

**City of Pomona**  
**Conditional Use Permit Project description**

**Applicant:**

Danny Husari – Diamond Market Deli, Inc.  
3024 W Temple Ave  
Pomona, CA. 91766  
Parcel: 8707-022-147

**Request:**

This request is for a Conditional Use Permit amendment to allow the upgrade of their existing beer and wine type 20 license to allow distilled spirits behind their sales counter only, type 21 for off-site consumption only; in conjunction with an existing 2,968 square foot convenience market and full service deli; with the hours of operation being Sun-Thursday 7am-Midnight and Friday and Saturday 7am-1am 7 days a week. 2 employees on site always.

The proposed use is an existing market with deli, and it is ideally situated to serve the population of residents, workers and visitors in this part of the city. The addition of distilled spirits behind the sales counter upon request only, is a logical extension of their current offering and will prove valuable to a clientele looking for a broader range of beverage choices, thereby providing a benefit to the community.

The subject premises is located within the ACD2 neighborhood commercial land use zone with the corresponding code of ACD2. The Zone is intended to allow for commercial development. These zones are applied to accommodate existing development patterns or encourage patterns that are deemed to be appropriate because of the urban design features anticipated for the area. The focus is on automobile – oriented establishments where the primary commercial function is geared to a single stop activity.

The surrounding properties are developed with commercial, service-related, retail uses and low to medium-density residential. The requested use adds to the diversification of uses within this established center and should remain in proper relation to the adjacent uses.

The instant request is an organic extension of the current surrounding uses and will therefore remain in appropriate relation to the contiguous uses and ongoing development of the community.

Under the California ABC Act, 6 off-sale licenses are allowed within this census tract 4090.00. There are currently 6 active, off-sale licenses issued by ABC within this census tract, thereby making this census tract over-concentrated. However, we are one of the 6 that has held a license at this location for many years. We will cancel or transfer our type 20 license out of the area upon issuance of the 21 and therefore the census tract will remain the same count to not cause a PCN finding. We are confident that a license upgrade, change of license type at this location will not intensify or aggravate crime in this area.

We are confident that the surrounding businesses and community can only benefit from the addition of distilled spirits to this established market. The approval of this project will allow the applicant to expand their inventory to include distilled behind the cashier area only. The addition is a logical extension of their current offering and will prove valuable to a clientele looking for a broader range of beverage choices. This grant will enhance the financial health of the community; improve the economic base of the area through the exchange of goods and services with other commercial uses and generate tax revenue to various municipalities.

The subject premises is bounded on all sides by commercially developed properties and is well-buffered from nearby, residentially zoned and occupied properties and will be secured by alarm and interior and exterior cameras.

This request is a permitted use within the general plan and will not change the site's ability to conform to any elements or objectives of the development code.