**ALAMEDA COUNTY COMMUNITY DEVELOPMENT AGENCY**
**PLANNING DEPARTMENT**

**STAFF REPORT**

**TO: CASTRO VALLEY MUNICIPAL ADVISORY COUNCIL**
**HEARING DATE: APRIL 28, 2025**

## GENERAL INFORMATION

**APPLICATION:** Site Development Review, PLN2024-00212

**OWNER/ APPLICANT:** Castro Village Assoc. LLC. / Jenifer Oden, counsel for Walgreens Co.

**PROPOSAL:** Site Development Review for the continued operation of an alcohol outlet, off-site sale of alcoholic beverages at an existing Walgreens Pharmacy with an ABC alcohol license change from a Type 20 (off-site beer and wine) to a Type 21 (off-site beer, wine and distilled spirits).

**ADDRESS AND SIZE OF PARCEL:** 3382 Castro Valley Boulevard, northwest side, at the intersection with Wilbeam Avenue, Castro Valley area of unincorporated Alameda County, bearing Assessor's Parcel Number: 084A-80-15-14; 34,000 sq. ft. in area.

**ZONING:** Subarea 7 of the Castro Valley Central Business District.

**GENERAL PLAN DESIGNATION:** The site lies within the boundaries of the Castro Valley General Plan adopted by the Board of Supervisors on March 27, 2012. The Plan designates the site as Core Pedestrian Retail District (CBD-5).

**SPECIFIC PLAN DESIGNATION:** The site lies within the Castro Valley Central Business District Specific Plan adopted on January 7, 1993. The Specific Plan designates the site as Subarea 7 (Intensive Retail).

**ENVIRONMENTAL REVIEW:** Categorically exempt from the requirements of the California Environmental Quality Act, Section 15301, "Existing Facilities".

## RECOMMENDATION

Staff recommends that the Castro Valley Municipal Advisory Council recommend to the Planning Director approval of Site Development Review, PLN2024-00212 allowing for the continued operation of an alcohol outlet, off-site sale of alcoholic beverages at an existing Walgreens Pharmacy with an ABC alcohol license change from a Type 20 (off-site beer and wine) to a Type 21 (off-site beer, wine and distilled spirits), based on drawings marked "Exhibit A" date October 31, 2024, on file with the Alameda County Planning Department.

## PARCEL ZONING HISTORY

June 21, 1951, the 12th Zoning Unit established the zoning designation for the area as R-1-A (Single Family Residence, Limited Agriculture).

May 25, 1960, Conditional Use Permit C-1026, approved carnival (Ferris wheel, Merry-go-round, etc.) for five days, July 20 to 25, 1960, with conditions.

July 31, 1961, Variance V-1814, approved an adjustment to allow an outdoor advertising sign, 9′ by 12′, encroaching 5′ into a Special Building Line, and 7′ into the right-of-way, with an agreement to remove it upon request by the County Surveyor after 90 days' notice.

April 2, 1969, Variance V-4748, approved adjustment, identical to V-1814.

July 2, 1969, Conditional Use Permit C-2035, approved drive-in use (Fotomat), with revocation for cause.

September 12, 1974, the 1164th Zoning Unit, rezoned the subject parcel to the C-1-S (Retail Commercial, Sign Regulations) District.

August 4, 1983, Resolution, R-83-437 established the *Castro Valley Central Business District Specific Plan*.

January 7, 1993, an update to the *Castro Valley Central Business District Specific Plan* reclassified the site to the CVCBD SUB-7 (*Castro Valley Central Business District Specific Plan, Subarea 7*) District.

June 14, 2010, Site Development Review PLN2010-00004, Planning Director approved Castro Village Phase II improvements including building and site improvements for Walgreens & Shari's Restaurant, a drive-up window at Walgreens, and street and access improvements to the Castro Village Shopping Center.

November 5, 2010, Site Development Review PLN2010-00146, Planning Director approved Castro Village Shopping Center Amended Master Sign Program.

December 7, 2011, Conditional Use Permit, PLN2010-00024, to allow the sale of beer and wine (off-site type license) in an existing retail drugstore. Approved on December 7, 2011, for beer and wine outside consumption alcohol sales; with expiration on December 12, 2021.

## SITE AND CONTEXT DESCRIPTION

Physical Features: The site is a level, irregularly shaped lot comprised of a main rectangular area with roughly 143' of frontage on Castro Valley Boulevard and a depth of 180' along its east side. North and west of this roughly square area is another rectangular area of about 52' by 208'. However, because all of the surrounding parcels, including the subject site, are commonly owned as part of the Castro Village Shopping Center, the shape of the subject parcel is not particularly important.

The Walgreens store is a one-story rectangular building with about 15,000 square feet and dimensions of about 100' wide (along Castro Valley Boulevard) and 150' deep. The building directly borders the front property line (except for a roughly 4-foot-wide planter strip) and has about 20' of side yard setback on the west side, 10' on the west side, and about 10 feet to the nearest rear property line. The site was recently renovated with new access and landscaping. The west side will be used for parking, including at least two handicapped-accessible parking spaces. General parking areas are provided to the north of the building. A major entry driveway, with a four-way traffic signal, serving the shopping center is to the west of these parking spaces. A drive-up service window for Walgreens is located on the west side of the store.

Surrounding Area: The site is surrounded on the east and west sides by free-standing buildings within the Castro Village Shopping Center (aka, Castro Village). Castro Village is bounded by Santa Maria Avenue

to the east, Jamison Drive to the north, Redwood Road to the west, and Castro Valley Boulevard to the south. Major anchor tenants besides Walgreens include Ross Dress for Less, BMO Bank (directly east of Walgreens), and Castro Village Bowl. Other tenants include several restaurants, service and retail businesses, and commercial office-type uses. Vehicular access to the center is from Castro Valley Boulevard, Santa Maria Avenue, Jamison Drive, and Redwood Road. A Safeway supermarket and another small strip mall to the east of Castro Village are loosely associated with the shopping center through some shared access (Village Drive, connected to Redwood Road), but they are owned separately. Another large shopping center, anchored by Lucky's supermarket, Pet Food Express, and Chase Bank, lies directly south of Castro Valley Boulevard.

## REFERRAL RESPONSES

Alameda County Code Enforcement: In a referral response dated November 11, 2024, Code Enforcement staff stated, this application will clear the Code Enforcement violation under case, COD2024-00369, which is for an expired Conditional Use Permit for Alcohol sales. There are no additional comments or objections on this project from Code Enforcement Staff.

Alameda County Sheriff's Office: In a referral response dated January 18, 2025, the Alameda County Sheriff's Office stated that they have no issues with Walgreen's license change from type 20 to type 21.

Neighboring Properties: None received.

## PROJECT DESCRIPTION

Site Development Review for the continued operation of an alcohol outlet, off-site sale of alcoholic beverages at an existing Walgreens Pharmacy in the Central Business District, Subarea 7, with an ABC alcohol license change from a Type 20 (off-site beer and wine) to a Type 21 (off-site beer, wine and spirits). The applicant is requesting to change from a Beer and Wine license to be able to sell distilled spirits. The current layout of the store has 39 sq. ft. devoted to beer and wine, with the new license 8 additional sq. ft. will be devoted to distilled spirits for a total of 47 sq. ft. of floor space within the Walgreens retail store to be used for alcohol sales. This results in a total percent of floor space devoted to alcohol sales of 0.01%.

## STAFF ANALYSIS

Conformance with the General Plan

The site is in the Castro Valley General plan and is designated "Core Pedestrian Retail". This designation is intended for the intensive pedestrian-oriented retail and service uses that form the heart of the Castro Valley community. Ground floor office uses will be limited. Multi-family residential uses and administrative office uses are allowed above the ground floor or behind retail frontage. The Castro Valley General Plan says this about Alcohol: Uses that require case-by-case evaluation to ensure that they will not have adverse effects based on the establishment's specific characteristics and the nature of surrounding uses should require a conditional use permit. Such uses include: animal hospitals; alcohol sales for on or off-site consumption. Due to the specific plan being silent in regards to conditional use permits, alcohol sales for offsite consumption requires approval of a Site Development Review in the Castro Valley Central Business District Specific Plan Area. The existing and proposed sales of alcohol sales for off-site consumption is in conformance with the general plan designation of Core Pedestrian Retail uses.

Conformance with the Specific Plan

The Castro Valley Central Business District Specific Plan (CVCBD Plan) has as its goals making the district a focal point of the community, projecting a unique and attractive image, competing more effectively with other centers in the region or market area, and providing a wide range of services to area residents. The Plan designates eleven sub-areas, including Subarea 7, which is characterized as the "Central Castro Valley Boulevard/Redwood Road – Intensive Retail Core". Subarea 7 is represented in the Plan (page 21) as Castro Valley's commercial core, based on a description of the intersection of Redwood Road and Castro Valley Boulevard as the "major 100 percent intersection of the community." The Development Objectives identified for Subarea 7 begin with the following:

Development in this subarea must reflect its position as the community's business core. Development is to be limited to intensive retail and service commercial outlets that complement each other. Land-extensive businesses, such as supermarkets, auto-oriented facilities, service stations and auto service shops, drive-in businesses, etc., are not allowed in the subarea. All street frontage is to be reserved for intensive commercial uses. Castro Valley Central Business District Sub 7 does allow for alcohol sales for offsite consumption with a valid Site Development Review. The continued operation of the existing alcohol outlet and the proposed expansion with the sales of distilled spirits at an existing Walgreen Pharmacy is in conformance with the Specific Plan Sub Area 7, Intensive Retail Core.

Conformance with the Zoning Ordinance

Definition of an alcohol outlet:

> "Means any retail establishment engaged in the business of selling alcoholic beverage for off-premises consumption; a winery is exempted."

The site is designated as Subarea 7 (Core Pedestrian Retail) within the Castro Valley Central Business District Specific Plan, which specifically allows a Drug store. In addition, under the *1995 Alcohol Policy*, a conditional use permit is required for all alcohol sales. A Site Development Review as been determined as the correct discretionary application that will be acted on for this proposal since the site is within a Specific Plan area. This Drug store has been defined as an alcohol outlet since the request includes the sale of beer, wine, and distilled spirits for off-site consumption. This site development review is required to be approved to allow the continued operation of the existing alcohol outlet and to allow the change in the ABC license to include the sale of distilled spirits.

Alcohol Policy:

The County's policy for review and approval of new conditional use permits (or site development reviews) for alcohol outlets and taverns was adopted by the Board of Supervisors on August 3, 1995 (Resolution Number R-96-57), 1995 "Alcohol Policy". Policies 1, 2, and 8 provide guidance for the consideration of alcohol outlets and taverns as conditional uses, and it includes a caveat that they are not intended to be rigid and final. Policies 3 through 7 establish operational requirements, such as for lighting, transparency of windows, maintenance of the exterior, and compliance with state and other laws. Policy 1 states:

> "No Alcohol Outlet/Tavern is to be located within close proximity of another similar use, so as to not allow the clustering of such uses which may adversely affect the neighborhood; a minimum distance of 500 feet should be required between two such facilities; for certain large retailers, such as supermarkets, where alcohol is not the principal venture, and where such business is otherwise required by public convenience and necessity, this distance requirement may be waived

if deemed irrelevant."

In this instance, there are three alcohol outlets 500 feet of the subject location, (only one being defined as a tavern) and two for off-site consumption them being Safeway and Lucky's grocery stores. The Brass Boar Lounge (Castro Village Bowl), Canyons BBQ, and The Breakfast Club are within 500 feet of the subject site. The land use rules for Taverns include where alcoholic beverages are sold for onsite consumption as its principal function. Specific definition below. The Planning Department does not regulate restaurants that serve alcohol, the Policy applies to Taverns and Alcohol Outlets. The Brass Boar Lounge is the one tavern located within the 500-foot radius while the other two locations, Canyons BBQ and The Breakfast Club are defined as restaurants that offer alcoholic beverages on the menu without any separate bar area. However, these alcohol venues are for alcoholic beverages that are consumed on-site, which is the opposite of the proposed alcohol outlet where drinks are normally consumed off-site. The Breakfast Club and Canyons BBQ have a type 47 ABC license, which is for restaurants. Safeway and Lucky's, principal use of their stores is groceries and not alcohol. See the attached distance study map.

"Tavern" means any premises where alcoholic beverages are offered for sale for consumption on the premises as its principal function, including: restaurants having a separate bar or lounge area; a restaurant with a bar located within the restaurant seating area; a restaurant which offers "happy hour" for alcoholic beverages or where alcohol sales are in any way promoted; or, a restaurant which advertises the sale of alcohol in any way other than on the menu; a winery, pursuant to its definition in this section, is exempted.

Policy 2 of the *Alcohol Policy* also states:

> "No Alcohol Outlet/Tavern is to be located within close proximity of existing facilities that are primarily devoted to use by families with children or minors, such as parks, school, and churches; a minimum distance of 500 feet should be required…"

According to the 500-foot guideline, there are no facilities specifically designated for children or families, such as parks, schools, or churches, within this radius. However, it is noted that a bowling alley falls within 500 feet, which may attract families as patrons. Policy 8 states simply that no outlet or tavern is to be allowed where, as a result of existing circumstances, it would have adverse effects on immediately adjacent businesses, neighborhoods, or residents. Staff does not believe the proposed alcohol outlet will cause an adverse effect on the immediate area.

The proposal does not meet the Alcohol Policy in its entirety; however, portions of this policy can be waived. Of the three alcohol outlets and tavern located within 500 feet, one is for on-site consumption and the other two are grocery stores where alcohol is for off-site consumption and is not the principal item for sale.

Besides the two large grocery stores, the next nearest alcohol outlet (liquor store) for consumption off-site is Liquor King, located at 20892 Redwood Road, about 1000 feet to the south and east on Redwood Road. There are no parks, schools, or churches within 500 feet of the site; the nearest church is Faith Lutheran of Castro Valley, located at 20080 Redwood Road, about 1,250 feet north of Castro Valley Boulevard on the east side of Redwood Road. Any known parks and schools are located over 1,200 feet distant.

Policies 3 through 7 require each alcohol outlet or tavern to meet the following guidelines:

- The interior and exterior, including parking areas, are to be brightly lit, sufficient to allow facial features to be identified.

- Windows must remain free and clear between 3' and 7' above ground of signage and posters to accommodate visibility both inward to and outwards from the outlet's interior.
- Outlet owners or operators are responsible for regular pick up of litter around their establishment and cleaning of sidewalks if necessary.
- Façades and premises are to be maintained in good condition, with prompt removal of graffiti, repair of damaged signs, windows, or other features, and renovations or upgrades when necessary.
- Outlets and taverns shall be in compliance at all times with all state and local laws pertaining to the requirements of the Alcoholic Beverage Control Act.
- Bartenders and liquor store attendants, including managers, should be required to attend responsible beverage service training to be competent and knowledgeable in understanding the potential problems associated with alcohol and alcohol establishments and how to handle such situations; such training should include knowledge of applicable laws, including pertinent State laws.

The presence of children associated with families shopping and patronizing the bowling alley in the area is noted but is not of the same nature as being in the presence of a school, park, library, or church.

Section 17.52.566.C of the Zoning Ordinance provides regulations that restrict advertising signs for alcoholic beverages, specifically that "No person or entity shall place any advertising sign in the unincorporated area of Alameda County promoting the sale of Alcoholic Beverages if the face of the advertising sign is publicly visible from any school, child daycare center, outdoor recreation facility, playground, or library". In this case, there is no such land use in the vicinity of the store from which the façade of the store would be visible, such that would prohibit allowable advertising in the store window.

*Other Zoning Ordinance Requirements*: For parking supply, the Zoning Ordinance (Table 17.52.930) requires one parking space per 300 square feet of the floor area for business retail establishments under 6,000 feet in area, not counting non-customer areas. For the existing 15,000-square-foot store, an estimated maximum area of 13,000 square feet is used for the customer area, and therefore, its parking requirement is about 35 parking spaces (fractions under half a space are subtracted under Section 17.52.890). There are 25 parking spaces for five businesses. There are 12 spaces just for Walgreens, with the remainder spaces are shared parking. There is no change to the existing footprint of the retail store therefore parking is met.

Compliance with the Performance Standards per 6.104.060: All alcohol outlets are subject to Chapter 6.104, "Alcoholic Beverage Sale Regulations," which includes performance standards. The purpose of the performance standards is to control dangerous or objectionable environmental effects of alcoholic beverage sales establishments and service stations selling alcoholic beverages for on– or off–sale consumption. There are seven standards that are required for all alcohol outlets whose purpose is to ensure the safety of persons residing or working in the surrounding area.

*An alcoholic beverage sale establishment shall comply with the following performance standards. It shall assure:*

*1. That it does not result in adverse effects to the health, peace, or safety of persons residing or working in the surrounding area.*

Specific efforts are made with the Conditions of Approval to provide needed safeguards to prevent negative impacts to the surrounding neighborhood with staff training on the sale of alcohol.

***2.*** *That it does not result in jeopardizing or endangering the public health or safety of persons residing or working in the surrounding area;*

The mandatory review condition of approval will provide a time for staff to check with the Sheriff's Office for any resulting endangerment of the public health as a result of the use.

***3.*** *That it does not result in repeated nuisance activities within the premises or in close proximity of the premises, including but not limited to disturbance of the peace, illegal drug activity, public drunkenness, drinking in public, harassment of passersby, gambling, prostitution, sale of stolen goods, public urination, theft, assaults, batteries, acts of vandalism, excessive littering, loitering, graffiti, illegal parking, excessive loud noises, especially in the late night or early morning hours, traffic violations, curfew violations, lewd conduct, police detentions and arrests and sales to minors;*

As of this writing, there are no known complaints received for the use, except for the expired site development review application. , Planning Staff will be able to review any repeated nuisance activities based on the recommended conditions of approval.

***4.*** *That it does not result in violations of this chapter, County Ordinance, Title 12, Public Roadways and Parks, or any other applicable provision of any other county, state, or federal regulation, ordinance or statute;*

Responsible service training will be provided to the operators and employees of the business to inform them of laws and regulations that apply to their profession.

***5.*** *That its upkeep and operating characteristics are compatible with and will not adversely affect the livability or appropriate development of abutting properties and the surrounding neighborhood;*

Conditions of approval, part of this permit process, describe what is expected to prevent these from occurring.

***6.*** *That its owner(s), operator(s), licensee(s), server-supervisor(s), server(s), and all other employees that serve and/or sell alcoholic beverages receive responsible beverage service training no less frequently than biennially and within sixty (60) days of employment and no later than thirty (30) days after the effective date of this ordinance. To meet this requirement at least one individual described above shall receive training from and be certified by a responsible beverage service training program operated by the county of Alameda. The person certified as having completed such training program shall be responsible in turn for training the remaining owner(s), licensee(s), server-supervisor(s), server(s), and all other employees that serve and/or sell alcoholic beverages in the establishment. The person responsible for such training shall document in a form approved by the county that the remaining owner(s), licensee(s), server-supervisor(s), server(s), and employees shall have been trained to the standards of the county training program;*

This training program is required as a condition of approval herein.

***7.*** *That the person certified as having completed responsible beverage server training trains the remaining owner(s), licensee(s), server-supervisor(s), server(s), and all other employees of the establishment, documents such training on the approved county form, and submits the completed form to the enforcement officer by January 31st each year and at other times when requested by the enforcement officer;*

This is required as a condition of approval.

The applicant understands that the operation of this establishment will require a thorough knowledge of the requirements of this type of business and will require vigilance in the day-to-day operation to maintain this business in this community.

Annual Alcohol Sales Education and Regulatory Fee (6.104.080)

All alcohol outlets are required to attend education classes and pay an annual fee to cover the costs of inspections, enforcement, and administrative hearings of the performance standards.

The applicant will be required in the conditions of approval to maintain compliance with these performance standards.

Summary: As proposed, the operation of the alcohol outlet does not meet the *1995 Alcohol Policy,* since there are three alcohol serving locations (one tavern and two alcohol outlets) located within 500 feet of the proposed use. However, the Policy does have a caveat that they are not intended to be rigid and final and can be waived, especially since two are for alcohol consumption off-site located within grocery stores where alcohol is not the primary item for sale. The proposal does meet the overall intent of the Zoning Ordinance, the Specific Plan, and the General Plan. Staff recommends that the alcohol outlet should be approved since there are no other alcohol outlets located in the area of this type and the sale of alcohol will not be the principal venture.

**CONCLUSION**

Approval subject to plans marked "Exhibit A" received on October 31, 2024, on file with the Alameda County Planning Department and the following conditions:

1. This permit authorizes the operation continued operation of an alcohol outlet, and off-site sale of alcoholic beverages at an existing Walgreens Pharmacy with an ABC alcohol license change from a Type 20 (off-site beer and wine) to a Type 21(off-site beer, wine, and distilled spirits) located at 3382 Castro Valley Boulevard, Castro Valley, CA.

2. The hours of operation for the alcohol outlet shall be limited to from 7:00 am to 10:00 pm, seven days a week.

3. The alcohol outlet shall maintain the windows clear of any signage, posters or writing (except for the display of business hours) from three to seven feet above ground, or any object so as to remain clear and clean allowing clear visibility.

4. Window areas along the building frontage shall be kept free and clear to improve visibility in and out of the building and the overall visual prominence of the building.

5. The Permittee shall comply with all Federal, State, and Local Laws, Regulations and Alameda County Regulations.

6. The alcohol outlet shall be subject to Chapter 6.104 Alcoholic Beverage Sale Regulations including but not limited to:

a. Section 6.104.080 – Annual Alcohol Sales Education and Regulatory Fee collected by the Alameda County Sheriff's Office by January 31 of each year.
b. Section 6.104.130 – Notice of Hearing.

7. The permittee shall maintain compliance with the requirements of the following agencies:

a. Alameda County Public Works Agency, Building Inspection Department
b. Alameda County Fire Department
c. Alameda County Sheriff's Office
d. Alameda County Code Enforcement Division
e. Alcoholic Beverage Control

8. The property owner shall defend, indemnify, and hold harmless Alameda County and or its agents, officers, and employees from any claim, action, or proceeding against Alameda County or its, agents, officers or employees to attack, set aside, void, or annul Site Development Review, PLN2024-00212, the findings of the CEQA determination, or any combination thereof. Such indemnification shall include, but not be limited to, an award of costs and attorney's fees incurred by Alameda County in its defense. The County shall promptly notify applicant of any such challenge.

9. A mandatory review shall be conducted three years from approval for PLN2024-00212. As a result of the mandatory review, a permit for renewal and public hearing may be required to review the original conditions of approval to determine compliance with the findings that supported the original permit approval. Any condition of approval modified or added will ensure the activity continues in conformance with the intent and purpose of the zoning ordinance and shall be of the same force and effect as if originally imposed. Review costs shall be borne by the applicant.

**ATTACHMENTS**

Applicants Statement
Referrals
Graphics
Map

Prepared By: Michael Flemming
Reviewed By: Christine Greene

## Project Description

Walgreen Co. ("Walgreens" and/or "Applicant") is filing a Site Development Review ("SDR") for the continued off-site sale of alcoholic beverages (beer, wine, and now, distilled spirits) at the existing Walgreens Pharmacy located at 3382 Castro Valley Boulevard in Castro Valley, an unincorporated area of Alameda County.[1]

According to the Department of Alcoholic Beverage Control ("ABC") License Query System, it appears that the off-site sale of alcoholic beverages at this premises dates back to August of 1971, as an ABC Type 21 Off-Sale General License was issued to Walgreen Co. on August 24, 1971 (License No. 21-64000).[2] Then, in January of 2012, Walgreen Co. obtained its current ABC Type 20 Off-Sale Beer and Wine License (License No. 20-486630) after the West County Board of Zoning Adjustments adopted Resolution No. Z-11-67 in December of 2011, approving Conditional Use Permit PLN-2010-00024 to allow the sale of beer and wine (for off-site consumption) at the existing Walgreens Pharmacy.

Now, Walgreen Co. is simply filing a Site Development Review with the County of Alameda for the continued off-site sale of alcoholic beverages (to include beer, wine, and now, distilled spirits). As a business that has existed in the community since the early 1970's, Walgreen Co. is a valuable pharmacy use serving the public need and benefit for the past several decades. Walgreens has proven itself to be a good neighbor and responsible retailer within the community. The continued operation of this store, with strict adherence to the imposed conditions and under proper management and supervision, will continue to provide a pharmacy and retail service that is beneficial to the community.

This long-standing Walgreens Pharmacy currently exists as an all-in-one shopping experience, enabling customers to purchase everyday essential grocery items, including fresh food items, photo printing services, pharmacy needs, and general retail sales and is requesting approval for the continued sale of alcoholic beverages to continue and further the convenience provided to the surrounding community. Walgreens Pharmacy, and the continued selling of an incidental amount of alcoholic beverages, will continue to provide a benefit to the nearby community and will not be detrimental to the character of the immediate area. As determined in the CUP that was approved in December of 2011, "[t]he use is required by the public need as the use would serve the public need of the community for a competitive business climate. The proposed off-sale of alcoholic beverages is incidental and pertinent to a larger retail use that provides for a more complete shopping experience." (Resolution No. Z-11-67, pages 1-2). These findings remain true today.

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[1] Walgreen Co. hereby files this Site Development Review ("SDR") in the spirit of good faith and cooperation with the County of Alameda, and without waiting any argument that the continuation of the Walgreens Pharmacy (with the off-site sale of alcoholic beverages (a Type 20 and/or Type 21 Alcoholic Beverage Control ("ABC") license)) is a legal non-conforming use that is permitted without the need for the previously approved Conditional Use Permit ("CUP"), approved in December of 2011, and/or any other discretionary entitlement, including, but not limited to a Site Development Review.

[2] From a review of the ABC License Query System, it appears that Walgreen Co. held an ABC Type 21 Off-Sale General License at the existing premises from August of 1971 through December of 1999.

The operation of this Walgreens dates back to the early 1970's and over the years, the store has sold an incidental amount of alcoholic beverages for off-site consumption. Walgreens has proven itself to be proper in relation to other land uses, transportation, and service facilities in the vicinity. The store has been under exemplary management continually working to ensure a safe and convenient local drug store option for patrons and residents. This business continues to provide employment for many local residents and it purchases from outside vendors which contribute to the economic base of the community.

This Walgreens store is located in an area with various commercial and residential uses and is consistent with other uses in the community. Walgreens is a commercial use, in an area designated for commercial properties, providing neighborhood convenience for a wide range of goods and services including the incidental sale of alcohol. The Applicant will continue to operate this store in harmony with the surrounding community and the Walgreens will continue to have a positive economic impact on the surrounding neighborhood. Walgreens has co-existed in this location for many years and will remain proper in relation to the adjacent uses and development of the community.

The subject premises is on the corner of Castro Valley Boulevard and Redwood Road in the Castro Valley Central Business District, Subarea 7 in the City of Castro Valley. The subject property is improved with a single-story Walgreens Pharmacy that includes a drive-through pharmacy pick-up window on the west side of the building and a shared parking lot with ample parking spaces. Access to the store is from multiple entry/exits along Castro Valley Boulevard. The project's operations remain compatible with adjacent properties and the surrounding neighborhood. As a business in the community for years, Walgreens has positively affected the welfare of the community because of the sound corporate policies of the company. The store has been under exemplary management continually working to ensure a safe and convenient local drug store option for patrons and residents.

Walgreens is not and will not adversely affect the health or safety of persons residing or working in the vicinity or be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood. In fact, this Walgreens Pharmacy does, and will continue to, positively affect the community through the goods and services it has reliably and responsibly provided for years. The Applicant will continue to operate this store in harmony with the surrounding community, and the Walgreens will continue to have a positive economic impact on the surrounding neighborhood. Walgreens has co-existed in this location for decades and will remain proper in relation to the adjacent uses and development of the community. Notably, pursuant to Resolution No. Z-11-67, the West County Board of Zoning Adjustments found that "[t]he use, if permitted, under all circumstances and conditions of this particular case, will not materially affect adversely the health or safety of persons residing or working in the vicinity, or be materially detrimental to the public welfare or injuries to property or improvements in the neighborhood as regulated under the County Alcohol Outlet Policy, County Zoning Ordinance, State Department of Alcoholic Beverage Control, and Conditions of Approval contained herein. The use as mitigated would not have any detrimental effects upon the general public with regard to health and safety." (Resolution No. Z-11-67, pg. 2). These findings remain true today.

The subject property is a commercial use located in an area designated by the General Plan as the Castro Valley Central Business District, Subarea 7 (Central Castro Valley Boulevard/Redwood Road – Intensive Retail Core) District and is therefore consistent with the General Plan. The following are some of the stated goals of the Castro Valley Central Business District:

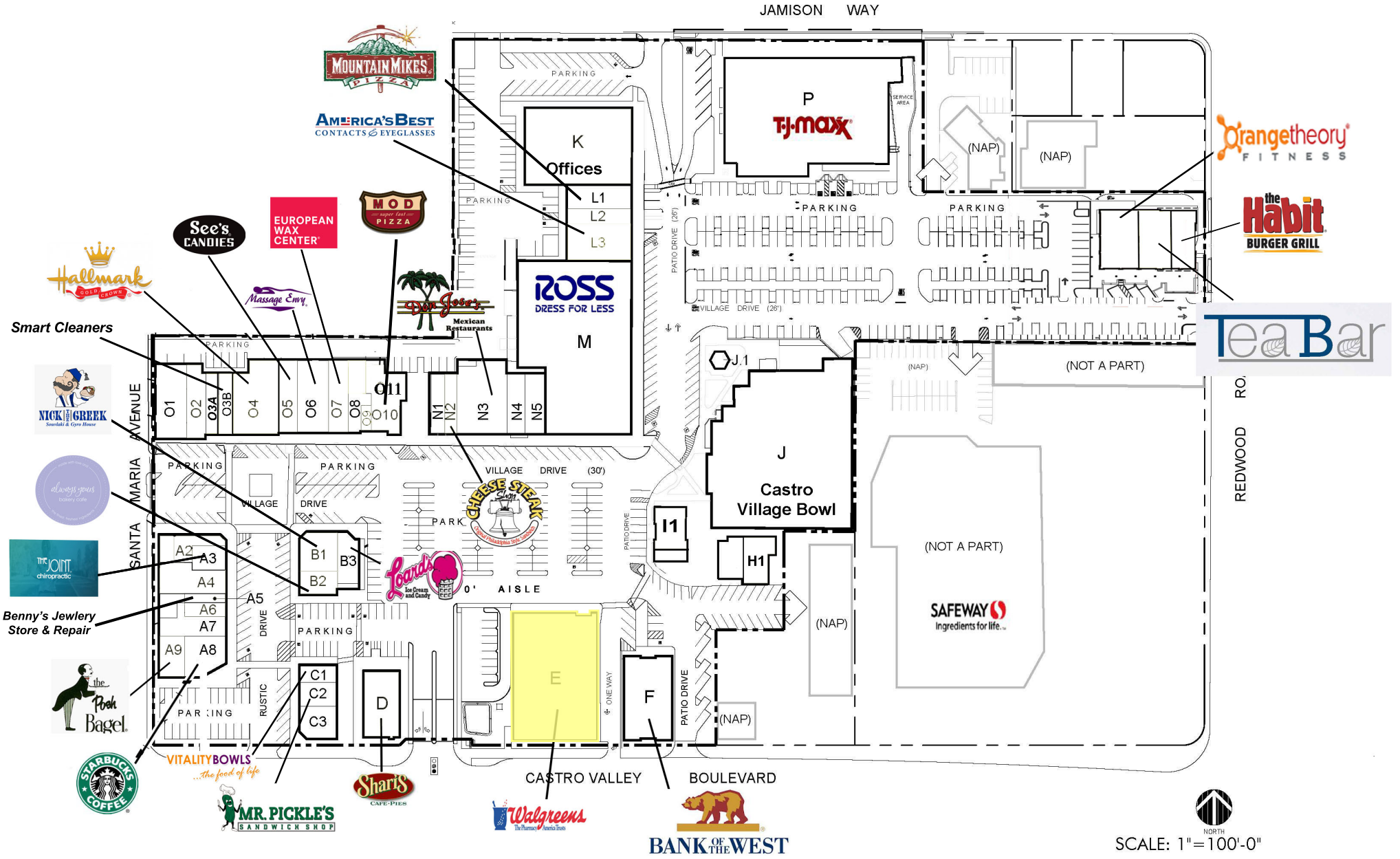
- The Central Business District should be a focal point of the community.
- The Central Business District should project a unique and attractive image.
- The commercial status of the Central Business District should be more competitive with other commercial centers in the market area.
- The range of services and merchandise available in the Castro Valley Central Business District should expand in order that a greater portion of purchases by residents can be made in the Castro Valley Central Business District and that the Central Business District can draw consumers from outside the community.
- Employment opportunities in the Central Business District should increase.
- Development in the Central Business District should be consistent in scale and character and compatible with adjacent land use.

The continuation of Walgreens Pharmacy, along with the continued incidental sale of alcoholic beverages for off-site consumption, is consistent with all of the above stated goals. Furthermore, the Applicant has maintained its professionally landscaped and attractively well-kept exterior and property since it began operations and will continue to do so. The Applicant and staff regularly monitor the store interior and exterior to ensure the property is kept free from litter and debris. The Applicant remains in compliance and in harmony with the intent and purpose of the Zoning Code and also with the General Plan as a commercially zoned property. Further, in CUP Case No. PLN-2010-00024, it was determined that: "[t]he use will not be contrary to the specific intent clauses or performance standards established for the District in which it is to be considered as the Castro Valley Central Business District Specific Plan specifically lists alcohol outlets as an allowed use in this subarea." (Resolution No. Z-11-67, page 2). These findings remain true today.

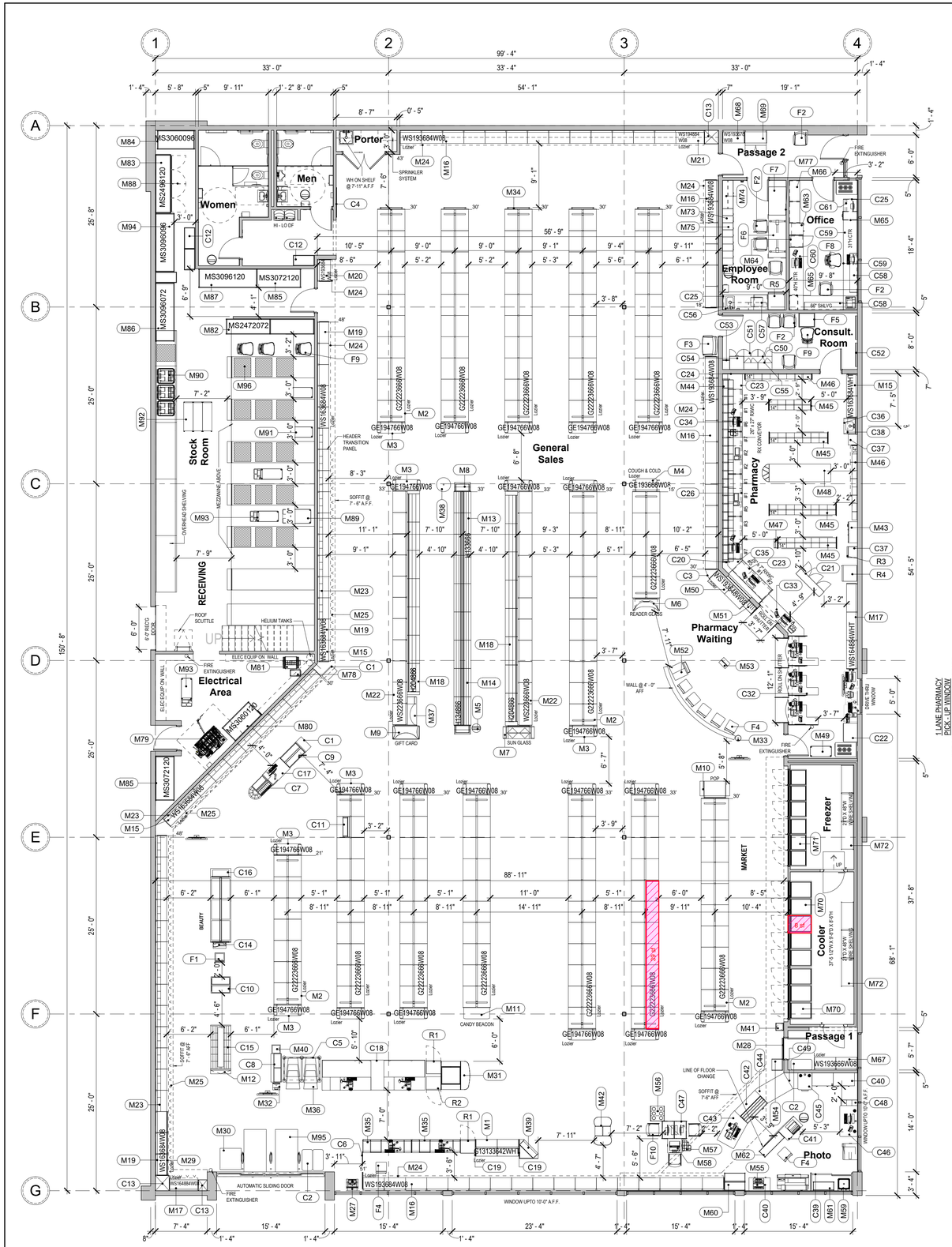
**PLN2024-00212 referrals**

Alameda County Code Enforcement: In a referral response dated November 11, 2024, Code Enforcement stated: This application will clear the violation on COD2024-00369. No additional comments or objections on this project.

Alameda County Sheriff's Office: In a referral response dated January 18, 2025, the Alameda County Sheriff's Office stated: that they have no issues with Walgreen's license change from type 20 to type 21.




PROPOSED PROJECT




1 Fixture Floor Plan - Existing

SCALE: 1/8" = 1'-0" REF. 1/A-210

## LEVEL 1 CASEWORK SCHEDULE...

| I.D. | Room: Name | Description | Count |
|---|---|---|---|
| C1 | General Sales | Beauty end cap | 2 |
| C2 | <varies> | 18" x 36" pallet | 3 |
| C3 | General Sales | 22" x 22" x 84" Wall shelving corner filler | 1 |
| C4 | General Sales | 48"x 96" Generic slat wall | 1 |
| C5 | General Sales | 60" x 38" x 2" Cart top counter | 1 |
| C6 | General Sales | 60" x 62" checkout end panel | 1 |
| C7 | General Sales | B2G-Left radius end cap only | 1 |
| C8 | General Sales | Beauty gifting table | 1 |
| C9 | General Sales | Beauty low gondola | 1 |
| C10 | General Sales | Beauty promotional display | 1 |
| C11 | General Sales | Botanics display shelving | 1 |
| C12 | <varies> | DT1836 Dump Table Legacy (36x18x30) | 4 |
| C13 | General Sales | General sales corner filler piece | 3 |
| C14 | General Sales | Left hand beauty consultation desk | 1 |
| C15 | General Sales | NYX Gondola | 1 |
| C16 | General Sales | Promo Gondola | 1 |
| C17 | General Sales | Right hand cosmetic cash wrap | 1 |
| C18 | General Sales | Tandem Checkout | 1 |
| C19 | General Sales | universal gondola end panel | 2 |
| C20 | Pharmacy | 1.5" x 12" x 12" Speed shelving end panel small | 2 |
| C21 | Pharmacy | 3-Door Rx CII Cabinet | 1 |
| C22 | Pharmacy | 10 drawer file cabinet | 1 |
| C23 | Pharmacy | 26" depth Pharmacy work countertop | 2 |
| C24 | Pharmacy | End panel for work counters with conveyor | 1 |
| C25 | <varies> | Finished end panel for existing stores | 3 |
| C26 | Pharmacy | Insert #1 - 3 drawer vial insert | 6 |
| C27 | Pharmacy | Insert #2 - 3 drawer file insert | 3 |
| C28 | Pharmacy | Insert #3 - Open insert | 1 |
| C29 | Pharmacy | Insert #5 - Printer insert | 2 |
| C30 | Pharmacy | Insert #6 - 5 drawer file insert | 1 |
| C31 | Pharmacy | Insert #7 - Trash bag insert | 2 |
| C32 | Pharmacy | Pharmacy Checkout - Single | 3 |
| C33 | Pharmacy | Pharmacy checkout with extended counter | 1 |
| C34 | Pharmacy | Pharmacy 6' work counter shell w/ conveyor | 5 |
| C35 | Pharmacy | pharmacy countertop corner | 1 |
| C36 | Pharmacy | Pharmacy sink base cabinet | 1 |
| C37 | Pharmacy | Single door cabinet | 2 |
| C38 | Pharmacy | Universal Upper Cabinet | 1 |
| C39 | Photo | 6' photo closet | 1 |
| C40 | Photo | 22" x 36" Photo cabinet with sliding doors | 3 |
| C41 | Photo | 22" x 36" Photo cabinet with sliding doors with front panel | 1 |
| C42 | Photo | 31" x 48" Photo checkout counter | 1 |
| C43 | Photo | 31" x 48" x 34" Photo counter LH | 1 |
| C44 | Photo | 31" x 48" x 34" Photo counter RH | 1 |
| C45 | Photo | Multi-function cabinet | 1 |
| C46 | Photo | Photo paper processor | 1 |
| C47 | Photo | Photo single kiosk | 2 |
| C48 | Photo | Poster storage bin | 1 |
| C49 | Photo | 21" x 27" x 34" Photo corner section | 1 |
| C50 | Consult. Room | Consult nook countertop | 1 |
| C51 | Consult. Room | Consultation base cabinet | 2 |
| C52 | Consult. Room | Consultation portrait shelves | 1 |
| C53 | Consult. Room | Consultation scribe strip | 1 |
| C54 | Consult. Room | Consultation storage cabinet | 1 |
| C55 | Consult. Room | Consultation upper cabinet | 2 |
| C56 | Employee Room | employee room sink assembly | 1 |
| C57 | Employee Room | Upper cabinets | 2 |
| C58 | Office | Countertop shelf unit | 2 |
| C59 | Office | L-shaped Office countertop | 1 |
| C60 | Office | Straight office countertop | 1 |
| C61 | Office | Undercounter shelf unit | 1 |

## LEVEL 1 FURNITURE SCHEDULE...

| I.D. | Room: Name | Description | Count |
|---|---|---|---|
| F1 | General Sales | BE No.7 Consult Stool (26x16x38) | 1 |
| F2 | <varies> | Guest chair | 8 |
| F3 | General Sales | Bariatric chair | 1 |
| F4 | <varies> | Rx Waiting Universal Chair | 7 |
| F5 | Consult. Room | Work table | 1 |
| F6 | Employee Room | Adjustable - Caster - 72" L x 30" W | 1 |
| F7 | Employee Room | Employee room table | 1 |
| F8 | Office | Task chair With Arms | 1 |
| F9 | <varies> | Task chair Without Arms | 4 |
| F10 | Photo | Kiosk chair | 3 |
| F11 | Stock Room | Universal Chair | 1 |

## LEVEL 1 REFRIGERATION SCHEDULE...

| I.D. | Room: Name | Description | Count |
|---|---|---|---|
| R1 | General Sales | Glass door merchandiser (one door) | 2 |
| R2 | General Sales | 24" x 22" x 53" Redbull refrigerator | 1 |
| R3 | Pharmacy | Medical freezer | 1 |
| R4 | Pharmacy | Vaccine Refrigerator | 1 |
| R5 | Employee Room | Employee room refrigerator | 1 |

## LEVEL 1 SPECIALTY EQUIP. SCHEDULE...

| I.D. | Room: Name | Description | Count |
|---|---|---|---|
| M1 | General Sales | 13/13 x 36" x 42" gondola shelving assembly | 2 |
| M2 | General Sales | 22/22 x 36" x 66" gondola shelving assembly | 135 |
| M3 | General Sales | 19" x 47" x 66" gondola end display assembly | 21 |
| M4 | General Sales | 19" x 36" x 66" contoured end display assembly | 1 |
| M5 | General Sales | 15" x 15" x 48" Greeting card display stand | 1 |
| M6 | General Sales | Reading glasses end display | 1 |
| M7 | General Sales | Sunglass end display | 1 |
| M8 | General Sales | 14" x 27" Hallmark end cap | 2 |
| M9 | General Sales | Gift card end display | 1 |
| M10 | General Sales | Pop end display assembly, 66"H | 1 |
| M11 | General Sales | 44"x19"x66" Candy Beacon Endstand | 1 |
| M12 | General Sales | NYX Beauty endcap, 50" x 35" x 6" | 1 |
| M13 | General Sales | 36" x 13" x 66" single sided Hallmark shelving | 6 |
| M14 | General Sales | 48" x 13" x 66" single sided Hallmark shelving | 12 |
| M15 | <varies> | 16" x 36" x 84" wall shelving assembly | 5 |
| M16 | <varies> | 19" x 36" x 84" wall shelving assembly | 46 |
| M17 | <varies> | 16" x 36" x 84" wall shelving assembly | 4 |
| M18 | General Sales | 48" x 20" x 66" single sided Hallmark shelving | 15 |
| M19 | General Sales | 16" x 36" x 84" wall shelving assembly | 39 |
| M20 | General Sales | 19" x 36" x 84" wall shelving assembly | 1 |
| M21 | General Sales | 19" x 48" x 84" wall shelving assembly | 1 |
| M22 | General Sales | 22" x 36" x 66" wall shelving assembly | 22 |
| M23 | General Sales | 68" universal cosmetic wall system | 34 |
| M24 | General Sales | 10" plastic bullnose cornice | 6 |
| M25 | General Sales | 36" beauty lit header assembly | 36 |
| M26 | General Sales | 48" beauty lit header assembly | 1 |
| M27 | General Sales | Automatic Teller Machine | 1 |
| M28 | General Sales | 49"H x 32-5/8"W passport screen | 1 |
| M29 | General Sales | 36" X 72" locking glass cases | 3 |
| M30 | General Sales | 36" x 36" x 6" Generic plastic pallet | 1 |
| M31 | General Sales | 49" x 48" x 45° CCR Tandem Promo Boat | 1 |
| M32 | General Sales | 12" x 12" x 60" Hand wipe dispenser | 1 |
| M33 | General Sales | Hand sanitizing wipes dispenser stand | 1 |
| M34 | General Sales | 36" x 66" graphic end panel assembly assembly | 5 |
| M35 | General Sales | General sales Checkout | 2 |
| M36 | General Sales | Cartwell system | 1 |
| M37 | General Sales | 4'-0" Gift card display unit | 1 |
| M38 | General Sales | Signature stand | 1 |
| M39 | General Sales | 32" x 32" x 44" Triangle end cap | 1 |
| M40 | General Sales | Ad stand | 1 |
| M41 | General Sales | Consumables Rack | 1 |
| M42 | General Sales | Snack table - universal | 1 |
| M43 | Pharmacy | 2 door safe | 2 |
| M44 | Pharmacy | 36" speed shelves | 22 |
| M45 | Pharmacy | Double sided island bottle bays | 12 |
| M46 | Pharmacy | Wall bottle bays | 8 |
| M47 | Pharmacy | 16" x 06" x 24" Fresh water system | 1 |
| M48 | Pharmacy | Yuyama | 1 |
| M49 | Pharmacy | 36" x 18" x 60" 3 Tier table | 1 |
| M50 | Pharmacy Waiting | 19" x 36" x 48" wall shelving assembly | 2 |
| M51 | Pharmacy Waiting | 14"x19"x60" Hearing Aid battery rack | 1 |
| M52 | Pharmacy Waiting | 24" x 24" x 56" Prescription Disposal Safe | 1 |
| M53 | Pharmacy Waiting | 15" x 12" x 53" Rx Hours Sign | 1 |
| M54 | Photo | Bread rack | 1 |
| M55 | Photo | 18" x 18" x 26" Canvas frame assembly rack | 1 |
| M56 | Photo | 24" x 24" x 46" Floral Fixture Tiered Rolling | 1 |
| M57 | Photo | 18"x14"x24" Poster Frame Fixture | 1 |
| M58 | Photo | 24" x 24" x 61" Instant Print Photo Kiosk With Terminal | 1 |
| M59 | Photo | 21" x 21" x 35" Photo Lab Utility Sink | 1 |
| M60 | Photo | 36" x 15" x 54" Wire rack | 1 |
| M61 | Photo | 36" x 15" x 66" Wire rack | 1 |
| M62 | Photo | 48" x 15" x 54" Wire rack | 1 |
| M63 | Office | Till safe | 1 |
| M64 | Office | Till locker | 1 |
| M65 | Office | 15" x 25" x 28.38" (2) drawer file cabinet | 2 |
| M66 | Office | Office file cabinet | 2 |
| M67 | Passage 1 | 19" x 36" x 66" wall shelving assembly | 2 |
| M68 | Passage 2 | 19" x 36" x 78" wall shelving assembly | 2 |
| M69 | Passage 2 | 2 door storage cabinet 90"H. | 1 |
| M70 | Cooler | 28" x 36" cooler/freezer door rack assembly | 2 |
| M71 | Freezer | 26" x 27" cooler/freezer door rack assembly | 2 |
| M72 | <varies> | 21" x 48" cooler/freezer stock shelving | 6 |
| M73 | Employee Room | 12" x 84" 6 tier locker w/ ADA locker | 2 |
| M74 | Employee Room | 48" x 84" coat locker | 1 |
| M75 | Employee Room | 12" x 18" x 84" Six tier employee locker | 6 |
| M76 | Employee Room | Hand sanitizer push button dispenser | 1 |
| M77 | Employee Room | channel frame mirror | 1 |
| M78 | Electrical Area | 12" x 18" hand basket storage | 1 |
| M79 | Electrical Area | Baler | 1 |
| M80 | Electrical Area | 30" x 60" x 120" stock room shelving | 1 |
| M81 | Electrical Area | 29" x 21"x 54"Umbrella Stand | 1 |
| M82 | Stock Room | 24" x 72" x 72" stock room shelving | 2 |
| M83 | Stock Room | 24" x 96" x 120" stock room shelving | 1 |
| M84 | Stock Room | 30" x 60" x 96" stock room shelving | 1 |
| M85 | <varies> | 30" x 72" x 120" stock room shelving | 2 |
| M86 | Stock Room | 30" x 96" x 72" stock room shelving | 1 |
| M87 | Stock Room | 30" x 96" x 120" stock room shelving | 1 |
| M88 | Stock Room | 24" x 96" widespan security cage | 1 |
| M89 | Stock Room | 24" x 36" x 32" Tier table | 1 |
| M90 | Stock Room | Large trash basket | 3 |
| M91 | Stock Room | 36" x 18" x 48" 3 Tier table | 2 |
| M92 | Stock Room | U-Boat | 3 |
| M93 | <varies> | 18" x 36" x 32" Tier Cart | 3 |
| M94 | Stock Room | 30" x 96" x 96" stock room shelving | 1 |
| M95 | <varies> | Entrance floor grid | 2 |
| M96 | Stock Room | Replenishment cart | 16 |

## LEVEL 1 AREA GROSS BUILDING

GROSS BUILDING AREA

15182 SF

### LEVEL 1 AREA EXISTING

| Name | Area |
|---|---|
| General Sales | 10342 SF |
| Pharmacy | 832 SF |
| Pharmacy Waiting | 314 SF |
| Photo | 469 SF |
| Rx Services | 212 SF |
| Service 1 | 527 SF |
| Service 2 | 422 SF |
| Service 3 | 294 SF |
| Stock Room 1 | 1405 SF |
| Stock Room 2 | 365 SF |
| Grand total | 15182 SF |

### LEVEL 1 LINEAR FOOTAGE -...

| Room: Name | Linear |
|---|---|
| Cooler | 19' - 4" |
| Freezer | 13' - 6" |
| General Sales | 1277' - 0" |
| Passage 1 | 6' - 0" |
| Passage 2 | 6' - 0" |
| Pharmacy | 18' - 0" |
| Pharmacy Waiting | 6' - 0" |
| Photo | 12' - 0" |
| Grand total | 1357' - 9" |

### LEVEL 1 CASH REGISTERS...

| I.D. | Description | Count |
|---|---|---|
| CR1 | Front checkout cash register | 4 |
| CR2 | Beauty checkout cash register | 1 |
| CR3 | Photo checkout cash register | 1 |
| CR4 | Pharmacy cash register | 3 |
| CR5 | Drive thru checkout cash register | 1 |
| Grand total | | 10 |

### LEVEL 1 RX SHELVING...

| Description | Rx Linear |
|---|---|
| Double sided island bottle bays | 63' - 0" |
| Wall bottle bays | 19' - 10" |
| Total Rx Shelving | 82' - 10" |

### FIXTURE COLOR LEGEND

WT WHITE
PT PUTTY
AB ARCHITECTURAL BRONZE
TP TAUPE
GM GUNMETAL GREY
SR SILVER

### FIXTURE LEGEND

| | | | | |
|---|---|---|---|---|
| **G** GONDOLA (EA. SIDE) | 1919 D. | 36 W. | 66* H. | WT COLOR |
| **GE** GONDOLA ENDCAP | 19 D. | 47 W. | 66* H. | WT COLOR |
| **WS** WALL SHELVING | 19 D. | 36 W. | 84* H. | WT COLOR |
| **MS** METAL SHELVING | 24 D. | 96 W. | 120* H. | /SS NUM. OF SHELVES |
| **FE** FINISHED END PANEL | SIZES NOT NOTED ON D-111 | | | |

ALL OTHER FIXTURES ARE TYPICALLY CALLED OUT BY DEPTH AND WIDTH.

EXAMPLE:
**DT** DISPLAY TABLE 30 D. 48 W.

EXAMPLE:
**CAB** CABINET 22 D. 36 W.

* DOES NOT INCLUDE STANDARDS, WOOD GROUNDS, OR FINISHED END PANELS.

### PHASE LEGEND

EXISTING FIXTURE
NEW FIXTURE
RESET FIXTURE
DEMO FIXTURE
LIT SHELVES

Walgreens

STORE PLANNING AND DESIGN
DEVELOPMENT
106 WILMOT ROAD
DEERFIELD, IL 60015-5105

I HEREBY CERTIFY THAT THIS PLAN AND SPECIFICATION WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED ARCHITECT OR ENGINEER UNDER THE LAWS OF THE STATE AS SIGNIFIED BY MY HAND AND SEAL.

(ADD LOGO.JPEG TO TITLEBLOCK FAMILY HERE)

Address Line 1
Address Line 2
Phone: 012.345.6789
Fax: 012.345.6789

| NO. | DATE | BY | DESCRIPTION |
|---|---|---|---|
| | | | REVISIONS |

EXISTING FIXTURE FLOOR PLAN

STORE # 00101

WALGREENS
3382 CASTRO VALLEY BLVD, CASTRO VALLEY, CALIFORNIA

CADD PLOT: 10/24/2022 6:30:19 PM
DRAWN BY: M. SUGUMAR (TCS)
DATE: 10/24/2022
REVIEWED: J. KINDER (WBA)

D-111 E

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# Walgreens ABC License Map




chuch_park_school

Walgreens_500 Ft Buffer

Walgreens

Parcels

Alcohol_Outlets

Tavern

Restaurants