

CITY OF SANTA ROSA
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
STAFF REPORT FOR PLANNING COMMISSION
May 8, 2025

PROJECT TITLE

Circle K Store & 76 Service Station, Sale of Beer and Wine for Offsite Consumption

APPLICANT

Manpreet Dhaliwal

ADDRESS/LOCATION

2799 4th Street

PROPERTY OWNER

BSD, INC

ASSESSOR'S PARCEL NUMBER

181-190-006

FILE NUMBERS

CUP24-047

APPLICATION DATES

September 10, 2024

APPLICATION COMPLETION DATES

September 10, 2024

REQUESTED ENTITLEMENTS

Conditional Use Permit (CUP)

FURTHER ACTIONS REQUIRED

None

PROJECT SITE ZONING

PD 98-003 (Planned Development)

GENERAL PLAN DESIGNATION

Retail and Business Services, and Medium Density Residential

PROJECT PLANNER

Hana Michaelson

RECOMMENDATION

Approval

CIRCLE K STORE & 76 SERVICE STATION, SALE OF BEER AND WINE FOR
OFFSITE CONSUMPTION

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Agenda Item #11.1

For Planning Commission Meeting of May 8, 2025

CITY OF SANTA ROSA
PLANNING COMMISSION

TO: CHAIR WEEKS AND MEMBERS OF THE PLANNING
COMMISSION

FROM: HANA MICHAELSON, CONTRACT PLANNER
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

SUBJECT: CIRCLE K STORE & 76 GAS STATION, SALE OF BEER AND
WINE FOR OFFSITE CONSUMPTION

AGENDA ACTION: RESOLUTION ADOPTION

RECOMMENDATION

It is recommended by the Planning and Economic Development Department that the Planning Commission, by resolution, approve a Conditional Use Permit (CUP) to allow the sale of beer and wine for offsite consumption at the existing Circle K store and 76 service station, located at 2799 4th Street, Assessor's Parcel No. 181-190-006.

BACKGROUND

1. Project Description

The project proposes to allow the sale of beer and wine for off-site consumption at an existing Circle K store, with adjacent 76 service station. Pursuant to the State of California Alcoholic Beverage Control (ABC), a Type 20 License allows retail stores to sell beer and wine between 6:00 a.m. and 2:00 a.m.



Figure 1 – Looking northwest from Farmer's Lane

CIRCLE K STORE & 76 SERVICE STATION, SALE OF BEER AND WINE FOR OFFSITE CONSUMPTION

2. Surrounding Land Uses

North: Retail and Business Services & Medium Density Residential; PD 98-003 (Planned Development); and Retail and Business Services, PD 56-001 (Planned Development); developed commercial shopping center adjacent to the project site, with existing hotel directly north of the commercial shopping center.

South: Retail and Business Services; CG (General Commercial); developed commercial uses and structures.

East: Retail and Business Services; PD 56-001 (Planned Development); developed commercial uses and structures.

West: Retail and Business Services; PD 98-003 (Planned Development); and Medium Density Residential; PD 0146 (Planned Development), developed commercial shopping center, with medium density senior housing to the northwest.

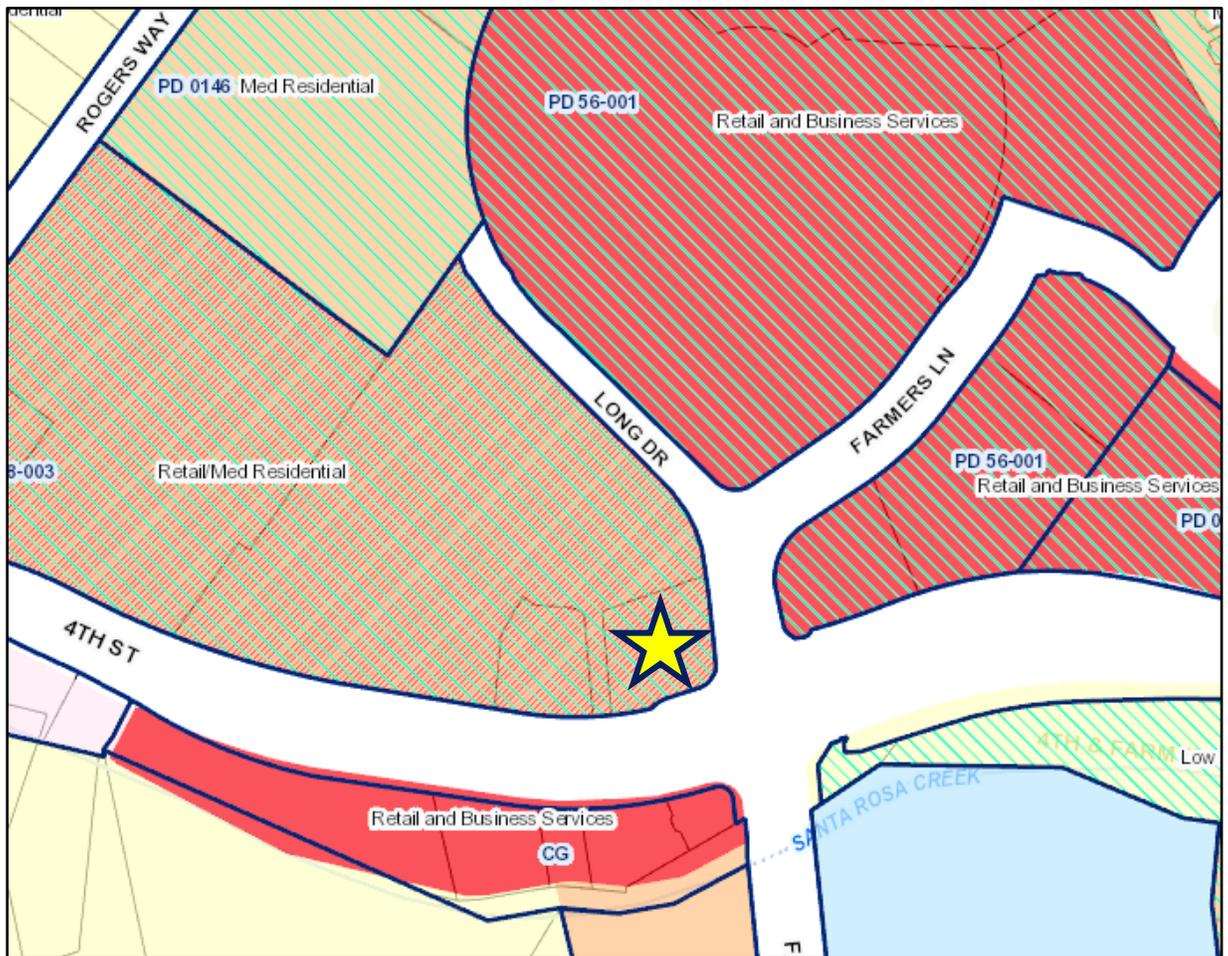


Figure 2 – Surrounding General Plan Land Uses

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3. Existing Land Use – Project Site

The site is currently developed with an approximately 1,400 square foot convenience store, and eight self-serving fuel pumps.



Figure 3 – Aerial view of project site and surrounding uses

4. Project History

September 10, 2024	Application Submitted
November 1, 2024	Notice of Application Distributed
April 25, 2025	Notice of Public Hearing Distributed

ANALYSIS

1. General Plan

The [General Plan](#) addresses issues related to the physical development and growth of Santa Rosa and guides the City's planning and zoning functions. The project site is in an area that allows development of either single or multiple land uses per the General Plan Land Use Diagram. These include Retail and Business Services along with Medium Density Residential (8.0 to 18.0 units per gross acre), and the area is intended for retail and service enterprises, offices, restaurants, regional centers, large grocery stores with CUP approval, as well as higher density residential development including attached single-family units and multi-family residential.

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Relevant General Plan goals and policies are shown in the table below:

Land Use and Livability	
LUL-E Promote livable neighborhoods by requiring compliance with green building programs to ensure that new construction meets high standards of energy efficiency and sustainable material use. Ensure that everyday shopping, park and recreation facilities, and schools are within easy walking distance of most residents.	Allowing the sale of beer and wine will provide a complete and convenient one-stop shopping experience for residents within walking distance and all those traveling by car, bike or foot.
LUL-I Maintain vibrant, convenient, and attractive commercial centers.	The addition of wine and beer sales will provide a convenient location within walking distance of nearby neighborhoods and a convenient stop right off Highway 12 where commuters can meet their everyday shopping need and fuel their vehicles without an extra stop.
LUL-CC-1 Expand local-serving retail and personal services uses to accommodate daily needs of station area users, visitors, employees, and residents within easy walking distance of residential areas and the SMART station.	
LUL-II-2 Support development of small-scale neighborhood nodes that provide a range of neighborhood-serving retail, public amenities, and services to residents within walking distance of their homes.	
Economic Vitality	
EV-B-2 Facilitate the retention and expansion of existing businesses and provide sufficient land for business expansion and attraction of new employers that utilize the area's existing labor pool.	The addition of beer and wine sales allows the existing business to expand sales of consumable products and services, with new sales expected to generate 10-15% in total revenue.
EV-A-5 Maintain diversity in the types of jobs available in Santa Rosa to lessen the impact of economic cycles.	The addition of beer and wine sales requires additional training for store employees, allowing Circle K staff to acquire additional skillsets for career advancement and providing diversity in employment opportunities.

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Circle K, founded in El Paso, Texas in 1951, is a global chain of convenience stores that frequently offer fuel sales. While the convenience store is not intended to provide “weekly grocery shopping”, the offering of food, snacks, miscellaneous household items, and beverages including beer and wine, provide a convenient one-stop-shop for those needing to pick up sundries, a bottle of wine or beer, and fuel their vehicles.

2. Other Applicable Plans

The project is not in a Specific Plan Area.

3. Zoning

The [Zoning Code](#) implements the goals and policies of the General Plan by classifying and regulating the use of land and structure development within the City.

[Section 20-42.034](#), provides direction for alcohol beverage sales. The project has been conditioned in compliance with this section, including site-visitor management; trash, litter and graffiti; staff training, surveillance and security; limitations on displays; signs; and compliance with other agency requirements.

The following criteria has been considered in staff’s review:

- Whether the use serves public convenience or necessity.

Response: The Applicant states that most of their business comes from residents of the surrounding neighborhoods, and ABC confirmed there is currently one (1) active off-sale license in the project site’s Census Tract (1523), where six (6) are allowed.

- The crime rate in the reporting district and adjacent reporting districts as compared to other areas in the City.

Response: The project plans were referred to the Police Department and no concerns were raised. A listing of crimes that may have been related to alcohol use is attached to this report.

- The numbers of alcohol-related calls for service, crimes or arrests in the reporting district and in adjacent reporting districts.

Response: The Police Department has provided some crime statistics, attached, and has indicated no concern with the proposed sale of beer and wine for off-site consumption at this location.

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- The number of alcohol licenses per capita in the reporting district and in adjacent reporting districts as compared to the county-wide average.

Response: The information below, prepared by staff, was taken from the ABC website.

Census Tract	Census Tract Population	Authorized # of Off-Sale Licenses	Active # of Off-Sale Licenses
1523 (Subject Site)	4,153	6	1
1524.01	4,009	5	4
1518	5,056	7	2
1517.01	3,327	4	3
TOTAL	16,545	22	10

- The proximity of the alcoholic beverage outlet to residential districts, day care center, park and recreation facilities, places of religious assembly, and schools.

Response: The Zoning Code does not include any requirement for distance between businesses that sell alcohol, and the uses listed above. The information below is provided for informational purposes.

- o The property is not adjacent to residential uses;
 - o The closest park is Eastside Park, approximately 2,200 feet away;
 - o The closest schools are St. Eugene’s Cathedral School, approximately 600 feet away, and Proctor Terrace Elementary, approximately 2,400 feet away;
 - o The closest place of religious assembly is St. Eugene’s Cathedral, approximately 600 feet away; and
 - o According to the Department of Social Services webpage, the closest licensed childcare facility, FUMC Preschool Child Care Center, is at 1551 Montgomery Drive, approximately 2,900 feet away. Many child-care facilities are allowed by right and the use is not tracked in the City’s GIS.
- Whether the site plan and floor plan incorporated design features to assist in reducing alcohol related problems. These features may include, but are not limited to, openness to surveillance and control of the premises, the perimeter, and surrounding properties; reduction of opportunities for

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congregating and obstructing public ways and neighboring property; illumination of exterior areas; and limiting furnishings and features that encourage loitering and nuisance behavior.

Response: Circle K is an experienced alcohol retailer. With customer entry at the southwest of the building, and the cooler vault in the rear northeast corner of the building, the store layout allows for beer and wine displays to be separate from the entry and cashier area, without requiring building expansion or modification.

The site is served by existing utilities and emergency services, with adequate access from both 4th Street and Farmers Lane. The store is equipped with an alarm system permitted by the Police Department, and surveillance cameras both inside and outside. Additionally, store staff and management regularly patrol the outside of the building and parking lot to address potential litter and loitering, and suspicious activity is promptly reported to law enforcement. The Police Department and Planning Division have reviewed the project plans and raised no issues.

Pursuant to Zoning Code Section 20-52.050, the Planning Commission must make the following six findings prior to approval of a Conditional Use Permit:

- The proposed use is allowed within the applicable zoning district and complies with all other applicable provisions of this Zoning Code and the City Code;
- The proposed use is consistent with the General Plan and any applicable specific plan;
- The design, location, size, and operating characteristics of the proposed activity would be compatible with the existing and future land uses in the vicinity;
- The site is physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints;
- Granting the permit would not constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zoning district in which the property is located; and
- The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA).

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As shown on the draft resolution included with this report, staff analysis has confirmed that these findings can be met.

4. Summary of Public Comments

Planning staff has received two written comments, attached to this report, and summarized below:

- A frequent patron of the store expressed support for sales of beer and wine at this location.
- Whether beer and wine sales are allowed at Santa Rosa gas stations with convenience stores, and how many were currently permitted.

Staff addressed all comments with additional information and no further issues were raised. Staff confirmed that the City does not maintain records identifying which conditionally approved establishments that sell beer and wine include gas stations, and provided contact information for the ABC's local district office.

5. Public Improvements

No public improvements are required.

FISCAL IMPACT

Approval of the Project will not have an effect on the General Fund.

ENVIRONMENTAL IMPACT

The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA):

- Pursuant to CEQA Guidelines Section 15301, the project is categorically exempt because it involves a negligible expansion to an existing convenience store (General Retail) and will not result in any significant impacts.
- Pursuant to CEQA Guidelines Section 15183, the project is consistent with the City's General Plan, for which Environmental Impact Reports were certified by Council, The General Plan EIR was certified in 2009, State Clearing House No. 2008092114.
- The City has further determined that no exceptions to the exemptions apply and there is no reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances (CEQA Guidelines Section 15300.2).

BOARD/COMMISSION/COMMITTEE REVIEW AND RECOMMENDATIONS

Not applicable.

PUBLIC NOTIFICATION

The project was noticed as a public hearing per the requirements of Chapter 20-66 of the City Code. A Public Hearing Notice (notice) was provided by posting two onsite signs, publishing a notice in the Press Democrat, mailing a notice to owners and occupants of properties within 600 feet of the site, providing an electronic notice to parties that had expressed interest in projects taking place in this geographic area of Santa Rosa, posting notices on the bulletin board at City Hall and on the City's website.

Pursuant to Government Code Section 65091, where necessary, the City has incorporated notice procedures to the blind, aged, and disabled communities. These procedures include audio amplifier/assistive listening device support at public meetings, closed captioning, and optical character recognition conversion of electronic notices.

LEVINE ACT

This project is subject to the Levine Act (Gov. Code Section 84308) which prohibits city officials from participating in certain decisions regarding licenses, permits, and other entitlements for use if the official has received a campaign contribution of more than \$500 from a party, participant, or agent of a party or participant in the previous 12 months. The Levine Act is intended to prevent financial influence on decisions that affect specific, identifiable persons or participants. Please see the attached Disclosure Form for information on individuals interested in the proposed land use action and any monetary contributions to city officials For more information see the FPPC website: www.fppc.ca.gov/learn/pay-to-play-limits-and-prohibitions.html

ISSUES

No issues were raised as part of staff's review and there are no unresolved issues.

ATTACHMENTS

- Attachment 1: Disclosure Form
- Attachment 2: Location Map
- Attachment 3: Project Description
- Attachment 4: Site & Floor Plan
- Attachment 5: Police Correspondence & Activity Reports
- Attachment 6: Public Correspondence
- Attachment 7: ZC Section 20.42.034, Alcoholic Beverage Sales

- Resolution 1: Conditional Use Permit

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CONTACT

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