



# Staff Report

## City of Pomona Planning Commission

May 28, 2025

**FILE NO:** CONDITIONAL USE PERMIT – CUP-001787-2024

**(Continued from April 23, 2025)** A request for a Conditional Use Permit to allow an existing convenience store at an existing gasoline and service station to obtain a California Department of Alcoholic Beverage Control Type-20 (Off-Sale Beer and Wine) alcohol license.

**ADDRESS:** 22 Rio Rancho Road, APN: 8344-024-019

**APPLICANT:** Joseph Karaki, Karaki Western States

**PROJECT PLANNER:** Alan Fortune, Associate Planner

**ENVIRONMENTAL REVIEW:** This project is exempt for the California Environmental Quality Act (CEQA) pursuant to Section 15301, Class 1 (Existing Facilities) of the California CEQA Guidelines in that the project is consists of an existing convenience store.

**RECOMMENDATION:** Deny File No(s). CUP-001787-2024 and adopt Resolution No. 25-004 (Attachment No. 1)

The request was heard at a public hearing at the Planning Commission Meeting on April 23, 2025. The Planning Commission moved to continue the item to the regularly scheduled Planning Commission Meeting on May 28, 2025 on a 6-0-1-0 vote to allow the applicant to explore potentially purchasing an existing off-sale alcohol license within the Census Tract. At the meeting, one public comment in support of the project was received. The Staff Report and Attachments for the April 23, 2025 Planning Commission meeting is provided as Attachment No. 2.

### ALCOHOL LICENSES

At the meeting, a question was raised about the area for alcohol storage. There is a total of 49 square feet proposed for the display or storage of any beer and wine, or approximately 3.6% of the total sales area. Project Plans have been provided as Attachment No. 3.

In addition, questions about the licenses in the neighboring Census Tract to the east of the subject Census Tract (4029.02) were raised. This neighboring tract has only two (2) existing off-sale alcohol establishments whereas the available number of licenses set by ABC is four (4).

The off-sale alcohol licenses within the neighboring Census Tract 4029.02 are:

- 2090 S. Garey Avenue, Food 4 Less (Type 21)
- 2290 S. Garey Avenue, La Fiesta Market (Type 20)

Additionally, as requested by the Commission, the approval dates of all nearby off-sale alcohol establishments have been provided in Table 1 below.

Establishment Name	ABC License Type	Date of PC Approval
Census Tract 4030.00 (Subject Tract)		
AM/PM & Arco Gasoline Station (805 Rio Rancho Rd.)	Type 20	June 14, 2017
Target (701 Rio Rancho Rd.)	Type 20	October 10, 2012
Cardenas Market (2001 S. Garey Ave.)	Type 21	License active since July 12 ,2017
La Pomona Market (1076 W. Phillips Blvd.)	Type 20 ( <i>Approved for Type 21</i> )	Existing Type 20; Type 21 approved on November 27, 2024
Rite-Aid Pharmacy (2059 S. Garey Ave.)	Type 21	License active since August 23, 1999
Census Tract 4033.18 (West of the 71 Freeway)		
Circle K & Chevron Gasoline Station (42 Rio Rancho Rd.)	Type 20 ( <i>Not Yet Operating</i> )	September 14, 2022
Wal-Mart (80 Rio Rancho Rd.)	Type 21	Type 20 approved on July 9, 2008; Type 21 approved on April 27, 2011
WinCo (90 Rio Rancho Rd.)	Type 21	May 12, 2004
Census Tract 4029.02 (east of the subject tract)		
Food 4 Less (2090 S. Garey Ave.)	Type 21	July 8, 1998
La Fiesta Market (2290 S. Garey Ave.)	Type 20	May 11, 1988

#### CRIME STATISTICS:

Questions about the crime statistics were raised at the hearing. The Police Reporting District Map and a breakdown of the reported crimes for the subject and surrounding reporting districts is provided as Attachment No. 7. A breakdown of Group A and B offense categories is attached as Attachment No. 8.

#### TRAFFIC COLLISIONS:

The Commission also asked about traffic collisions surrounding the site. Staff reviewed the number of vehicle collisions for major intersections nearby to the subject site. There was a total of nine (9) vehicle collisions at the three (3) intersections nearest to the subject site between January 1, 2024 and April 18, 2025. Of these nine (9) collisions, three (3) involved parties that were driving under the influence of alcohol (DUI). A Collision Summary for Nearby Intersections between January 2024 and April 2025 is provided as Attachment No. 9.

Intersection	Total Number of Collisions between 1/1/24 – 4/18/25	DUI Involved
White Ave./ Rancho Valley Dr.	5	1
Rio Rancho Rd./ Rancho Valley Dr.	3	1
Park Ave./Rio Rancho Rd.	1	1

#### CODE COMPLIANCE ISSUES:

Since the date of the original hearing, the property was issued a citation on May 19, 2025 for the relocation of a monument sign without a sign or building permit.

#### REQUIRED FINDINGS:

A Conditional Use Permit must be acted upon by the Approving Authority based upon the information provided in the submitted application, evidence presented in the Planning Division's written report, and testimony provided during the public hearing, only after considering and clearly establishing all the findings and giving supporting reasons for each finding.

The findings required in Section 1160.D.4 of the Pomona Zoning and Development Code for a Conditional Use Permit are contained in the attached draft resolution (Attachment No. 1). Should the Commission approve the application, findings must be made addressing the following and staff would request direction from the Commission as to how the project meets all of the findings below.

- 1. The scale and intensity of the proposed use would be consistent with the scale and intensity of land uses intended for the particular zoning district or use module as indicated in the General Plan.*
- 2. The proposed use at the proposed location, and the manner in which it will be operated and maintained, is consistent with the goals, policies, plans and exhibits of the General Plan.*
- 3. The proposed use at the proposed location, and the manner in which it will be operated and maintained, is consistent with the objectives and requirements of this Zoning and Development Code and any applicable specific plan.*
- 4. The establishment, maintenance, and operation of the proposed use at the proposed location would not be detrimental or injurious to property and improvements within the vicinity, nor would it be detrimental to the health, safety, or general welfare of persons residing or working in the surrounding neighborhood.*
- 5. The establishment, maintenance, and operation of the proposed use at the proposed location would not create cumulative impacts that are detrimental or injurious to property and improvements within the vicinity, nor would it be detrimental to the health, safety, or general welfare of persons residing or working in the surrounding neighborhood.*

## Attachments:

1. Draft Planning Commission Resolution No. 25-004
2. Staff Report and Attachments for Planning Commission Meeting on April 23, 2025
3. Project Plans
4. Photographs of site and surrounding area
5. PC Resolution Nos. 06-064 & 08-020
6. Proximity Map of Nearby Off-Sale Alcohol Establishments
7. Police Reporting District Map & Reported Crimes for 2024
8. Breakdown of Offence Group A & B Categories
9. Collision Summary for Nearby Intersections between Jan 2024 and April 2025