



STAFF REPORT
9/6/2023

TO: Planning Commission Chair and Commissioners

FROM: Adrian Moreno, Associate Planner

SUBJECT: Yamama Liquor – Alcohol Sales

SPECIFICS: Conditional Use Permit No. 370 to allow liquor sales (ABC Type 21, Off-Sale General) within a 4,800 SF convenience store located at 1030 Sixth Street Suite 1-4. Applicant Eileya Makhoul

STAFF RECOMMENDATION:

Staff recommends that the Planning Commission adopt Resolution No. PC2023-22 denying Conditional Use Permit (CUP) No. 370, a request to allow a liquor sales license (Type 21, Off-Sale General) for the proposed Yamama Liquor convenience store at 1030 Sixth Street Suite 1-4.

BACKGROUND:

Yamama Liquor is a proposed convenience store within an existing commercial building located at 1030 Sixth Street Suite 1-4 (APN 778-081-002). The site was previously occupied by a 7/11 convenience store, with the last active business license in 2016. An online street view of the property shows the 7/11 convenience store no longer operating at this location by the end of 2018. The 7/11 convenience store held a Type 21 license, however that license is no longer active.

DISCUSSION/ANALYSIS:

The applicant, Eileya Makhoul, submitted a request for a CUP to allow the ABC Type 21 license (Off-Sale General) at their new proposed convenience store, Yamama Liquor. The zoning designation of the property where the convenience store is proposed is within the DT-PV (Downtown) zone and allows off-sale liquor sales with approval of a CUP. In December of 2016, the City adopted an ordinance requiring a CUP for any off-sale and on-sale alcohol sales establishment, with additional land use regulations contained in Section 17.74.015 of the Zoning Code. Due to the location within the Pueblo Viejo zone, the 700-foot distance requirements from playgrounds, residential property, and other liquor stores do not apply. The CUP findings are required to be made by the Planning Commission.

The subject site is located within Census Tract 457.07 with a population of 6,289 persons, where ABC concentration standards allow a maximum of 3 off-sale licenses, where 6 active off-sale licenses exist. The applicant is not applying for an on-sale license, however there are 9 active on-sale licenses where ABC concentration standards allow a maximum of 5 on-sale licenses.

Table 1 – Off-Sale Alcohol Licenses

Off-Sale Alcohol License within Census Tract 457.07			
	Business Name	Address	License Type
1	SUPER RANCHO MEAT MARKET	1632 6TH ST	20 (Off-Sale Beer & Wine)
2	WALGREENS 11611	50040 HARRISON ST	20 (Off-Sale Beer & Wine)
3	99 CENT STORE #261	50249 HARRISON ST, #J	20 (Off-Sale Beer & Wine)
4	CARDENAS	50037 HARRISON ST	21 (Off-Sale General)
5	COACHELLA POWER GROUP INC	50980 HARRISON ST	21 (Off-Sale General)
6	ALDI	50180 CESAR CHAVEZ ST	20 (Off-Sale Beer & Wine)

Staff has determined that the project does not comply with Items 1, 2, and 4 of the criteria and requirements of Section 17.74.020(B) – Findings.

Finding 1 – The proposed use will not be in conflict with, but will be in harmony with and in accordance with the objectives of the general plan. Staff determines that the project will be in conflict with Community Health + Wellness Policy 6.7 of the General Plan, which states to prohibit off-site alcohol sales near sensitive uses and to consider prohibiting new liquor licenses in areas with numerous existing liquor licenses. There are several churches within a 600 foot distance of the project, including La Luz Del Mundo Church, Calvary Landmark, and New Life Church Coachella. Also, the subject site is located within Census Tract 457.07, where current active off-sale licenses exceed ABC concentration standards, a maximum of 3 off-sale licenses. Staff determines that the existing active Type 21 licenses that exist within a 600 foot radius, Rite Aid and Carniceria Rancho Grande, sufficiently serve the community. Furthermore, Carniceria Rancho Grande offers a full range of fresh food and specialty Mexican products.

Finding 2 – The proposed use will be located, designed, constructed, operated and maintained so as to be compatible with the existing or intended character of the general vicinity and shall not change the essential character of the same area. Staff determines that the project does not follow policy direction for Subarea 2 – Downtown, which states to actively facilitate the implementation of the Pueblo Viejo Plan. Key community priorities of the plan are to encourage a vibrant street scene, and provide community gathering spaces. Staff determines that this project does not follow these key community priorities, which staff considers important for a location that is considered a major gateway in the Pueblo Viejo Revitalization Plan. Furthermore, the subject site is within the Downtown Center land use designation of the Coachella General Plan intended to bring the entire community together in a one-of-a-kind Coachella center that is the civic heart of the City. Land Use and Community Character Policy 6.1 encourages the development of the Downtown as a vibrant, active downtown that is the civic and cultural heart of the community and as the regional center of the Coachella Valley for commerce,

culture and government. The proposed liquor store would not contribute to a one-of-a-kind center as it is proposed to only sell alcohol and facilitate quick in-and-out trips to be purchased on-site and to be consumed off-site, as opposed to businesses that encourage customers to patronize the Downtown Center area for longer periods of time.

Finding 3 – Where the proposed use may be potentially hazardous or disturbing to existing or reasonably expected neighboring uses, it must be justified by the common public interest as a benefit to the community as a whole. Staff considers public health in its determination to not recommend the project for Planning Commission approval, as guided by Community Health + Wellness Policy 1.1 and 2.2 of the General Plan. The policies requires staff to consider public health, and to ensure affordable housing is not located near hazardous or undesirable land uses. The project is located near the affordable housing community Pueblo Viejo Villas across the street, and within a 600-foot distance of several existing and planned residential communities including the Covalda Apartments (under construction), and the Dolores Huerta Apartments project. Furthermore, comments from the Coachella Police express concern about the location of the business in close proximity to nearby apartments and previous experiences with theft for a similar business.

Staff contacted Lieutenant Vasquez with the Riverside County Sheriff regarding any concerns for the proposed business that the Planning Commission may want to consider when making findings or including conditions of approval for the CUP. Lieutenant Vasquez identified the following concerns, “When this area was a 7-11, it was known for thefts, beer runs and robberies. With this location being only alcohol sales, I foresee the same issues, especially with the new apartment complex directly across the street. So that raises the question if this is the best location for this type of business?” No comments have been received from the public with any concerns about approval of the proposed conditional use permit for Type 21 (Off-Sale General) alcohol sales.

The floor plan for the Yamama Liquor convenience store includes a sales area of 2,486 SF. Alcohol is proposed within approximately 139 SF of the sales floor area, within coolers, floor shelf space, and behind the sales counter. The walk-In Cooler with employee only access will be used to store alcohol. Due to the location within the Pueblo Viejo zone, the 700-foot distance requirements alcohol sales floor area ratios do not apply.

Hours of Operation:

The hours of operation for Yamama Liquor are Monday through Sunday from 7 a.m. to 10 p.m.

Environmental Setting:

The subject business at 1030 Sixth Street Suite 1-4 is surrounded by commercial and residential multi-family uses, with adjoining zoning and land uses as follows:

North: Pueblo Viejo Villas / (DT-PV, Downtown)

West: Plaza Tonalá Shopping Center / (C-N, Neighborhood Commercial)

South and East: Tripoli Apartments (under construction)/ (DT-PV, Downtown)

Parking:

In commercial districts, one parking space is required for each 250 square feet of gross floor area. The subject site has a gross floor area of 4,800 SF, which would require the subject site to provide 20 parking spaces. The existing off-street parking on the property provides adequate parking for this use.

ENVIRONMENTAL REVIEW:

Staff has determined that the proposed project is categorically exempt from environmental review pursuant to the guidelines of the California Environmental Quality Act as “Existing Facilities” (CEQA Guidelines, Section 15301). The proposed project consists of the operation, licensing and minor alteration of an existing private commercial structure involving negligible or no expansion of existing or former commercial use on the property. The subject site has been used for commercial retail establishments and no expansions of floor area are proposed.

ALTERNATIVES:

- 1) Adopt Resolution No. PC2023-22 denying CUP No. 370 with the findings as recommended by Staff.
- 2) Not approve Resolution No. PC2023-22 and request that staff prepare a Planning Commission Resolution for approval of CUP No. 370.

CONCLUSIONS AND RECOMMENDATIONS

Based on the analysis contained herein and the findings listed below, staff is recommending that the Planning Commission deny CUP No. 370 with the findings listed in Resolution No. PC2023-22. Staff recommends that the Planning Commission makes the finding that the public convenience or necessity is not justified to issue the Type 21 license (Off-Sale General). Furthermore, the Sherriff’s Department raised concerns about granting the CUP for Type 21 alcohol sales for the proposed project.

Attachments:

1. Resolution No. PC2023-22 Deny CUP No. 370
2. Vicinity Map
3. Yamama Liquor Site Plan
4. Site Photos