conditional Use Permit; and

WHEREAS, the Seaside Planning Commission considered oral comments and written information concerning the proposed addition at a duly noticed public hearing held on December 13, 2006; and

WHEREAS, the project is Categorically Exempt, Class 1, Section 15301.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission adopts the following findings for Use Permit Application No. UP-06-19:

1. The subject site is physically suitable for the type and intensity of the land use and development being proposed.

Evidence: The location, size, design, and operating characteristics of the proposed building and land use are compatible with the existing and future land uses within the general area in which the proposed use is to be located; and will not create significant noise, traffic, odor, or other conditions or situations that may be objectionable or detrimental to other permitted uses in the vicinity or adverse to the public interest, health, safety, convenience, or welfare of the City.

2. The approval of the proposed project is in compliance with the requirements of the California Environmental Quality Act (CEQA).

Evidence: The project is Categorically Exempt, Class 1, Section 15301.

BE IT FURTHER RESOLVED, that the Planning Commission approves Use Permit Application No. UP-06-19 subject to the following conditions:

1. Except as modified by the conditions of approval and the Board of Architectural Review, plans submitted for a Building Permit shall substantially conform to the approved plans consisting of five sheets titled "Proposed Kitchen Renovation 1800 Noche Buena Street" and stamped "Received City of Seaside Community Development Department: October 26, 2006" (Attachment 1).
2. This Use Permit approval is subject to revocation procedures contained in Section 17.70.090 SMC in the event any of the terms of this approval are violated or if the uses are conducted or carried out in a manner so as to adversely affect the health, welfare or safety of persons residing or working in the neighborhood.
3. The applicant agrees as a condition and in consideration of the approval of this discretionary permit that they will, pursuant to agreement and/or statutory provisions as applicable, including but not limited to Government Code Section 66474.9, defend, indemnify and hold harmless the City of Seaside or its agents, officers and employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void or annul this approval, which action is brought within the time period provided for under law, including but not limited to, Government Code Section 66499.37, as applicable. The applicant will reimburse the City for any court costs and attorney's fees which the City may be required by a court to pay as a result of such action. The City may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his obligations under this condition. An agreement to this effect shall be recorded upon demand of City Counsel or concurrent with the issuance of permits, use of the property, whichever occurs first and as applicable. The City shall promptly notify the applicant of any such claim, action or proceeding and the City shall cooperate fully in the defense thereof. If the City fails to promptly notify the applicant of any such claim, action or proceeding or fails to cooperate fully in the defense thereof, the applicant shall not thereafter be responsible to defend, indemnify or hold the City harmless.
4. The project shall comply with the requirements and the applicable ordinances of the Monterey Peninsula Water Management District (MPWMD) for the installation of any water fixtures. A building permit is required for construction of the addition.
5. The permit shall have no force or effect unless and until accepted, and the terms thereof agreed to, in writing, by the applicant and property owner within 15 days from the date of its approval.
6. Project approval will become null and void if a building permit is not obtained within one year from date of approval to begin construction on project.
7. For purposes of assuring compliance, the applicant, agents, representatives or their assignees agree not to deny or impede access to the subject property by City employees in the performance of their duties.

Public Works Conditions

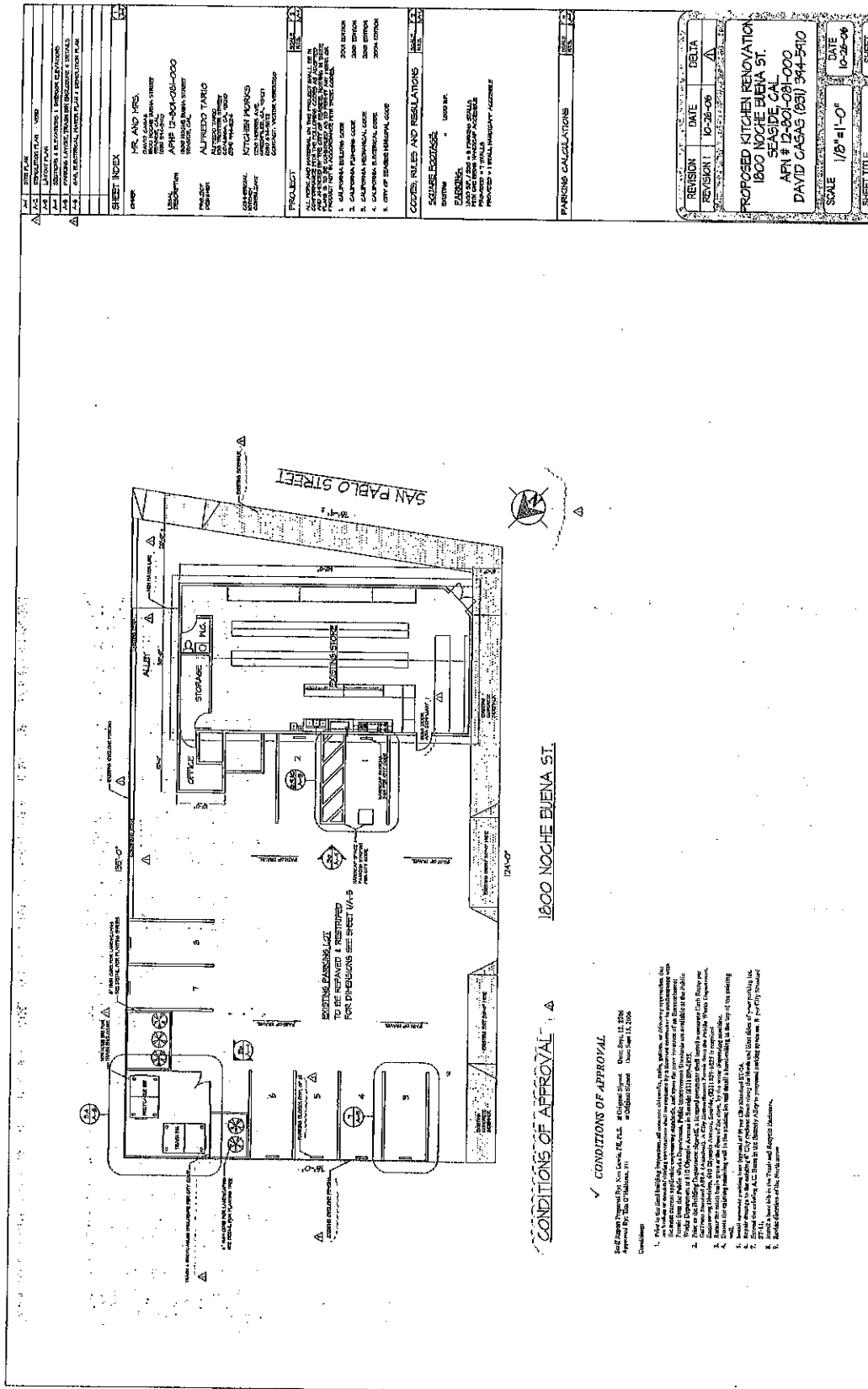
8. Prior to the final building inspection all concrete sidewalk curb, gutter, and driveway approaches that are broken and cracked during construction shall be replaced by a licensed contractor in conformance with the most current available engineering standards, and upon the prior issuance of an encroachment permit from the Public Works Department.
9. Repair the catch basin grate at the front of the store by the water-dispensing machine.
10. Install concrete parking bars (typical of 9) per City Standard ST-24.
11. Extend the existing A.C. Berm in the Easterly Alley to proposed parking space no. 8 per City Standard ST-11.
12. Install a hose bib in the trash and recycling enclosure.

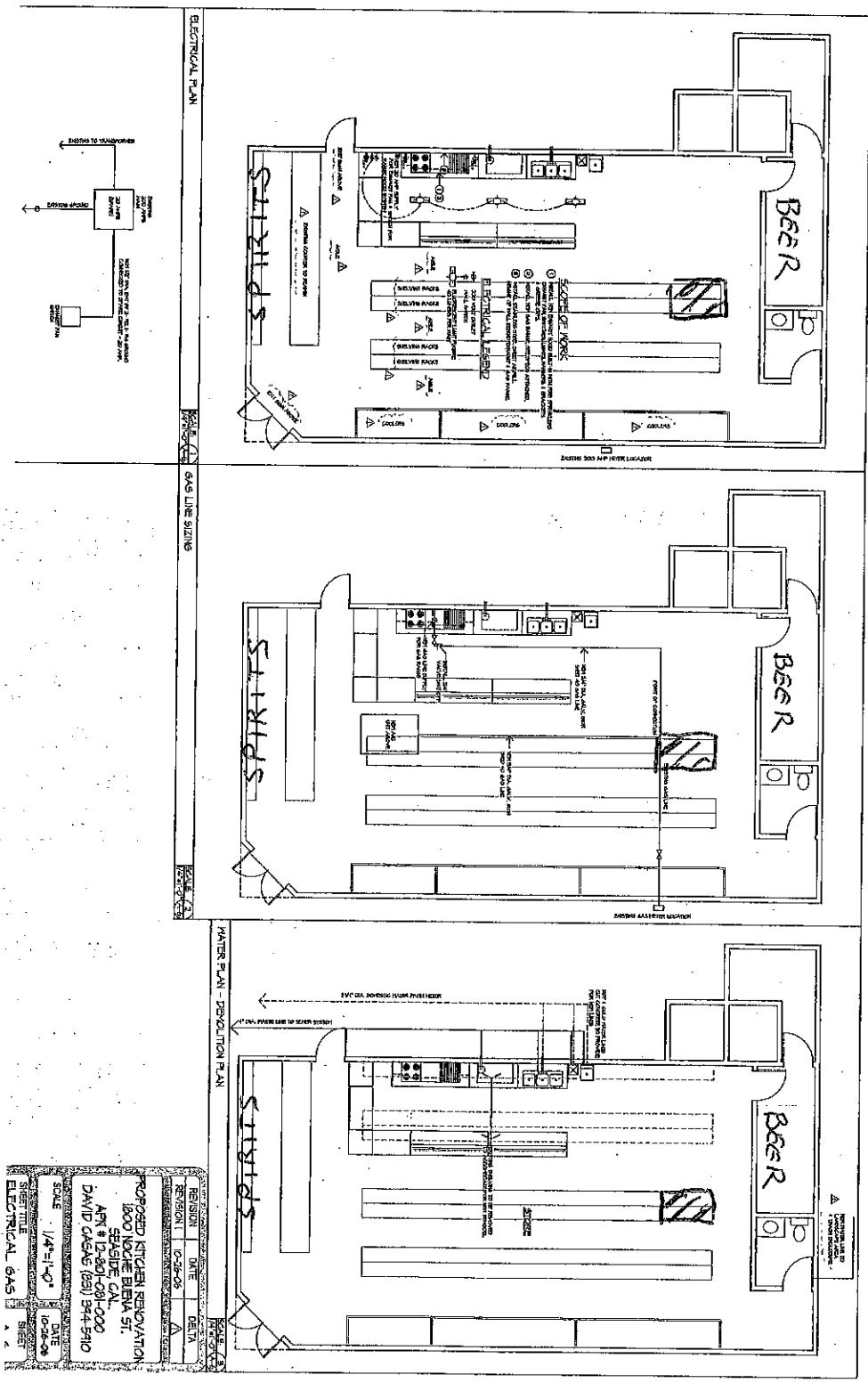
Planning Conditions

13. A bicycle rack shall be installed on the premises pursuant to section 17.74.050 of SMC. The location and design of the rack shall be included on plans presented to the BAR and the building permit prior to issuance.
14. Due to the presence of peeling and flaking paint across the exterior of the structure, a note shall be placed on the plans requiring the repainting of the structure prior to final inspection.
15. To comply with security provisions of the SMC, those portions of the windows providing a view of the cash registers shall be kept free of signs, banners, product displays, etc. at all times to provide a clear and unobstructed view of the sales counter from outside the store. Signs in the remaining windows shall not exceed twenty-five percent of the remaining window area. Existing obstructions out of compliance with this condition shall be removed prior to issuance of a building permit.
16. The store shall close no later than midnight and reopen no earlier than 6am.
17. Prior to issuance of a building permit, external improvements to the store and parking lot shall be subject to review by the Board of Architectural Review.
18. No tables shall be provided for the consumption of food, and no prepared food shall be consumed on the premises.

Fire Department Conditions

19. An automatic fire extinguishing system meeting the UL 300 standard is required for the hood and duct system over the cooking equipment.





February 9, 2015

Honorable Planning Commissioners
Seaside City Hall
440 Harcourt Avenue
Seaside, CA 93955

Subject: 1800 Noche Buena - Food Corner Market Use Permit

Dear Commissioners,

I am Elias Chehada, co-owner of the Food Corner Market along with my business partner Ayham Chehadeh. We have both worked hard for many years as cashiers in the convenience store business, saving our money for the day we could buy our own store. That opportunity arose in November 2013 when we purchased the Food Corner Market business from the Casas family, who are also the property owners. The two of us poured ourselves into refurbishing the store and re-opening the deli inside that had been unused for two years. After months of operating the deli ourselves we unfortunately found that it was costing us more to do so than the income it was producing. We then had another person take over the deli operation, in the hope he could make a go of it, but that arrangement ultimately failed as well.

The deli has sat unused for some time now, occupying about a quarter of the retail floor space in our store. Sales of our food items and other existing products have not been enough to survive economically so, in addition to the commonly available types of alcoholic beverages the store had already been selling for years, we started a social media campaign to market an extensive selection of small-batch, craft-brewed beers to distinguish our offerings. We were encouraged to see an increase in business, including customers from surrounding communities who were actively looking for such products. The old deli, occupying so much floor space, created a problem for our storage and display. We settled on a plan to replace the deli with an 11-door refrigerated case along one wall that would properly store the beer while providing a 3-door portion for deli and sandwich items. Removing the old unused cases and counters would not only solve our beer display problem but also would allow us to rearrange the existing product gondolas and widen the narrow aisles to correct a wheelchair accessibility problem. Though our proposal results in a modest 40 square foot increase in the floor area devoted to craft beers, the food products floor area remains unchanged at 400 square feet. In other words, Food Corner Market would remain a grocery store with 62% of the product floor area devoted to non-alcoholic beverage and food products. Esthetically, the layout of the store would improve, no longer having cramped aisles but instead providing 4 to 7 feet of clear space between product displays. Our business hours would remain unchanged: 7am - 11pm weekdays (midnight on weekends).

I hope I have explained our proposal in a manner that you can support, realizing that our business plan is NOT to turn Food Corner Market into a liquor store featuring cheap booze but rather to remain a nice neighborhood store selling a distinctive range of products that allows Food Corner Market to become a business success story in the community.

Respectfully yours,



Elias "Alex" Chehada
Co-owner, Food Corner Market



MEMORANDUM

SEASIDE POLICE DEPARTMENT

Vicki L.H. Myers, Chief of Police
Louis Lumpkin, Deputy Chief

Date: March 5, 2015
To: Rick Medina, Senior Planner
From: Louis Lumpkin, Deputy Chief
Subject: Food Corner Market



This memorandum is to confirm police activity in and around Food Corner Market located at 1800 Noche Buena. Over the past two and half years the Seaside Police Department has responded to Food Corner Market one time. This was due to a report of graffiti to the building wall. In January of 2014 the department responded to a shooting and stabbing that took place next to Cutino Park, which is adjacent to the Food Corner Market. This incident did not involve the business.

During the new ownerships time at the business there have been no incidents of loitering or ABC violation.

If you have any further questions about police activities at Food Corner Market, please contact me. Ext.6749

City of Seaside

Retail Alcohol Licenses (On-Sale and Off-Sale) by Census Tract



Updated 03/04/15

Public Notice Map
File No. UP-15-01

