



# Staff Report

City of Pomona Planning Commission

May 27, 2026

**FILE NO:** CUP-000518-2025

The applicant is requesting the modification of Planning Commission Resolution No. 20-009 for the purpose of expanding the CA Department of Alcoholic Beverage Control Type 47 License permissions originally established by CUP-013133-2019.

**ADDRESS:** 395 S. Thomas Street

**APPLICANT:** John Peña

**PROJECT PLANNER:** Carlos Molina, Associate Planner

**ENVIRONMENTAL REVIEW:** This project is exempt for the California Environmental Quality Act (CEQA) pursuant to Section 21084 of the California Environment Quality (CEQA) 15301 of the CEQA Guidelines.

**RECOMMENDATION:** Approve File No(s). CUP-000518-2025 and adopt Planning Commission Resolution No. 26-007 (**Attachment No. 1**).

## Project Information:

**GENERAL PLAN DESIGNATION:** Transit Oriented District: Core

**TRANSECT:** T6-A

**GENERAL PLAN DENSITY:** 50-100 DU/AC

**ZONING:** Mixed Use – Central Business District (MU-CBD)

**SPECIFIC PLAN:** Downtown Pomona Specific Plan (DTPSP)

**CURRENT LAND USE:** Banquet Hall & Bona-Fide Restaurant

## Project Request:

The applicant is requesting the modification of Planning Commission Resolution No. 20-009 for the purpose of expanding CA Department of Alcoholic Beverage Control (ABC) Type 47 License permissions originally established by PC RESO No. 20-009 (**Attachment No. 2**). The requested modifications are outlined in **Table 1** below.

**Table 1. Requested Modifications to PC Resolution No. 20-009**

REQUEST	DESCRIPTION
A.	Expand the permitted areas for the consumption of alcoholic beverages to the outdoor deck (2,100 sf) located to the rear of the building associated with an existing bona-fide restaurant.
B.	Expand the permitted areas for the sale and consumption of alcoholic beverages for the proposed tenant improvements to the second story (4,500 sf) and third story mezzanine level (1,205 sf).
C.	Expand the permitted areas of the vacant parking lot (12,000 sf) located to the rear of the lot for special events and permit the consumption of alcohol during requested events. The use of the space is requested with the following schedule: M-F (5PM-12:00AM), Sat-Sun (10AM-12:00AM), Holidays (12PM-1AM).
D.	Allow any future tenants that meet the criteria for a ABC Type 47 License to utilize the permissions outlined in PC Resolution No. 26-007.

Project Background:

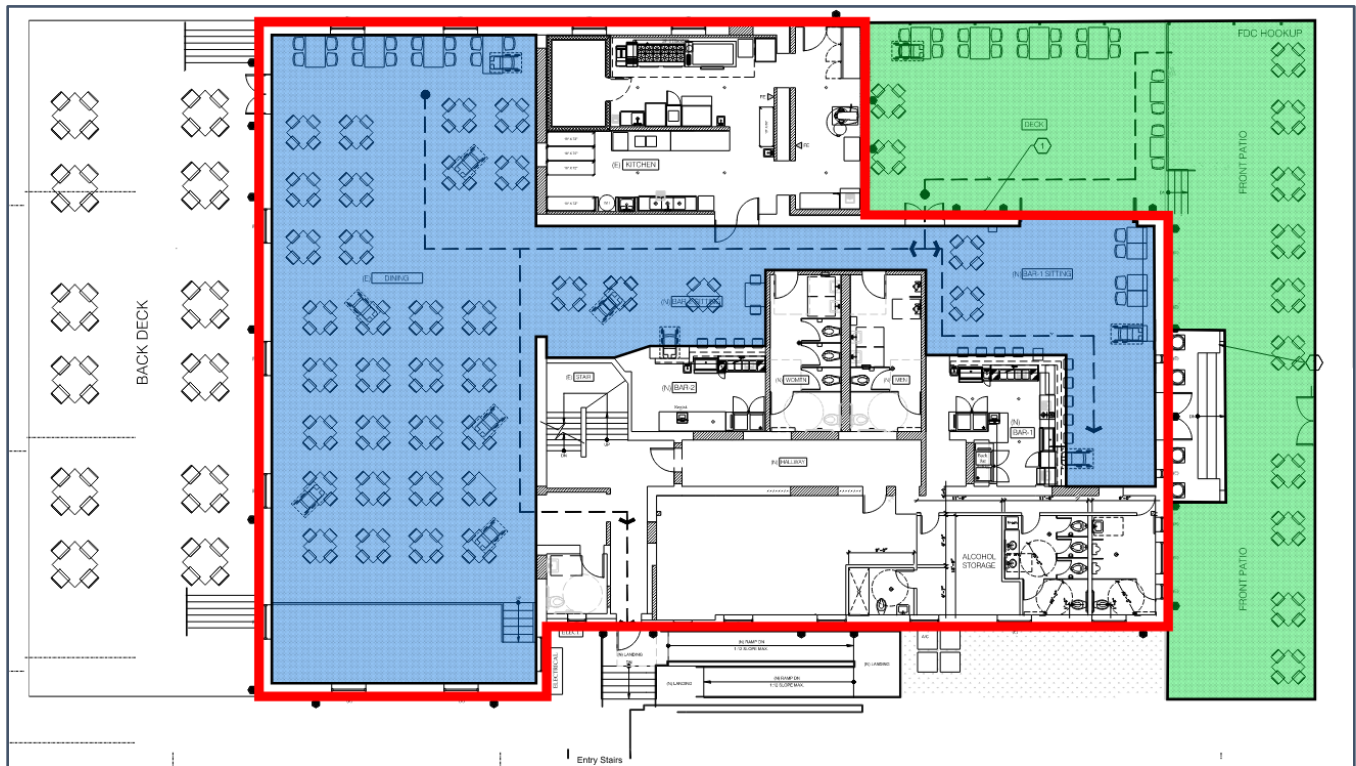
The subject site has historically been known as the Pomona Masonic Lodge. The Lodge was constructed in 1909 and consists of a single building with 15,468 square feet of floor area, including a basement and two stories, with an additional third floor mezzanine. It was formerly used as a meeting and banquet hall for the Freemasons. Photographs of the existing site and building are available in **Attachment No. 3**.

In 2019, the applicant and owner of the subject property submitted a Conditional Use Permit application for the sale of alcohol in conjunction with a proposed restaurant (Type-47 ABC License). On February 12, 2020, the Planning Commission approved PC Resolution No. 20-009, thereby allowing for the sale of alcohol in conjunction with a bona-fide restaurant with dining areas located on the first floor and an outdoor dining area located along the building’s frontage adjacent to Thomas Street. **Figure 1** below illustrates the permissions entitled by PC Resolution No. 20-009.

In 2025, the applicant submitted the subject Modification of a Conditional Use Permit (CUP-000518-2025) to request an expansion of areas permitted for the sale and consumption of alcohol on the premises. As explained by the applicant, the requests are intended to accommodate an expansion of the existing establishment operations and in anticipation of the potential of leasing out space to future commercial tenants.

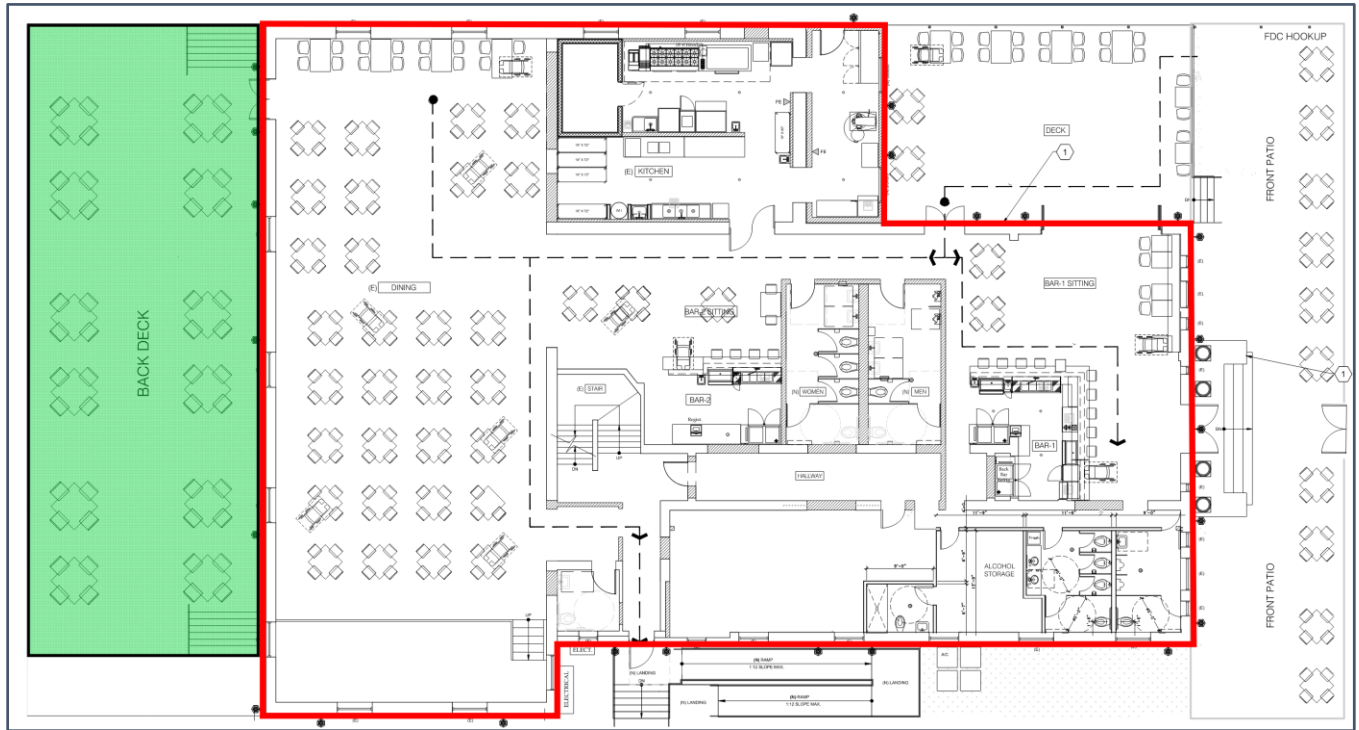
Following a series of reviews which resulted in modifications to the proposed site plan and operational proposals, staff has drafted conditions of approval tailored to the site and operational standards of the Pomona Zoning and Development Code (PZDC). **Figures 2 – 5** illustrate the proposed areas of operations brought forth for the Commission’s consideration. The application plans are available for viewing in **Attachment No. 4**.



Figure 1. Type 47 Permissions per PC Resolution No. 20-009 (Interior 1<sup>st</sup> Floor & Outdoor Seating only)



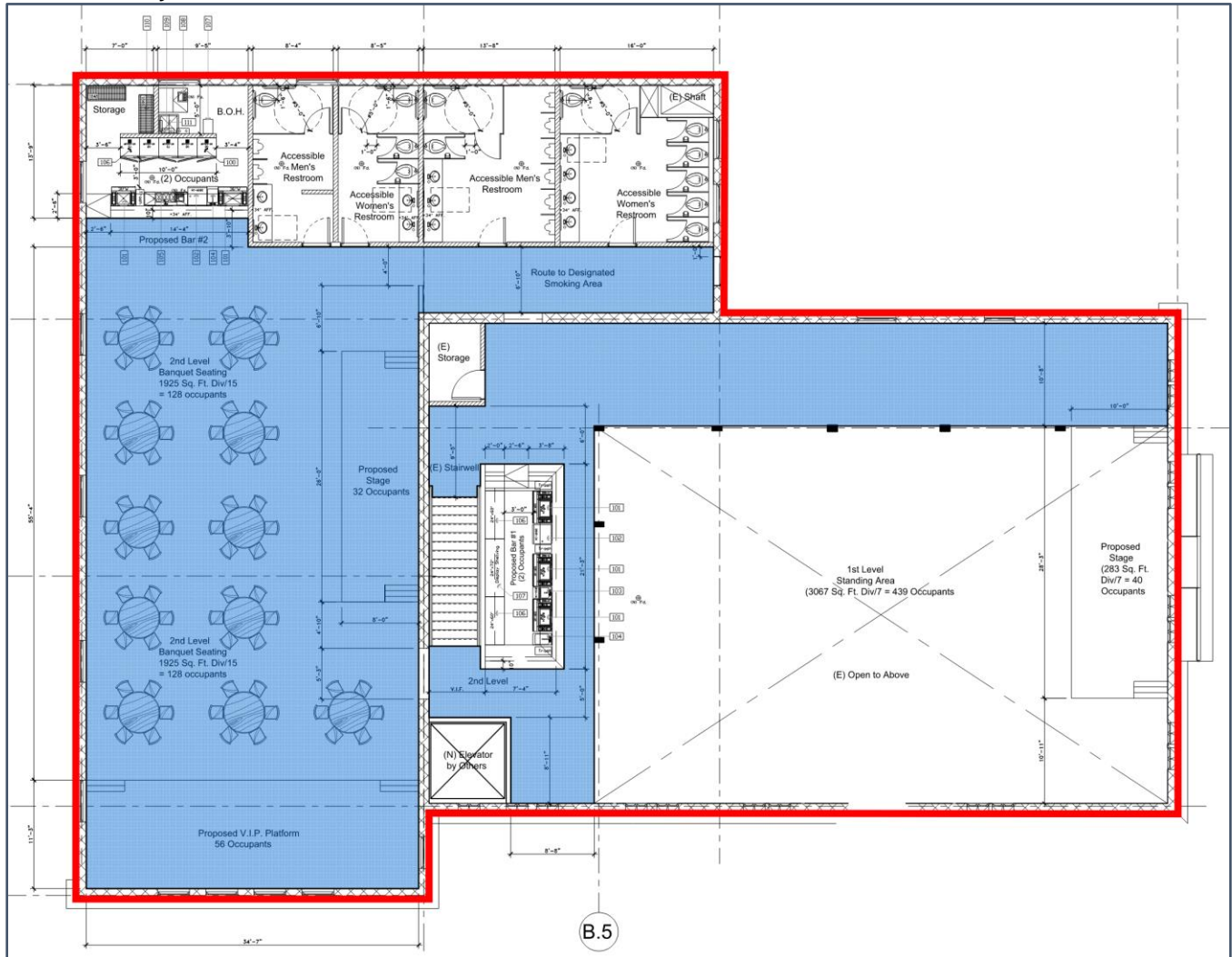
- Building Outline
- Outdoor Permissions
- Indoor Permissions

Figure 2. Request A. Expand ABC Type-47 consumption permissions to the outdoor patio located at the rear of the building.



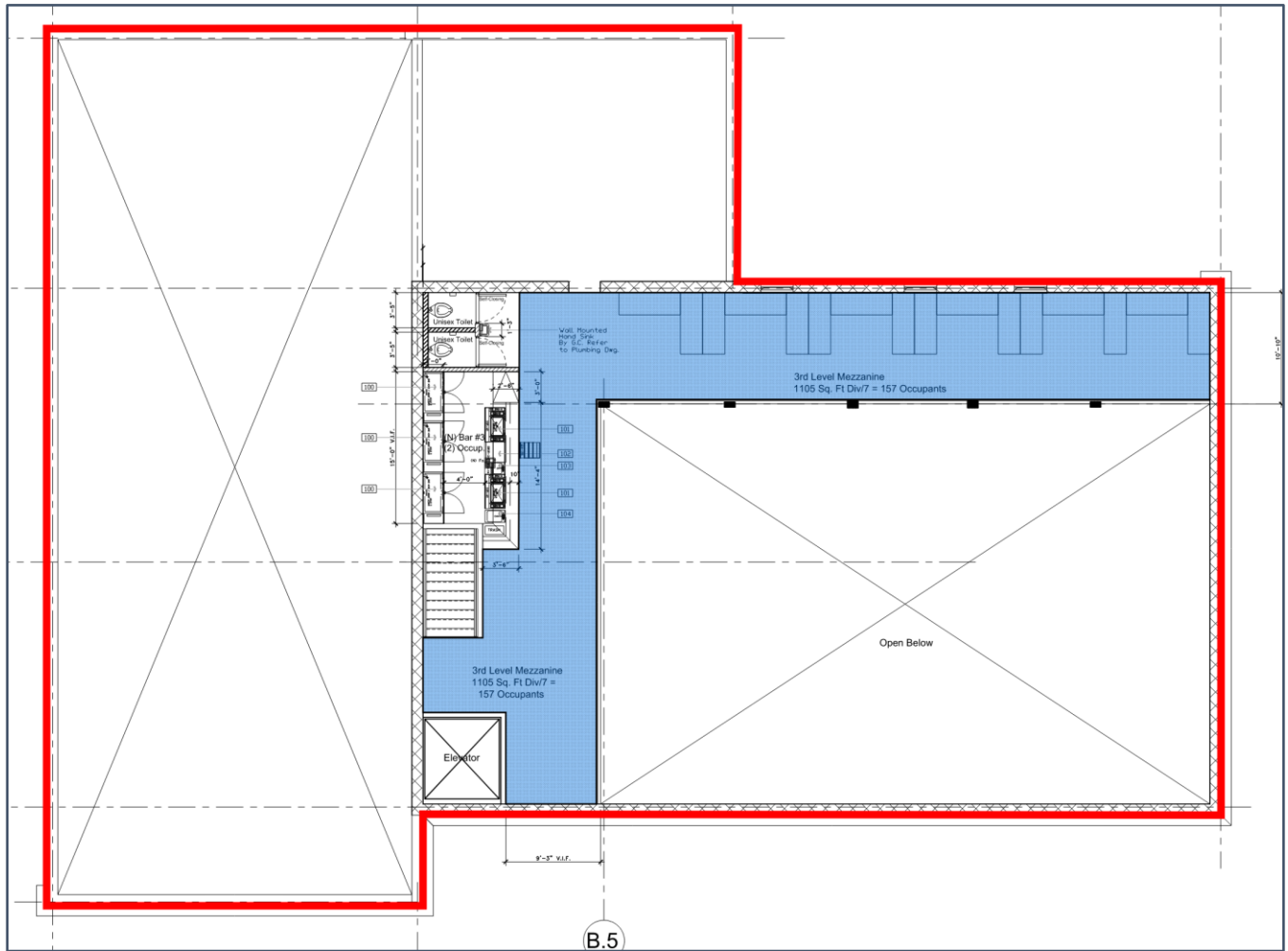
-  Building outline
-  Location proposed under Request A.

**Figure 3. Request B. Expand ABC Type-47 permissions for the sale and consumption of alcoholic beverages to the 2<sup>nd</sup> story.**



- Building outline
- Location ½ (4,992 total sf) proposed under Request B.

Figure 4. Request B. Type-47 permissions for the sale and consumption of alcoholic beverages to the 3<sup>rd</sup> story mezzanine level.





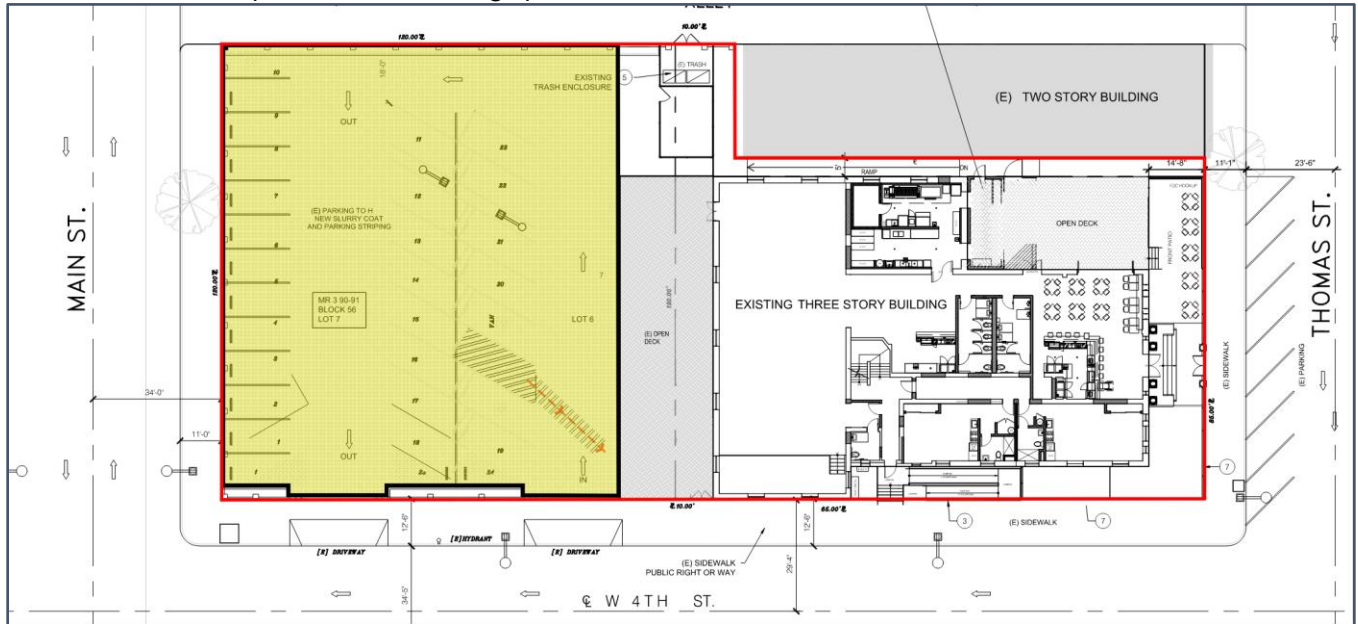


-  Building outline
-  Location 2/2 (1,105 sf total) proposed under Request B.

Figure 5. Request C. Expand ABC Type-47 consumption permissions to the vacant parking lot + allow the use of the area for special events during specified dates and times.



-  Property boundaries
-  Location (12,000 sf) proposed under Request C.

## Applicable Operational Standards:

The site's zoning district designation Mixed Use – Central Business District permits for alcohol sales provided the Planning Commission grants a CUP per Section 1160.D. of the PZDC. Furthermore, the PZDC also establishes operational standards for all uses involving alcohol, in addition to operational standards specific to alcohol off-sale licenses. The operational standards are outlined below and are included as conditions of approval in PC Resolution No. 26-007 (**Attachment No. 1**).

### Section 540.D.2. – Food and Beverage, Alcohol

#### Alcohol, All

##### 1. Promotion

- i. *All exterior signage of any kind including interior window signage, which advertises the sale or availability of alcohol, is prohibited.*
- ii. *The display or sale of alcohol must not be made from an ice tub.*
- iii. *Storefront windows must be kept clear at all times from paper, paint, cardboard, or any other material used for signage.*
- iv. *All exterior windows must be clear glass with no tinting or window coverings either interior or exterior.*

##### 2. Training

- i. *All employees who sell alcoholic beverages must complete a training program in alcoholic beverage compliance, crime prevention techniques and the handling of violence.*
- ii. *All new employees must complete the "Licensee Education on Alcohol and Drugs" training that is provided by the California Department of Alcohol and Beverage Control (ABC) or equivalent responsible beverage service program within 30 days of hire.*

##### 3. Site

- i. *Loitering or panhandling on the premises is prohibited.*
- ii. *Overnight parking of vehicles, including recreational vehicles (RVs) on the premises is prohibited.*
- iii. *Signs prohibiting overnight parking must be placed throughout the parking lot area.*
- iv. *Vending machines of any kind must not be installed outdoors within the project site.*
- v. *Pay telephones must not be installed within the enclosed portion of the premises equipped to receive incoming calls.*
- vi. *New payphones of any kind must not be installed on the exterior of the premises.*

##### 4. Security

- i. *Designated areas of storage beer and wine must be equipped with a locking mechanism.*
- ii. *Interior and exterior video surveillance equipment must be provided with signage advising customers that video recording devices are in use.*
  - a. *Recordings must be digital and recorded in high-definition, kept a minimum of 90 days and must record all activity on surrounding public rights-of-way as well as the subject site.*



CA Department of Alcoholic Beverage Control:

The PZDC does not include thresholds for the number of alcohol licenses allowed per census tract or thresholds for limitations of these licenses in high crime-districts. However, the California Department of Alcoholic Beverage Control (ABC) does require a finding of Public Convenience or Necessity (PCN) (at the discretion of ABC, not City Council) when there is undue concentration; undue concentration is defined as one of the following:

1. If the number of available licenses in the designated census tract is exceeded; or
2. If the crime-reporting district is designated as "high crime" by Police Department (PD) crime data.

Per the guidelines established by ABC, a total of five (5) on-sale licenses is allowed in the subject Census Tract No. 4088.00 (**Attachment No. 5**) before the tract is deemed to have undue concentration (**Attachment No. 6**). Currently, the census tract is experiencing undue concentration as there are 34 existing on-sale licenses, exceeding the maximum allowed of five (5) licenses. The following table, *Table 2*, outlines the number of existing and allowed on-sale licenses for the subject census tract and adjoining tracts. Please see **Attachment No. 7** for additional details inclusive of associated business names, addresses, original date of license issuance, etc.

**Table 2.** ABC Data on On-Sale Alcohol Licenses in Census Tracts

Census Tract	Existing On-Sale Licenses	Allowed On-Sale Licenses
4088.00 (subject tract)	34	6
4023.03 (N)	0	4
4026.02 (NE)	0	4
4026.01(NE)	0	3
4028.01(E)	5	5
4028.03(SE)	0	3
4025.01 (W)	3	5
4023.04 (W)	2	4

According to the 2025 Pomona Police Department Crime Report of Group A and Group B Offenses (**Attachment No. 8**), the threshold for designation a reporting district as "high crime" is a total of 122 crimes. The subject site is located with Police Reporting District #4 (**Attachment No. 9**), which is documented as experiencing a total of 263 crimes; therefore, classifying the district as a "high crime" district.

The data in Table 3 below summarizes the data in the 2025 annual report for the subject crime district, adjacent districts, and whether the district is considered high crime based on the threshold of 122.

**Table 3.** Police Reporting District Data (01/2025 – 1/2026)

Police Reporting District	2025 Threshold – 122
4 (subject tract)	263*
6 (N)	150*
7 (NE)	300*
5 (E)	303*
3 (SE)	38
1 (S)	101
2 (S)	89
52 (SW)	186*
51 (W)	111
50 (NW)	104

\* Indicates High Crime

Public Convenience or Necessity:

The subject property and request have been determined to be in a location that has undue concentration and is in a high crime district. As such, the California Department of Alcoholic Beverage Control is required to make a finding of Public Convenience or Necessity (PCN) to allow the requested permissions illustrated in this application.

While there is a high concentration of licenses in the subject census tract and the police-reporting district is considered “high-crime”, these statistics are typical of many downtown areas where there are a high number of alcohol-serving establishments and restaurants within a few blocks. Further, the conditional use permit process allows a revocation process to remove bad operators that violate operational conditions of approval and/or contribute to the crime rates in the area.

Collision Data:

For the purposes of determining potential correlations between the consumption of alcohol and impacts to pedestrian safety, Planning staff requested collision data from the Pomona Police Department for nearby intersections suspected of having a high volume of both vehicular and pedestrian activity. The principal parameters for the collision data include (1) a timeframe of twelve months from the time of application review and (2) the four intersections identified in **table 4** below. A map of the selected intersections and full data reports for the listed intersections may also be seen in **Attachment No. 10**.

Across the four (4) intersections, a total of eleven (11) collisions were reported from January 2025 – January 2026. Of all documented collisions, only one (1) collision identified the primary crash factor as a DUI.

**Table 4. PD Collision Data**

Intersections	Total Collisions	Primary Crash Factor
First St. & Park Ave	4	<ul style="list-style-type: none"> <li>• auto right-of-way violation</li> <li>• improper vehicular turning</li> <li>• DUI</li> <li>• auto right-of-way violation</li> </ul>
Garey Ave. & Third St.	1	<ul style="list-style-type: none"> <li>• unsafe vehicular speed</li> </ul>
Mission Blvd. & Garey Ave.	3	<ul style="list-style-type: none"> <li>• traffic signals and signs</li> <li>• traffic signals and signs</li> <li>• unsafe vehicular speed</li> </ul>
Park Ave. & Mission Blvd.	3	<ul style="list-style-type: none"> <li>• auto right-of-way violation</li> <li>• traffic violation</li> <li>• traffic signal and signs</li> </ul>

To supplement staff’s analysis of collision data, supplemental data was pulled from the Transportation Injury Mapping System (TIMS) and the Statewide Integrated Traffic Records System (SWITRS), provided by UC Berkeley. For context, TIMS utilizes interactive crash maps to allow users to track and document pedestrian and bicycle crashes and generate data summaries within specified project and/or community limits.

Specific parameters placed on the data include the timeframe from 2020-2025, which covers the years since the subject site was initially granted a Conditional Use Permit for a Type-47 ABC License via PC Resolution No. 20-009. The second parameter is the area studied, which was limited to an area capable of capturing the four (4) intersections reviewed by the Pomona PD Collision Data Report. Within the selected time frame and area, a total of 107 crashes were reported, with one (1) of those collisions identified with a primary collision factor of “driving or bicycling under the influence of alcohol or drugs” – which equates to 0.93% of total collisions. Complete data outputs provided by TIMS and SWITRS can be reviewed in **Attachment No. 11**.

Code Compliance:

According to Code Compliance Division records, there are no active and/or code enforcement cases for the subject site. The latest available records indicate that in 2024, the site received two (2) enforcement cases relating to pest management (bees) and waste and recycling frequency. Both cases have since been resolved and closed.

Please note, despite no record of a formal complaint submitted to the Code Compliance Division, the Planning Division received an email from a member of the public citing excessive noise from an event being held on Sunday, April 19, 2026.

### Required Findings:

The MU-CBD zone allows alcohol sales provided the Planning Commission approve a CUP per Section 1160.D.4 of the PZDC. Further, said Section establishes that a CUP must be acted upon by the Approving Authority (Planning Commission) 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 of the findings and giving supporting reasons for each finding. The findings required in Section 1160.D.4 of the PZDC for a CUP are contained in the attached Draft Planning Commission Resolution No. 26-007 (Attachment No. 1).

### Community Input and Noticing:

A copy of the public hearing notice was published in the Inland Valley Daily Bulletin on May 15, 2026, and was sent to the owners and residents of properties within a 400-foot radius of the subject site on May 14, 2026. (**Attachment No. 12**). During the noticing period, Staff has not received any correspondence from the public on the proposed project.

### Environmental Review:

Upon submittal of the project, staff reviewed the proposed development project in accordance with the California Environmental Quality Act (CEQA) guidelines. After examining the proposed project, staff determined that the project is Categorically Exempt under Section 15301, Class 1 (Existing Facilities) of CEQA, in that the proposed project is an insignificant modification to an existing facility.

### Conclusion:

In conjunction with applicable operational standards of the PZDC, the site's zoning and General Plan designations, and existing conditions of the neighborhood, staff have determined that the proposal will be compatible with the adjacent land uses and will not result in any negative impacts to the surrounding area. Therefore, staff are recommending approval of the proposed modifications to PC Resolution No. 20-009.

Attachments:

1. Draft PC Hearing Resolution No. 26-007
2. PC Resolution No. 20-009
3. Photographs of site and surrounding area
4. Site Plan and Floor Plan
5. Census Tract Map
6. ABC Census Tract Authorizations
7. ABC Census Tract License Report
8. Pomona PD – Annual Crime Report (2025)
9. Pomona PD – Reporting Districts
10. Pomona PD – Collision Summary Report
11. TIMS Results
12. Public Hearing Notice