



Staff Report to the Zoning Administrator

Application Number: **231236**

Applicant: Barghausen Consulting Engineers, Inc.

Owner: 7719 Soquel Drive Aptos LLC

APN: 039-111-56

Site Address: 7719 Soquel Drive, Aptos

Agenda Date: December 1, 2023

Agenda Item #: 4

Time: After 9:00 a.m.

Project Description: Proposal to sell beer and wine for off-premises consumption at an approved service station. Requires an amendment to Commercial Development Permit 221257.

Location: Property is located at the northeast corner of Soquel Drive and State Park Drive in Aptos (7719 Soquel Drive).

Permits Required: Commercial Development Permit

Supervisory District: 2nd District (District Supervisor: Friend)

Staff Recommendation:

- Determine that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 231236, based on the attached findings and conditions.

Project Description & Setting

This application is a proposal to sell beer and wine at a replacement service station located at the northeast corner of Soquel Drive and State Park Drive/Sunset Way in the Aptos planning area. The existing service station has been approved to be replaced by a new service station as approved under Commercial Development Permit 221257. The request is to sell beer and wine in the replacement service station which has yet to be reconstructed. The current application would amend Commercial Development Permit 221257 to allow the concurrent sale of alcohol (beer and wine) with motor fuel.

A Commercial Development Permit is required per SCCC 13.10.657(D) because the project is a request to sell beer and wine at a location that also dispenses motor fuel.

Zoning & General Plan Consistency

The subject property is a 15,028 square foot lot, located in the C-4 (Service Commercial) zone district, a designation which allows commercial uses. The existing service station is an allowed use within the zone district and the C-4 zoning is consistent with the site's C-S (Service

Commercial) General Plan designation.

Beer and Wine Sales

The proposal to sell beer and wine for off-premises consumption at an existing service station requires a Commercial Development Permit with a noticed public hearing, per SCCC 13.10.657(D).

Adding alcohol sales to an existing service station requires consideration of the public health, safety, and welfare in the project vicinity. The sale of beer and wine has the potential to create additional nuisance behavior in the area and the hours in which alcoholic beverages are sold can be a significant factor in assessing potential impacts to the public health, safety, and welfare.

The owner of the service station will be required to end alcohol sales no later than 10 PM each day (opening at 5 AM to serve early morning commuters). By ending alcohol sales no later than 10 PM, impacts to the public health, safety, and welfare through late night nuisance behavior that may be associated with alcohol sales on or near the subject property are minimized. Through ending alcohol sales no later than 10 PM, any potential late night nuisance behavior would be reduced to a level where no substantial impact to the public health, safety, and welfare in the project vicinity is anticipated.

Conclusion

As proposed and conditioned, the project is consistent with all applicable codes and policies of the Zoning Ordinance and General Plan/LCP. Please see Exhibit "B" ("Findings") for a complete listing of findings and evidence related to the above discussion.

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Staff Recommendation

- Determine that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- **APPROVAL** of Application Number **231236**, based on the attached findings and conditions.

Supplementary reports and information referred to in this report are on file and available for viewing at the Santa Cruz County Planning Division, and are hereby made a part of the administrative record for the proposed project.

The County Code and General Plan, as well as hearing agendas and additional information are available online at: www.sccoplanning.com

Report Prepared By: Randall Adams
Santa Cruz County Planning
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Santa Cruz CA 95060
Phone Number: (831) 454-3218
E-mail: randall.adams@santacruzcountyca.gov

Exhibits

- A. Categorical Exemption (CEQA determination)
- B. Findings
- C. Conditions
- D. Project plans
- E. Assessor's, Location, Zoning and General Plan Maps
- F. Parcel information
- G. Comments & Correspondence

CALIFORNIA ENVIRONMENTAL QUALITY ACT

NOTICE OF EXEMPTION

The Santa Cruz County Planning Division has reviewed the project described below and has determined that it is exempt from the provisions of CEQA as specified in Sections 15061 - 15332 of CEQA for the reason(s) which have been specified in this document.

Application Number: 231236
Assessor Parcel Number: 039-111-56
Project Location: 7719 Soquel Drive, Aptos

Project Description: Proposal to add beer and wine sales to an existing approved service station.

Person or Agency Proposing Project: Barghausen Consulting Engineers, Inc.

Contact Phone Number: 425-251-6222

- A. ☐ The proposed activity is not a project under CEQA Guidelines Section 15378.
B. ☐ The proposed activity is not subject to CEQA as specified under CEQA Guidelines Section 15060 (c).
C. ☐ **Ministerial Project** involving only the use of fixed standards or objective measurements without personal judgment.
D. ☐ **Statutory Exemption** other than a Ministerial Project (CEQA Guidelines Section 15260 to 15285).
E. ☒ **Categorical Exemption**

Specify type: Class 5 - Minor Alterations in Land Use Limitations (Section 15305)

F. Reasons why the project is exempt:

Minor change to retail services in an area designated for commercial uses.

In addition, none of the conditions described in Section 15300.2 apply to this project.

Randall Adams, Project Planner

Date: _____

Development Permit Findings

1. That the proposed location of the project and the conditions under which it would be operated or maintained will not be detrimental to the health, safety, or welfare of persons residing or working in the neighborhood or the general public, and will not result in inefficient or wasteful use of energy, and will not be materially injurious to properties or improvements in the vicinity.

This finding can be made, in that the project is located in an area designated for commercial uses. Any improvements will comply with prevailing building technology, the California Building Code, and the County Building ordinance to ensure the optimum in safety and the conservation of energy and resources. Alcohol (beer and wine) sales for off-premises consumption will end no later than 10 PM each day to prevent nuisance behavior or other impacts to the public health, safety, and welfare in the project vicinity.

2. That the proposed location of the project and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the zone district in which the site is located.

This finding can be made, in that the proposed location of the service station and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the C-4 (Service Commercial) zone district as the primary use of the property will continue to be an existing service station with no exterior changes proposed.

Additional findings for the sale of alcoholic beverages concurrently with motor vehicle fuel (as required by SCCC 13.10.657) have been made separately (below).

3. That the proposed use is consistent with all elements of the County General Plan and with any specific plan which has been adopted for the area.

This finding can be made, in that the proposed commercial use is consistent with the use and density requirements specified for the C-S (Service Commercial) land use designation in the County General Plan.

4. That the proposed use will not overload utilities, and will not generate more than the acceptable level of traffic on the streets in the vicinity.

This finding can be made, in that no exterior changes are proposed to the existing service station. The existing service station utilizes refrigerated cases and has regular deliveries. No substantial increase in utilities consumption or traffic generation is anticipated as a result of this project.

5. That the proposed project will complement and harmonize with the existing and proposed land uses in the vicinity and will be compatible with the physical design aspects, land use intensities, and dwelling unit densities of the neighborhood.

This finding can be made, in that no exterior changes are proposed to the existing service station and the existing service station is consistent with the land use intensity and density of the neighborhood.

6. The proposed development project is consistent with the Design Standards and Guidelines (sections 13.11.070 through 13.11.076), and any other applicable requirements of this chapter.

This finding can be made, in that no exterior changes are proposed to the existing service station.

Required Findings for Beer & Wine Sales with Motor Vehicle Fuel

1. The concurrent retailing of motor vehicle fuel with beer and wine for off-premises consumption will not significantly adversely affect the public health, safety, or welfare from increases in noise, traffic and/or violations of traffic and other laws.

This finding can be made, in that the owner/operator of the service station is required to end alcohol (beer and wine) sales no later than 10 PM each day (opening at 5 AM to serve early morning commuters). By ending alcohol sales no later than 10 PM, impacts to the public health, safety, and welfare through late night nuisance behavior that may be associated with alcohol sales on or near the subject property are minimized. Through ending alcohol sales no later than 10 PM, any potential late night nuisance behavior would be reduced to a level where no substantial impact to the public health, safety, and welfare in the project vicinity is anticipated.

Conditions of Approval

Exhibit D: Project plans, prepared by Barghausen Consulting Engineers, Inc., revised 12/30/22.

- I. This permit authorizes the sale of beer and wine for off-site consumption at an existing service station, at the location indicated on the approved Exhibit "D" for this permit. This approval does not confer legal status on any existing structure(s) or existing use(s) on the subject property that are not specifically authorized by this permit. Prior to exercising any rights granted by this permit including, without limitation, any construction or site disturbance, the applicant/owner shall:
 - A. Sign, date, and return to the Planning Department one copy of the approval to indicate acceptance and agreement with the conditions thereof.
 - B. Obtain all required approvals from the California Department of Alcoholic Beverage Control (ABC) and the County of Santa Cruz Alcohol Compliance Officer (ACO).
 - C. Comply with all operational conditions of this permit.
- II. Operational Conditions
 - A. Comply with all requirements of the County Code, including sections 8.03 and 13.10.657 (and any successor ordinances) in regard to the sale of alcoholic beverages, including the following specific conditions:
 1. No display of beer and/or wine shall be permitted within five feet of the cash register or of the front door.
 2. No advertisement or advertising of beer and/or wine shall be permitted on or at motor vehicle fuel islands.
 3. No sale or display of beer and/or wine shall be permitted from an ice tub.
 4. No self-illuminated advertising for beer and/or wine shall be located on buildings or in windows.
 5. Employees on duty who sell beer and/or wine at gas stations shall be at least 21 years of age.
 - B. The hours of operation for the service station (including the retail store and alcohol sales) shall be limited as follows:
 1. The retail convenience store shall only be open to the public for retail sales between the following hours (alcohol sales hours shall be further limited as stated below):

- a. Monday through Sunday: 5:00 AM to 12:00 PM
 - b. These hours do not prevent the retail convenience store from operating at reduced hours (opening later or closing earlier) but set a maximum limit of when the store can be open to the public.
 2. The hours that the retail store shall be allowed to sell beer and wine shall be limited to the following hours:
 - a. Monday through Sunday: 5:00 AM to 10:00 PM. Alcohol shall not be sold outside of the specified hours.
 3. Fuel pumps that operate in an automated fashion (pay at the pump) are not limited by the above listed hours and may operate up to 24 hours per day in an automated fashion (pay at the pump). If payment in the retail convenience store is required for fuel pump operation, then fuel pump hours are limited to the same hours as the retail convenience store.
- C. Exterior signage in the form of flags, banners, temporary, moving, or mobile signs is prohibited on the subject property or within the adjacent right of way.
- D. Pursuant to Sections 16.40.040 and 16.42.080 of the County Code, if at any time during site preparation, excavation, or other ground disturbance associated with this development, any artifact or other evidence of an historic archaeological resource or a Native American cultural site is discovered, the responsible persons shall immediately cease and desist from all further site excavation and notify the Sheriff-Coroner if the discovery contains human remains, or the Planning Director if the discovery contains no human remains. The procedures established in Sections 16.40.040 and 16.42.080, shall be observed.
- E. In the event that future County inspections of the subject property disclose noncompliance with any Conditions of this approval or any violation of the County Code, the owner shall pay to the County the full cost of such County inspections, including any follow-up inspections and/or necessary enforcement actions, up to and including permit revocation.

III. Indemnification

The applicant/owner shall indemnify, defend with counsel approved by the COUNTY, and hold harmless the COUNTY, its officers, employees, and agents from and against any claim (including reasonable attorney's fees, expert fees, and all other costs and fees of litigation), against the COUNTY, its officers, employees, and agents arising out of or in connection to this development approval or any subsequent amendment of this development approval which is requested by the applicant/owner, regardless of the COUNTY's passive negligence, but excepting such loss or damage which is caused by the sole active negligence or willful misconduct of the COUNTY. Should the COUNTY in its sole discretion find the applicant's/owner's legal counsel unacceptable, then the applicant/owner shall

reimburse the COUNTY its costs of defense, including without limitation reasonable attorney's fees, expert fees, and all other costs and fees of litigation. The applicant/owner shall promptly pay any final judgment rendered against the COUNTY (and its officers, employees, and agents) covered by this indemnity obligation. It is expressly understood and agreed that the foregoing provisions are intended to be as broad and inclusive as is permitted by the law of the State of California and will survive termination of this development approval.

- A. The COUNTY shall promptly notify the applicant/owner of any claim, action, or proceeding against which the COUNTY seeks to be defended, indemnified, or held harmless. The COUNTY shall cooperate fully in such defense.
- B. Nothing contained herein shall prohibit the COUNTY from participating in the defense of any claim, action, or proceeding if both of the following occur:
 - 1. COUNTY bears its own attorney's fees and costs; and
 - 2. COUNTY defends the action in good faith.
- C. Settlement. The applicant/owner shall not be required to pay or perform any settlement unless such applicant/owner has approved the settlement. When representing the COUNTY, the applicant/owner shall not enter into any stipulation or settlement modifying or affecting the interpretation or validity of any of the terms or conditions of the development approval without the prior written consent of the COUNTY.
- D. Successors Bound. The "applicant/owner" shall include the applicant and/or the owner and the successor's in interest, transferee(s), and assign(s) of the applicant and/or the owner.

Minor variations to this permit which do not affect the overall concept or density may be approved by the Planning Director at the request of the applicant or staff in accordance with Chapter 18.10 of the County Code.

Please note: This permit expires three years from the effective date listed below unless the conditions of approval are complied with and the use commences before the expiration date.

Approval Date: _____

Effective Date: _____

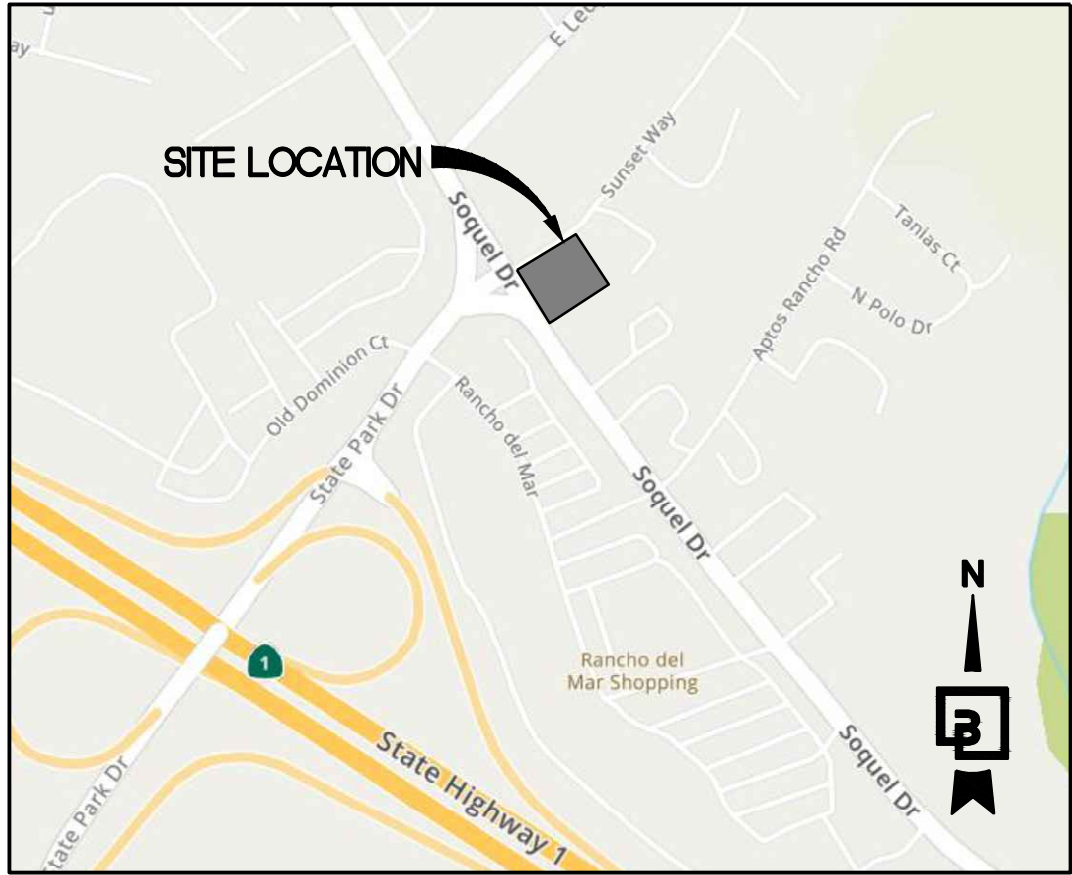
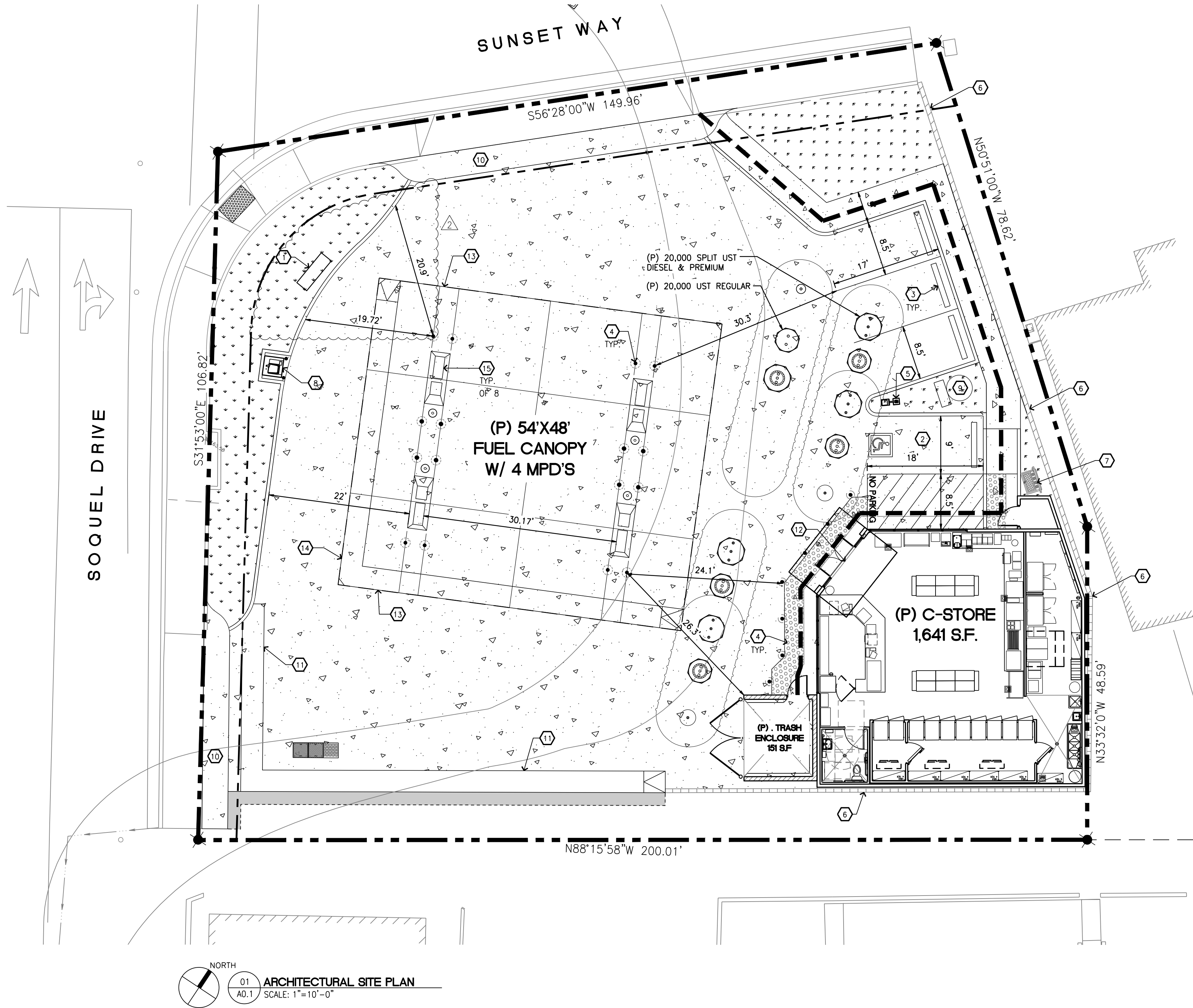
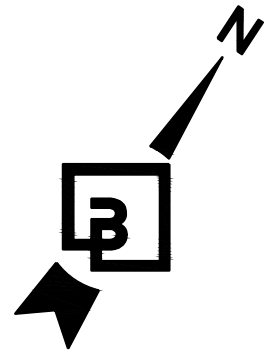
Expiration Date: _____

Deputy Zoning Administrator

Application #: 231236
APN: 039-111-56
Owner: 7719 Soquel Drive Aptos LLC

Appeals: Any property owner, or other person aggrieved, or any other person whose interests are adversely affected by any act or determination of the Zoning Administrator, may appeal the act or determination to the Planning Commission in accordance with chapter 18.10 of the Santa Cruz County Code.

SALKHI CHEVRON-EXTRA MILE



APTOS, CALIFORNIA
VICINITY MAP

GENERAL NOTES

- A. SEE CIVIL PLANS FOR ADDITIONAL INFORMATION
B. SEE SHEETS SN1.1 & SN1.2 FOR PROPOSED SIGNAGE INFORMATION

PROJECT DATA

PARCEL NO.: APN 039-111-56
ADDRESS: 7719 SOQUEL DRIVE, APTOS CA
PARCEL AREA: 15,028 S.F. (0.345 ACRES)
EXISTING BUILDING AREA: 738 S.F. (4.8%) - 2 BUILDINGS
PROPOSED BUILDING AREA: 1,752 S.F. (11.7%) - 2 STRUCTURES
ZONING: C-4 (COMMERCIAL SERVICES)

BUILDING SETBACKS
FRONT: 10 FEET
REAR: 0 FEET
SIDE: 0 FEET

EXISTING LOT COVERAGE
IMPERVIOUS AREA: 13,038 S.F. (86.8%)
PERVIOUS AREA: 1,990 S.F. (13.2%)
TOTAL AREA: 15,028 S.F. (100.0%)

PROPOSED LOT COVERAGE
BUILDINGS: 1,752 S.F. (11.7%)
FUEL CANOPY: 2,576 S.F. (17.1%)
SIDEWALKS: 1,106 S.F. (7.5%)
PARKING AND MANEUVERING: 7,141 S.F. (56.1%)
LANDSCAPING: 649 S.F. (7.6%)
TOTAL AREA*: 13,224 S.F. (100.0%)

*NOTE: TOTAL PARCEL AREA HAS BEEN REDUCED CONSIDERING THE RIGHT-OF-WAY DEDICATION ALONG SOQUEL DRIVE AND SUNSET WAY

LEGEND

- NEW OR EXISTING CONCRETE
LANDSCAPE
PROPERTY LOT CORNER
ACCESSIBLE PARKING STALL SYMBOL
SITE LIGHTING
ACCESSIBLE ROUTE

KEYED NOTES

- 1 GROUND-MOUNTED SIGNAGE; SEE E/SN1.2
2 ACCESSIBLE PARKING SIGNAGE & AISLE; PER CIVIL
3 WHEEL STOP; SEE CIVIL
4 BOLLARD; SEE CIVIL
5 SITE LIGHTING; SEE ELECTRICAL, STRUCTURAL AND CIVIL
6 EXISTING MASONRY WALL TO REMAIN
7 VENT RISERS
8 AIR/WATER UNIT
9 500 GALLON PROPANE TANK WITH FILL STATION
10 SIDEWALK
11 CONCRETE SWALE
12 EXTRA MILE SIGNAGE CABINET; SEE A/SN1.1
13 "CHEVRON" CANOPY CHANNEL LETTERS; SEE B/SN1.1
14 HALLMARK SIGNAGE CABINET; SEE C/SN1.1
15 HALLMARK LOGO @ PUMP TOPPER; SEE 03/SN1.1

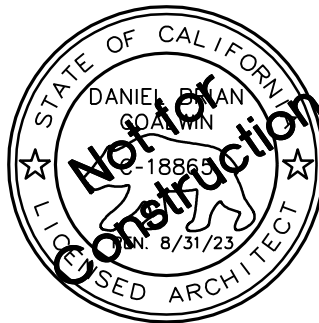
2	12/30/22				DEVELOPMENT REVIEW RESUBMITTAL02
1	11/08/22				DEVELOPMENT REVIEW RESUBMITTAL
No.	Date	By	Ckd.	Appr.	

Title:

ARCHITECTURAL SITE PLAN
RAZE AND REBUILD
7719 SOQUEL DRIVE
APTOS, CA 95001

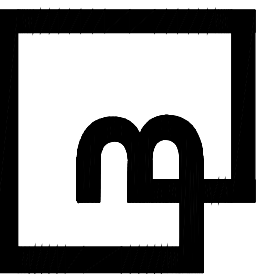
For:

SALKHI PETROLEUM, INC.
2145 MENDOCINO AVENUE
SANTA ROSA, CA 95401



Designed	AD	Drawn	AD	Checked	DC	Approved	—	Date	03/24/22
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Barghausen
Consulting Engineers, Inc.
18215 72nd Avenue South
Kent, WA 98032
425.251.6222 barghausen.com



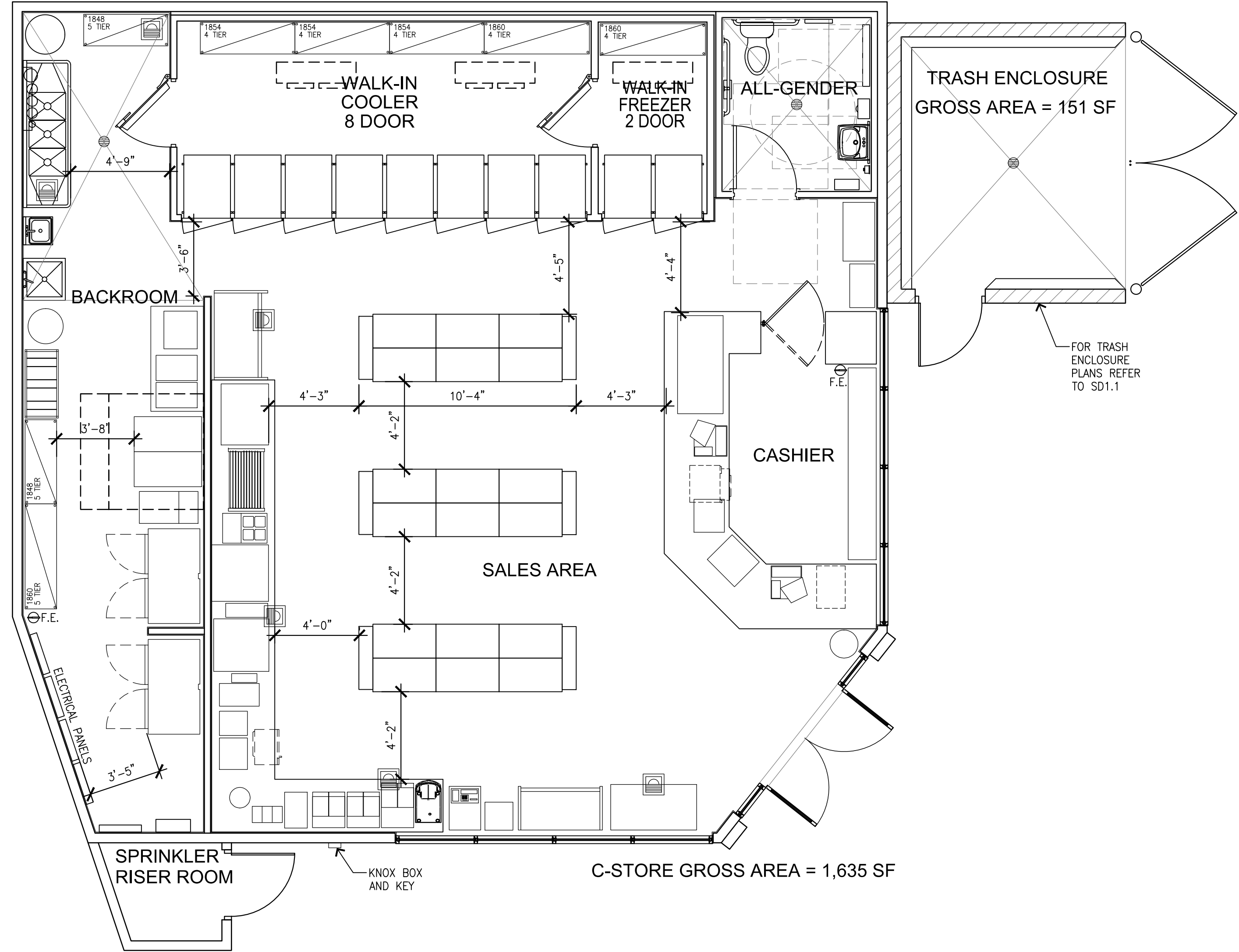
Job Number

21245

Sheet

ASP-1

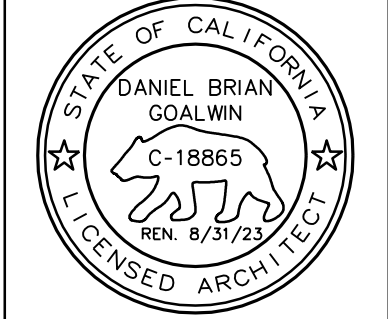
EXHIBIT D



2	12/29/22									DEVELOPMENT REVIEW RESUBMITTAL
1	11/08/22									DEVELOPMENT REVIEW RESUBMITTAL

No.	Date	By	Chd.	Appr.	Revision
Title:					
PRELIMINARY FLOOR PLAN					
RAZE AND REBUILD					
7719 SOQUEL DRIVE					
APTOS, CA 95001					

For: SALKHI PETROLEUM, INC.
2145 MENDOCINO AVENUE
SANTA ROSA, CA 95401

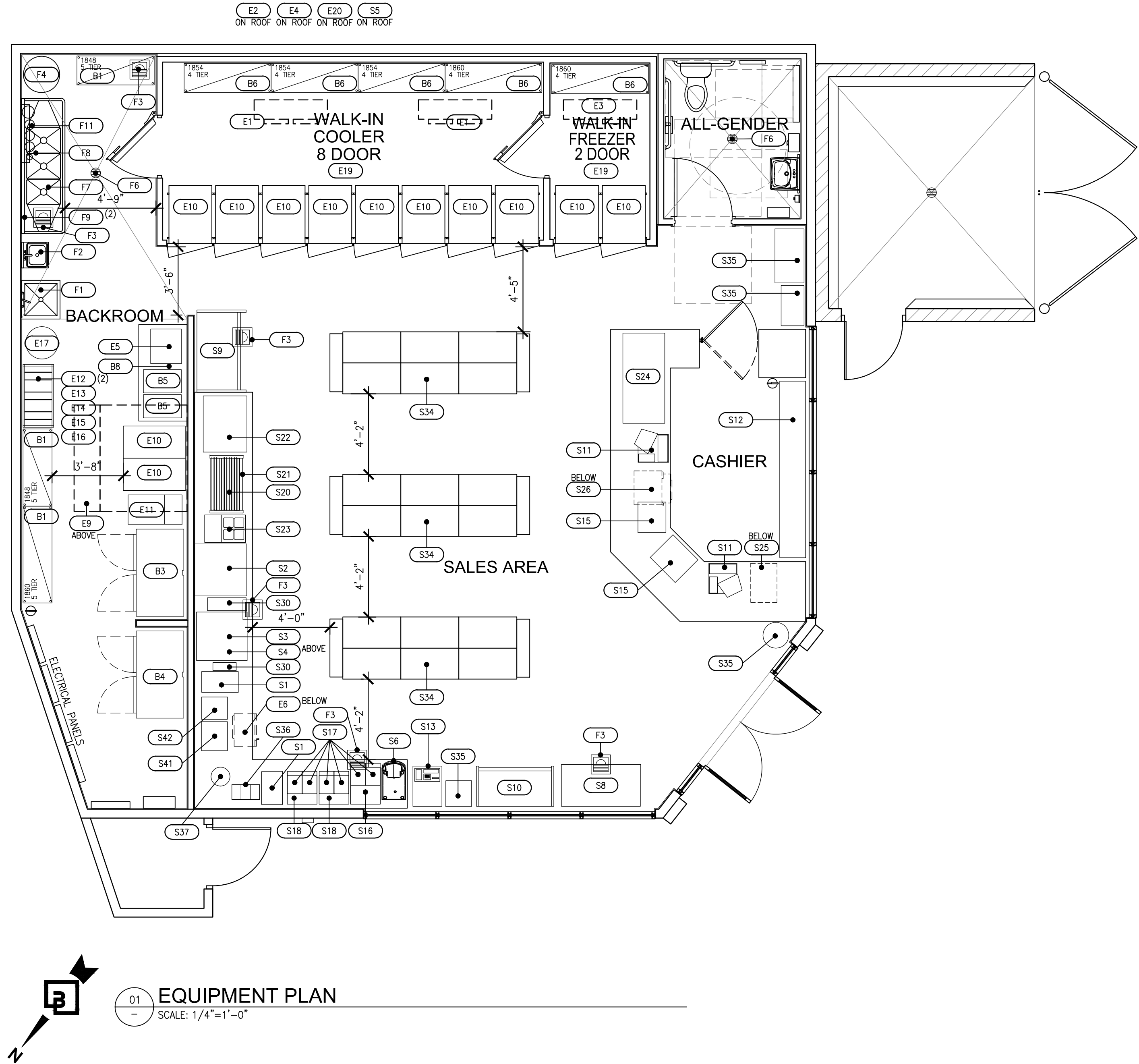




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AS NOTED		



Barghausen
Consulting Engineers, Inc.
18215 72nd Avenue South
Kent, WA 98032
425.251.6222 barghausen.com

Job Number	21245
Sheet	A11



Job Number 21245	Sheet A1.5	<div><div>Barghausen Consulting Engineers, Inc. 18215 72nd Avenue South Kent, WA 98032 425.251.6222 barghausen.com</div></div>	Designed _____ Drawn _____ Checked _____ Approved _____ Date _____	Scale: Horizontal AS NOTED Vertical	<div></div>	For: SALKHI PETROLEUM, INC. 2145 MENDOCINO AVENUE SANTA ROSA, CA 95401	Title: PRELIMINARY EQUIPMENT PLAN RAZE AND REBUILD 7719 SOQUEL DRIVE APTOS, CA 95001	Revision			
								No.	Date	By	Appr.
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								DEVELOPMENT REVIEW RESUBMITTAL			
DEVELOPMENT REVIEW RESUBMITTAL											

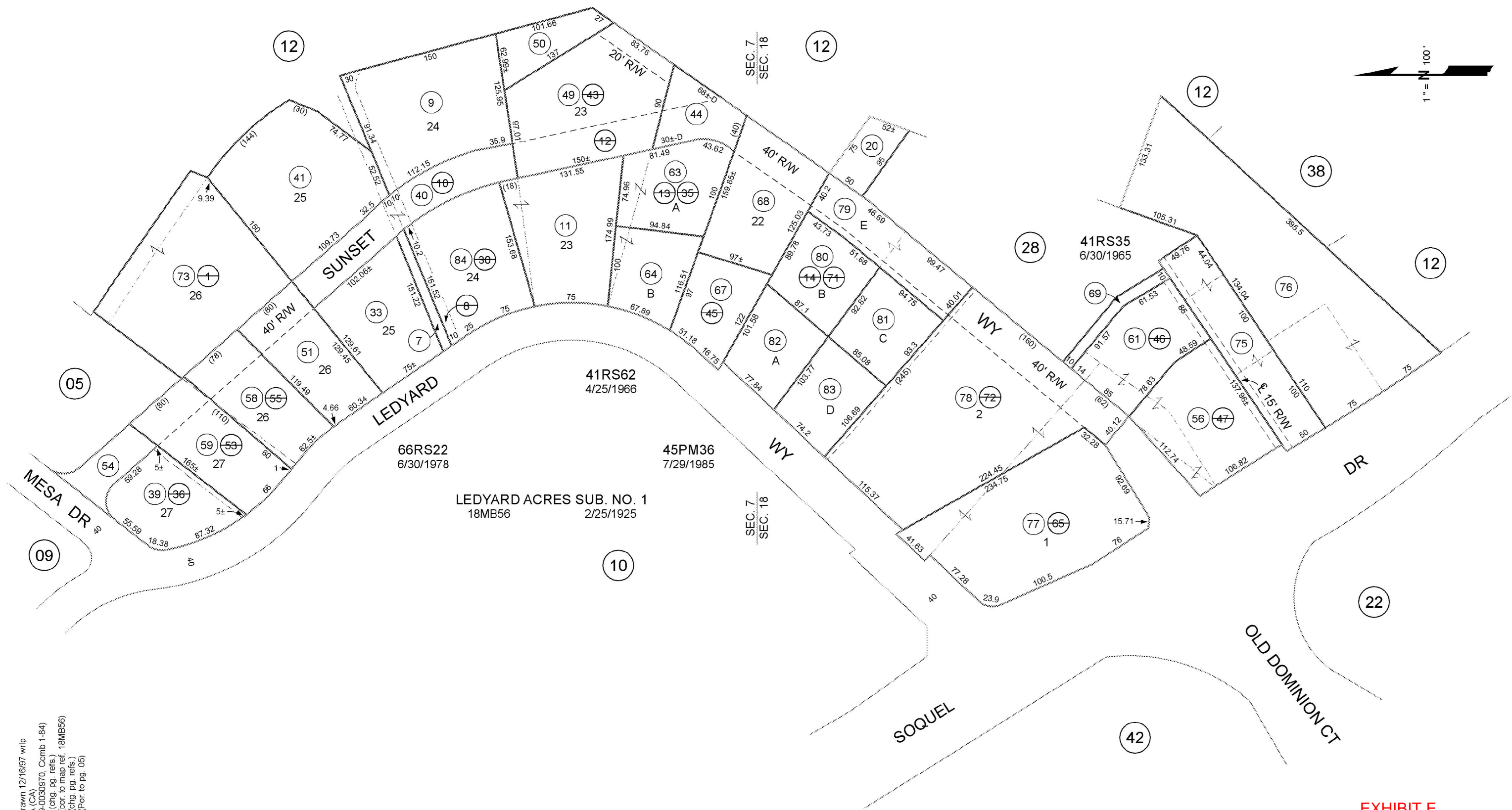
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POR. APTOS RANCHO
SEC. 7 & 18, T.11S., R.1E. M.D.B. & M.

Tax Area Code
69-273

39-11



Electronically redrawn 12/16/97 wr/p
Rev 4/29/98 KSA (CA)
Rev 7/7/99 CB (9-0030970, Comb 1-84)
Rev 5/1/01 mvm (chg. pg. refs.)
Rev 1/20/11 mc (cor. to map ref. 18MB56)
Rev 8/19/15 AR (chg. pg. refs.)
Rev 8/19/15 AR (Por. to pg. 05)

Note - Assessor's Parcel & Block
Numbers Shown in Circles.




EXHIBIT E
Assessor's Map No. 39-11
County of Santa Cruz, Calif.
Dec., 1997



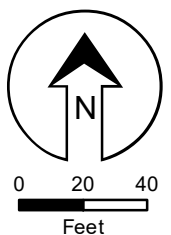
Parcel Location Map



Parcel: 03911156

-  Study Parcel
-  Assessor Parcel Boundary
-  Existing Park







Map printed: 3 Nov. 2023

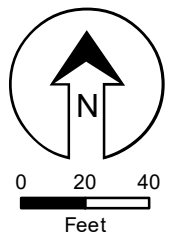




Parcel General Plan Map



- | | |
|--|--|
|  C-C <i>Commercial Community</i> |  R-UL <i>Res. Urban Low Density</i> |
|  C-O <i>Commercial Office</i> | |
|  C-S <i>Commercial Services</i> | |
|  P <i>Public Facilities</i> | |
|  R-UH <i>Res. Urban High Density</i> | |

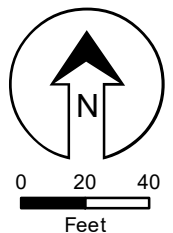




Parcel Zoning Map



- | | |
|--------------------------------|-----------------------------|
| C-2 Community Commercial | RM Residential Multi-Family |
| C-4 Commercial Services | |
| PA Professional/Admin Office | |
| PF Public/Community Facilities | |
| R-1 Single-Family Residential | |



Parcel Information

Services Information

Urban/Rural Services Line:	<u> X </u> Inside <u> </u> Outside
Water Supply:	Soquel Creek Water District
Sewage Disposal:	Santa Cruz County Sanitation District
Fire District:	Central Fire Protection District
Drainage District:	Zone 6

Parcel Information

Parcel Size:	15,028 square feet (per plans)
Existing Land Use - Parcel:	Service station
Existing Land Use - Surrounding:	Commercial and residential
Project Access:	Soquel Drive & Sunset Way
Planning Area:	Aptos
Land Use Designation:	C-S (Service Commercial)
Zone District:	C-4 (Service Commercial)
Coastal Zone:	<u> </u> Inside <u> X </u> Outside

Environmental Information

Geologic Hazards:	Not mapped/no physical evidence on site
Fire Hazard:	Not a mapped constraint
Slopes:	N/A
Env. Sen. Habitat:	Not mapped/no physical evidence on site
Grading:	No grading proposed
Tree Removal:	No trees proposed to be removed
Scenic:	Not a mapped resource
Archeology:	Not mapped/no physical evidence on site

LAND USE NARRATIVE

COMMERCIAL DEVELOPMENT PERMIT

Chevron
Alcoholic Beverage Sales

7719 Soquel Drive
Aptos, California 95003

APN: 039-111-56

Prepared for:
Salkhi Petroleum
2145 Mendocino Avenue
Santa Rosa, California 95401

May 8, 2023
Our Job No. 21245

PROJECT DESCRIPTION

This application is for a Commercial Development Permit to allow the sale of alcoholic beverages (beer and wine) for offsite consumption. The property measures 15,028 square feet in size (0.35 acres) and is currently improved with one 508 square foot convenience store, one 230 square foot restroom building, and one 2,208 square foot canopy with four fueling dispensers.

On April 4, 2023, Santa Cruz County approved a Commercial Development Permit under File No. 221257 for the raze and rebuild of the site with a new 1,601 square foot convenience store, 2,592 square foot fuel canopy, three 20,000-gallon underground storage tanks, and associated site improvements. The decision limited the hours of public retail sales within the convenience store to Monday through Sunday from 5:00 AM to 12:00 AM. The sale of alcoholic beverages will be limited to these hours.

Enclosed with this application is a letter of Public Convenience and Necessity from the Santa Cruz County Administrative Officer to support issuance of an off-sale beer and wine license by the California Department of Alcoholic Beverage Control. Also enclosed is a Local Certification of Responsibility from the office of the Santa Cruz County Sheriff-Coroner, which was issued pursuant to Section 8.03 of the Santa Cruz County Code. The procurement of these documents, and the conditions contained therein, supports the approval this application.

APPROVAL FINDINGS

Pursuant to Santa Cruz County Code Section 18.10.657, no development permit shall be issued for the concurrent retailing of motor vehicle fuel with beer and wine for off-premises consumption unless the following findings are made, supported by substantial evidence in view of the whole record:

1. *The concurrent retailing of motor vehicle fuel with beer and wine for off-premises consumption will not significantly adversely affect the public health, safety, or welfare from increases in noise, traffic and/or violations of traffic and other laws.*

Response: The County Sheriff-Coroner has issued a Local Certification of Responsibility pursuant to Section 8.03 of the Santa Cruz County Code. The sale of alcoholic beverages must comply with the strict requirements of the County's Nuisance Abatement Program to not significantly adversely affect the public health, safety, or welfare from increases in noise, traffic and/or violations of traffic and other laws. In addition, the County Administrative Office has issued a letter of Public Convenience and Necessity to support issuance of an off-sale beer and wine license by the California Department of Alcoholic Beverage Control.

2. *The findings specified in SCCC 18.10.230:*

- *The proposed location of the project and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the zone district in which the site is located.*

Response: The convenience store and fuel station are allowed uses in the underlying C-4 zone. The County Sheriff-Coroner has issued a Local Certification of Responsibility pursuant to Section 8.03 of the Santa Cruz County Code. The sale of alcoholic beverages must comply with the County's Nuisance Abatement Program. Also, the County Administrative Office has issued a letter of Public Convenience and Necessity to support issuance of an off-sale beer and wine license by the California Department of Alcoholic Beverage Control. Finally, the sale of beer and wine will be limited to Monday through Sunday between 5:00 AM and 12:00 AM.

- *That the proposed location of the project and the conditions under which it would be operated or maintained will not be detrimental to the health, safety, or welfare of persons residing or working in the neighborhood or the general public, and will not result in inefficient or wasteful use of energy, and will not be materially injurious to properties or improvements in the vicinity.*

Response: The County Administrative Office has issued a letter of Public Convenience and Necessity to support issuance of an off-sale beer and wine license by the California Department of Alcoholic Beverage Control. Also, the County Sheriff-Coroner has issued a Local Certification of Responsibility pursuant to Section 8.03 of the Santa Cruz County Code. The sale of alcoholic beverages must comply with the strict requirements of the County's Nuisance Abatement Program to not impact the health, safety, or

welfare of persons residing or working in the neighborhood, nor be injurious to properties in the vicinity. Finally, the sale of beer and wine will be limited to Monday through Sunday between 5:00 AM and 12:00 AM.

- *That the proposed use is consistent with all elements of the County General Plan and with any specific plan which has been adopted for the area.*

Response: The proposal is consistent with the General Plan designation of Service Commercial / Light Industrial. Specifically, the convenience store and fuel station will continue to meet the service and employment needs of the community in a manner that will not adversely affect other land uses (Objective 2.17).

- *That the proposed use will not overload utilities, and will not generate more than the acceptable level of traffic on the streets in the vicinity.*

Response: The sale of alcoholic beverages will be integrated into the sales program of the convenience store. It will not overload utilities or generate traffic beyond an acceptable level in the vicinity.

- *That the proposed project will complement and harmonize with the existing and proposed land uses in the vicinity and will be compatible with the physical design aspects, land use intensities, and dwelling unit densities of the neighborhood.*

Response: The proposed location is an existing convenience store that is already part of the established neighborhood. No physical changes are proposed that would impact land use intensities or dwelling unit capacities of the neighborhood.

Conclusion:

The responses above and application materials demonstrate that the proposal meets the approval criteria for a Commercial Development Permit. The County's approval of this application is respectfully requested.



Jim Hart
Sheriff-Coroner

County of Santa Cruz

Sheriff-Coroner
5200 Soquel Avenue Santa Cruz, CA 95062
(831) 454-7699, SHFAlcoholCompliance@santacruzcounty.us

SALKHI PETROLEUM INC
SALKHI PETROLEUM
7719 SOQUEL DR
APTOS, CA 95003

RE: Alcoholic Beverage Retail Outlet Nuisance Abatement Program

Dear Business Owner:

The County of Santa Cruz implemented the Alcoholic Beverage Retail Outlet Nuisance Abatement Program (County Code Chapter 8.03). This program requires all alcoholic beverage retail outlets to obtain a Local Certification of Responsibility based on adherence to performance standards; establishes performance standards and an enforcement process to review violations of those standards in order to protect the general health, safety, and welfare of the residents of the County and to prevent public nuisances associated with alcoholic beverage retail outlets; and creates a financing mechanism to pay for the costs directly related to program operations.

The Local Certification of Responsibility fee is based on the following four components:

1. **Risk:** This is determined on the definition for "High-Risk Alcohol Outlet". "High-Risk Alcohol Outlet" is a retail outlet where alcoholic beverages are sold such as a bar, tavern, liquor store, convenience store, nightclub, banquet facility, and/or premises where live entertainment and/or dancing occurs, and/or any on-sale or off-sale alcohol outlet which, as part of its regular operating hours, stays open past midnight on one or more days of the week. If any of these apply to you, this rating will be assigned to your business.
2. **Business Hours:** The hours component is determined by the latest hour in which the business sold alcohol on any business day during the previous calendar year.
3. **Purchase Volume:** The volume component refers to the dollar volume of a business' wholesale alcohol purchases for the previous calendar year. In the case of a partial year for new businesses, the volume will be based on annualized purchases.
4. **Administrative Fee:** This fee is equivalent to 15% of the sum of items 1-3.

Enclosed is a copy of Santa Cruz County Code Chapter 8.03 - Alcoholic Beverage Retail Outlet Nuisance Abatement Program and a Business Categorization Certification form (**must be completed and returned**).

An annual invoice will be mailed once your Business Categorization Certification form has been completed and returned. You will then receive a Local Certification of Responsibility when your invoice has been paid in full.

Please contact us by e-mail (SHFAlcoholCompliance@santacruzcounty.us) or by phone at (831) 454-7699 with questions or to request additional information.

Sincerely,

Daisy Barron
Program Coordinator

BUSINESS CATEGORIZATION CERTIFICATION

To ensure that your business is billed the correct amount; the County is requesting that you certify the categorization of your business by completing the table below. Your answers must reflect business activity during the previous calendar year.

Component	Category (Circle Your Selection)
Hours	I – Business closes no later than 10:00 pm <u>II</u> – Business closes no later than midnight III – Business closes no later than 2:00 am
Volume	<u>I</u> – Wholesale alcohol purchases \$0 to \$100,000 II – Wholesale alcohol purchases \$100,001 to \$300,000 III – Wholesale alcohol purchases over \$300,000

Misrepresentation of sales volume or hours of operation may result in additional certification fees, suspension or revocation of the Local Certification of Responsibility required to operate an alcoholic beverage outlet.

Please verify the information on file for your business and sign the certification below. The completed document can be returned by e-mail (SHFAlcoholCompliance@santacruzcounty.us) or regular postal mail to:

Alcohol Program
 County of Santa Cruz, Sheriff-Coroner
 5200 Soquel Avenue
 Santa Cruz, CA 95062

RECEIVED
 JUN 22 2022

This form must be completed and returned by June 30, 2022.

Please contact us by e-mail (SHFAlcoholCompliance@santacruzcounty.us) or by phone at (831) 454-7699 with questions or to request additional information.

SALKHI PETROLEUM INC
 SALKHI PTETROLEUM
 7719 SOQUEL DR
 APTOS, CA 95003
 SC-637701

Phone #: 510-633-2338 E-mail Address: salkhi.aa@salkhi.com

☒ Please check this box if you would like future documents emailed to you.

Description of business operations:

gas station w/ convenience store. Hours are
different per day 11pm - Monday - Sat 9pm - Sunday

I certify that the above categorization of the business hours and volume components is correct for my business.

Marissa Alvarez
 Print Business Owner or Authorized Agent Name

510-633-2338
 Phone Number

Marissa Alvarez
 Business Owner or Authorized Agent Name Signature

6/22/2022
 Date

SALKHI PETROLEUM INC
SALKHI PTETROLEUM
PO BOX 1678
SAN LEANDRO, CA 94577

CUT ALONG DOTTED LINE

County of Santa Cruz

Alcoholic Beverage Retail Outlet Nuisance Abatement Program

5200 Soquel Avenue, Santa Cruz, CA 95062
(831) 454-7699, SHFAlcoholCompliance@santacruzcounty.us

EXPIRES ON

June 30, 2023

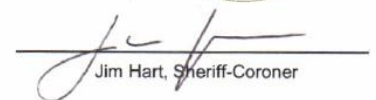
LCR NUMBER

SC-637701

LOCAL CERTIFICATION OF RESPONSIBILITY DISPLAY IN PLAIN VIEW OF PUBLIC

SALKHI PTETROLEUM
7719 SOQUEL DR
APTOS, CA 95003




Jim Hart, Sheriff-Coroner

THIS CERTIFICATE IS VALID ONLY WHEN FEES HAVE BEEN PAID. ALTERATION OF THIS DOCUMENT, USE AFTER EXPIRATION, OR USE BY ANY ENTITY OTHER THAN THE ONE NAMED MAY RESULT IN CITATION, DENIAL, SUSPENSION, OR REVOCATION OF CERTIFICATION UNDER COUNTY CHAPTER 8.03.



County of Santa Cruz

COUNTY ADMINISTRATIVE OFFICE

CARLOS J. PALACIOS - COUNTY ADMINISTRATIVE OFFICER
701 OCEAN STREET, SUITE 520, SANTA CRUZ, CA 95060-4073
(831) 454-2100 FAX: (831) 454-3420 TDD: (831) 454-2123

OFFICE OF ECONOMIC DEVELOPMENT – ANDY CONSTABLE, ECONOMIC DEVELOPMENT MANAGER

March 3, 2023

Salkhi Petroleum, Inc.
7719 Soquel Drive
Aptos, CA 95003

Dear Salkhi Petroleum, Inc.:

The County of Santa Cruz received your ABC application for a Type 20 license for a convenience market with gasoline located at 7719 Soquel Drive, Aptos, CA.

Because the site of your application is located in an area designated by the State Department of Alcohol Beverage Control as "an area of undue concentration", the ABC will not issue the requested alcohol beverage license unless the County of Santa Cruz determines that your application would meet public convenience and necessity. The Santa Cruz County Board of Supervisors has authorized the County Administrative Officer to make the public convenience or necessity determination. Prior to deciding, we must consult with the appropriate agencies (Planning, Environmental Health and Sheriff's Office) for review of the application.

I have reviewed the conditions for the public convenience or necessity determination for the requested Type 20 license as approved by the reviewing agencies and the applicant for the retail market and will recommend approval.

We understand the Planning Department is currently processing an application to demolish and replace the Salkhi Gas Station. A discretionary permit is required for off-site beer and wine sales, and it appears you will need to amend your application to comply with this requirement as your current application in process does not include beer and wine sales. I understand the project planner in Planning has made you aware of this condition.

We wish you success with your business and look forward to the opening of the new store.

Thank you,

Carlos J. Palacios
County Administrative Officer

cc: Jason Heath, County Counsel
Carolyn Burke, Assistant Director, CDI/Planning Department
Randy Morris, Director, Human Services Department
Sheriff Jim Hart, Sheriff's Office, Santa Cruz County

RECEIVED

MAR 03 2023

Alcoholic Beverage Control
SALINAS DISTRICT