

ZONING ADMINISTRATOR DECISION CONDITIONAL USE PERMIT



DECISION NO. 2014-15

HEARING DATE: August 4, 2014

DECISION DATE: August 12, 2014

FILE NO.: PCUP14-010

SUBJECT: A Conditional Use Permit request to allow a Type 47 (On Sale General – Eating Place) ABC license in conjunction with an existing 2,650 square foot restaurant (Chipotle Mexican Grill), within The Marketplace on Grove shopping center, located on 2200 South Grove Avenue, Suite 104, within the C3 (Commercial Service District) zone.

STAFF

RECOMMENDATION: Approval Approval, subject to conditions Denial

PART A: BACKGROUND & ANALYSIS

CHIPOTLE MEXICAN GRILL INC, herein after referred to as "the applicant," has filed an application requesting Conditional Use Permit approval, File No. *PCUP14-010*, as described in the subject of this Decision (herein after referred to as "Application" or "Project").

- (a) Project Description: A Conditional Use Permit request to allow a Type 47 (On Sale General – Eating Place) ABC license in conjunction with an existing 2,650 square foot restaurant (Chipotle Mexican Grill), within The Marketplace on Grove shopping center, located on 2200 South Grove Avenue, Suite 104, within the C3 (Commercial Service District) zone. The project site is generally located on the southwest corner of Grove Avenue and Philadelphia Street (***Exhibit A – Project Location Map***).
- (b) TOP Policy Plan Land Use Map Designation: GC (General Commercial)
- (c) Zoning Designation: C3 (Commercial Service District)
- (d) Surrounding Zoning and Land Uses:

	<u>Zoning</u>	<u>Existing Land Use</u>
North:	SP – Grove Avenue Specific Plan (Commercial – Land Use Designation)	Gas Station (Arco)
South:	C3 (Commercial Service District)	Commercial Shopping Center (US Bank & Lowes)
East:	SP – Grove Avenue Specific Plan (Commercial – Land Use Designation)	Commercial (Office Depot)
West:	C3 (Commercial Service District)	Commercial Shopping Center (El Pollo Loco)

(e) Site Area: 0.84

(f) Assessor's Parcel No.: 1051-151-12

(g) Project Analysis:

Proposed Use: The applicant is requesting a Conditional Use Permit to allow the sale of beer, wine and distilled spirits for on-site consumption (Type 47 ABC license - On Sale General – Eating Place) in conjunction with Chipotle Mexican Grill restaurant. The applicant owns and operates more than 1,600 restaurants throughout the United States and worldwide with alcoholic beverage sales a common component of their restaurant business model. The applicant is experienced with ensuring appropriate training and management practices are implemented related to the sales of alcohol and as a result has maintained a good record of compliance with the State of California Department of Alcoholic Beverage Control (ABC). Alcohol sales are typically a small component the applicants business and primarily consist of beer sales. However, the applicant is introducing margaritas to their business model and this type of alcohol beverage requires a Type 47 ABC license.

A Type 47 ABC license is defined by the State Department of ABC as a restaurant authorized to sell beer, wine and distilled spirits for consumption on the licenses premises and is required meet the following requirements:

- *Must operate and maintain the licensed premises as a bona fide eating place;*
- *Maintain suitable kitchen facilities;*
- *Must make actual and substantial sales of meals for consumption on the premises; and*
- *Is allowed to have minors on the premises.*

The applicant is required to obtain issuance of their Type 47 ABC license from the California Department of ABC prior to serving any alcohol on site.

The applicant occupies a 2,650 square foot space (***Exhibit B: Site Plan***) in a three-tenant building within The Marketplace on Grove shopping center. The floor plan (***Exhibit C: Floor Plan***) includes: a 650 square foot outdoor patio area, a 615 square

foot indoor dining area, a 1,135 square foot kitchen/serving area and a 250 square foot area devoted to restrooms and hallways. The alcoholic beverages will be stored in a small cooler within the kitchen/serving area behind the counter and is identified on the floor plan. The existing floor plan provides seating for up to 60 patrons with 34 seats within the indoor dining area and 26 seats on the outdoor patio area. Hours of operation are from 11:00 a.m. to 10:00 p.m. Monday through Sunday. The total number of employees at this location will be 25 and approximately 12 employees will be at the location during any given shift.

The applicant is also requesting that alcoholic beverages be served in the outdoor patio (**Exhibit D: Site Photos**). Currently, there is an existing 3-foot high perimeter seat wall that encloses the outdoor patio. The Police Department has placed conditions that prohibits alcoholic beverages to be served or consumed in the patio area until an additional two-foot barrier is added to the south and west portions of the seat wall. The south and west portions of the outdoor patio are adjacent to the parking lot and the north and east portions of the patio are adjacent to a landscaped area that slopes upward approximately four to five feet towards Philadelphia Street and acts as a natural barrier. The applicant will be required to submit plans for the two-foot barrier through the plan check process at a future date. The barrier shall be constructed of decorative wrought iron fencing (maximum vertical separation of 2-3 inches) and complement the architectural style of the commercial shopping center (**Exhibit E: Outdoor Patio Plan**).

Parking: A shared parking reduction was granted by the Planning Commission for The Market Place on Grove as part of Development Plan (PDEV05-001) that was approved on September 27, 2005. The Development Plan allowed for the construction of a 204,095 square foot commercial shopping center on 17.6 acres that included the Lowe's home improvement store, three fast food restaurant pads, one freestanding building and two multi-tenant buildings. The City's parking standards (Development Code Section 9-1.3010) would have required that the shopping center provide a minimum of 908 parking spaces but the Planning Commission approved the shared parking reduction and 812 parking spaces were required to be provided based on the parking study. The parking study analyzed the proposed mix of commercial uses and individual peak times for each use. The application does not include the elimination of any parking stalls and the use is consistent with the assumptions made in the parking study and the prior use of the site was also a restaurant. Therefore, staff believes that the proposed use will not adversely affect the parking demand within the existing shopping center.

ABC License Concentrations: The California Department of Alcoholic Beverage Control (ABC) is the State entity responsible for granting, renewing, and the revocation of all ABC licenses. ABC determines how many on-sale and off-sale of alcoholic beverage license types should be issued per census tract, based upon their population. The project site is located within Census Tract 18.03, which is located entirely within the City of Ontario (**Exhibit F: Census Tract Map**). ABC has determined that Census Tract 18.03 can support two on-sale licenses and there are currently three active on-sale licenses. Census Tract 18.03 is currently over concentrated with on-sale licenses. All three of the active licenses in Census Tract 18.03 are located in the same general area (**Exhibit G: On-Sale ABC License Locations**).

Alcoholic beverage sales are a small percentage of the applicant's business and they will serve food during all hours of alcohol sales. The project site is not located in a high crime area, the property has no outstanding Building or Health Code Violations or Code Enforcement activity, and site properly maintained. Staff has placed specific conditions of approval for the ABC license to ensure the safe operation of the business. In addition, the Police Department has carefully reviewed the proposed use and determined the sale of alcoholic beverages in conjunction with Chipotle Mexican Grill will not negatively impact the community.

Land Use Compatibility: A Conditional Use Permit review is required to ensure the compatibility of adjacent uses by identifying potential nuisance activities and establishing measures for mitigation accordingly. The project site is located within the C3 (Commercial Service District) zone within The Market Place on Grove shopping center with surrounding land uses that include: McDonalds and El Pollo Loco fast food drive-thru restaurants to the west; Office Depot to the east; Arco Gas Station to the north; and US Bank and Lowes to the south (***Exhibit H: Surrounding Land Uses***).

Staff believes that the recommended conditions of approval will sufficiently mitigate potential impacts associated with the proposed uses. Additionally, the nearby businesses within and surrounding the shopping center will not be exposed to any impacts resulting from the alcoholic beverage sales and consumption beyond those that would normally be associated with any other similarly allowed commercial land use and conditions of approval will sufficiently mitigate potential impacts associated with the proposed use.

(h) Airport Land Use Compatibility Plan: This project is located within the Airport Influence Area of Ontario International Airport (ONT) and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plan (ALUCP) for ONT.

(i) Departmental Review: Each City department has been provided the opportunity to review and comment on the subject application and recommend conditions of approval to be imposed upon the application. At the time of the Decision preparation, recommended conditions of approval were provided by the Police Department and are attached to this report.

(j) Public Notification: The subject application was advertised as a public hearing in at least one newspaper of general circulation in the City of Ontario (the Inland Valley Daily Bulletin newspaper). In addition, notices were mailed to all owners of real property located within 300 feet of the exterior boundaries of the property that is the subject of the hearing, as shown on the records of the County Assessor.

(k) Correspondence: As of the preparation of this Decision, Planning Department staff has not received any written or verbal communications from the owners of properties surrounding the project site or from the public in general, regarding the subject application.

PART B: RECITALS

WHEREAS, the City of Ontario has received a request for Conditional Use Permit approval as described in Part A, above; and

WHEREAS, Ontario Municipal Code § 9-1.0405(f) provides that the Zoning Administrator has the responsibility and authority to review and act upon Conditional Use Permits for existing structures; and

WHEREAS, all members of the Development Advisory Board of the City of Ontario were provided the opportunity to review and comment on the requested Conditional Use Permit, and no comments were received opposing the proposed use; and

WHEREAS, on the 8th day of August 2014, the Zoning Administrator of the City of Ontario conducted a duly noticed public hearing on the application, as follows:

- (a) Paul Gutierrez, Planning Intern, presented the staff report on the proposed use, indicating the staff recommendation of approval. Following staff's presentation, the Zoning Administrator opened the public hearing.
- (b) Following staff's presentation the Zoning Administrator clarified the agenda description for the record. The Zoning Administrator stated that the application was for a Type 47 On-Sale General for Bona Fide Public Eating Place and not a Type 47 license for beer and wine that was incorrectly shown in the agenda description. Following the agenda description clarification, the Zoning Administrator opened the public hearing.
- (c) Valerie Sacks the applicant's representative explained the business operation and spoke in favor of the application.
- (d) The Zoning Administrator asked if Ms. Sacks had received a copy of the staff report prior to the meeting and if there were any questions regarding the conditions of approval
- (e) Ms. Sacks explained that Chipotle's corporate office feels that the barrier requirements for the patio would make the area less inviting and has therefore elected not to serve alcohol on the patio at this time and requested that the barrier requirement be reduced or removed.
- (f) Sandra Vitela, the store manager of that location, explained the business operation and spoke in favor of the application.
- (g) The Zoning Administrator asked if the margaritas are going to be prepackaged or if they would have somebody on site mixing them.

(h) Ms. Vitela explained that the margaritas are not prepackaged and are mixed in front of the customer by a staff member who is over 21 years of age and specifically trained to do so.

(i) Following the applicant's presentation the Zoning Administrator asked Officer Robert Sturgis from the Ontario Police Department if there were any objections with the way the margaritas will be stored or prepared.

(j) Officer Sturgis explained that the applicant's practices were consistent with the rules and regulations of the California Department of Alcoholic Beverage Control and were in support of the application.

(k) The Zoning Administrator also asked Officer Sturgis if there were any objections to the applicant not allowing patrons to serve or consume alcoholic beverages in the outdoor patio area.

(l) Officer Sturgis explained that they had no objection and referenced the conditions of approval that required signs be posted on exits to the patio indicating "No Alcohol Beyond this Point". Officer Sturgis also noted that the barrier condition is a standard condition that has been in place since the early 2000's.

(m) There being no one else to offer testimony regarding the application, the Zoning Administrator closed the public hearing.

WHEREAS, all legal prerequisites to the adoption of this Decision have occurred.

PART C: THE DECISION

NOW, THEREFORE, it is hereby found, determined and resolved by the Zoning Administrator of the City of Ontario as follows:

(a) All facts set forth in this Zoning Administrator Report and Decision are true and correct.

(b) Based upon the evidence presented to the Zoning Administrator during the above-referenced public hearing, the Zoning Administrator hereby makes the following Conditional Use Permit findings:

(1) The proposed location of the Conditional Use Permit and the proposed conditions under which it will be operated or maintained will be consistent with the General Plan and will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity. The 2,650 square foot full service restaurant with Type 47 ABC License lies within the C3 Commercial Service District land use designation and will be subject to all conditions contained in the attached Conditions of Approval of this report.

(2) A full service restaurant with a Type 47 (On-Sale General Eating Place) ABC license is allowed upon approval of a Conditional Use Permit. The project has been conditioned so that the facility and use are operated in a manner that will not be detrimental to the health and safety of the surrounding community. In addition, the Police Department has also reviewed the application and they are in support of the application subject to the attached conditions of approval.

(3) The proposed location of the Conditional Use Permit is in accord with the objectives and purposes of the Ontario Development Code and zoning designation within which the site is located. The use will be operated in accordance with Ontario Development Code and the use meets the objectives and purposes as required in the C3 Commercial Service District.

(4) Traffic generated by the proposed Conditional Use Permit will not overload the capacity of the surrounding street system and will not create a hazard to public safety. The use will not generate a significant amount of new traffic nor overload the surrounding circulations system. In addition a sufficient amount of parking will be provided on site.

(5) The proposed Conditional Use Permit will comply with each of the applicable provisions of the Ontario Development Code and applicable municipal codes. The use is consistent with the uses allowed within the C3 (Commercial Service District) zone.

(c) For On-Sale alcoholic beverage license types, which are located within over concentrated census tracts, where over concentrated is defined by the California State Department of Alcoholic Beverage Control ("ABC") and is based upon census tract population and overall County of San Bernardino license concentrations, the Zoning Administrator hereby makes the following Public Convenience and Necessity ("PCN") findings:

(1) The proposed business is not located within a high crime area, which is defined as Police Department calls for service to alcohol-related incidences of 20% greater than the average number reported for the City as a whole. The application was reviewed by the Ontario Police Department and they indicated that the project site is not located within a high crime area as it relates to alcohol related incidents. The use is consistent with the C3 (Commercial Service District) zone and other similar uses in the area. The use will be providing a convenience for those individuals that would like to purchase alcoholic beverages when they dine in the restaurant and a public convenience and necessity letter will be prepared and sent to ABC.

(2) The project site currently has no outstanding Building or Health Code violations or Code Enforcement activity.

(3) The site is properly maintained, including building improvements, landscaping, and lighting.

(d) The Zoning Administrator hereby finds and determines that the project identified in this Decision is categorically exempt from the requirements of the California Environmental Quality Act of 1970, as amended, and the Guidelines promulgated thereunder, pursuant to § 15301 of the State CEQA Guidelines.

(e) The Zoning Administrator hereby finds and determines that the proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plan (ALUCP) for ONT.

(f) Based upon the findings and conclusions set forth in Parts A, B and C above, the Zoning Administrator hereby approves File No. PCUP14-010, subject to the conditions of approval attached hereto and incorporated herein by this reference.



APPROVED by the Zoning Administrator of the City of Ontario on this 4th day of August, 2014.



Barbara Millman
Zoning Administrator

EXHIBITS

Exhibit A: Project Location Map



Exhibit B: Site Plan

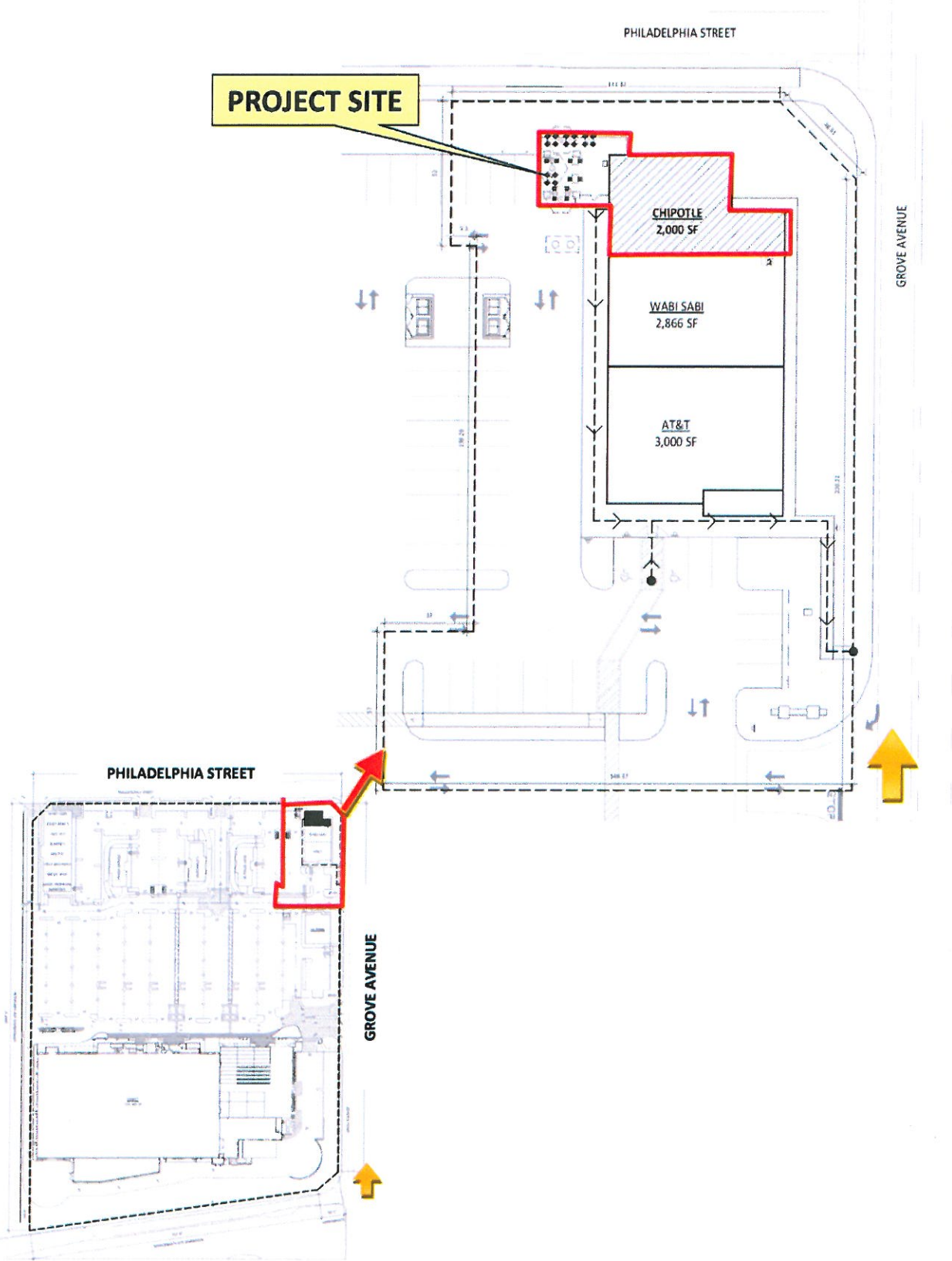
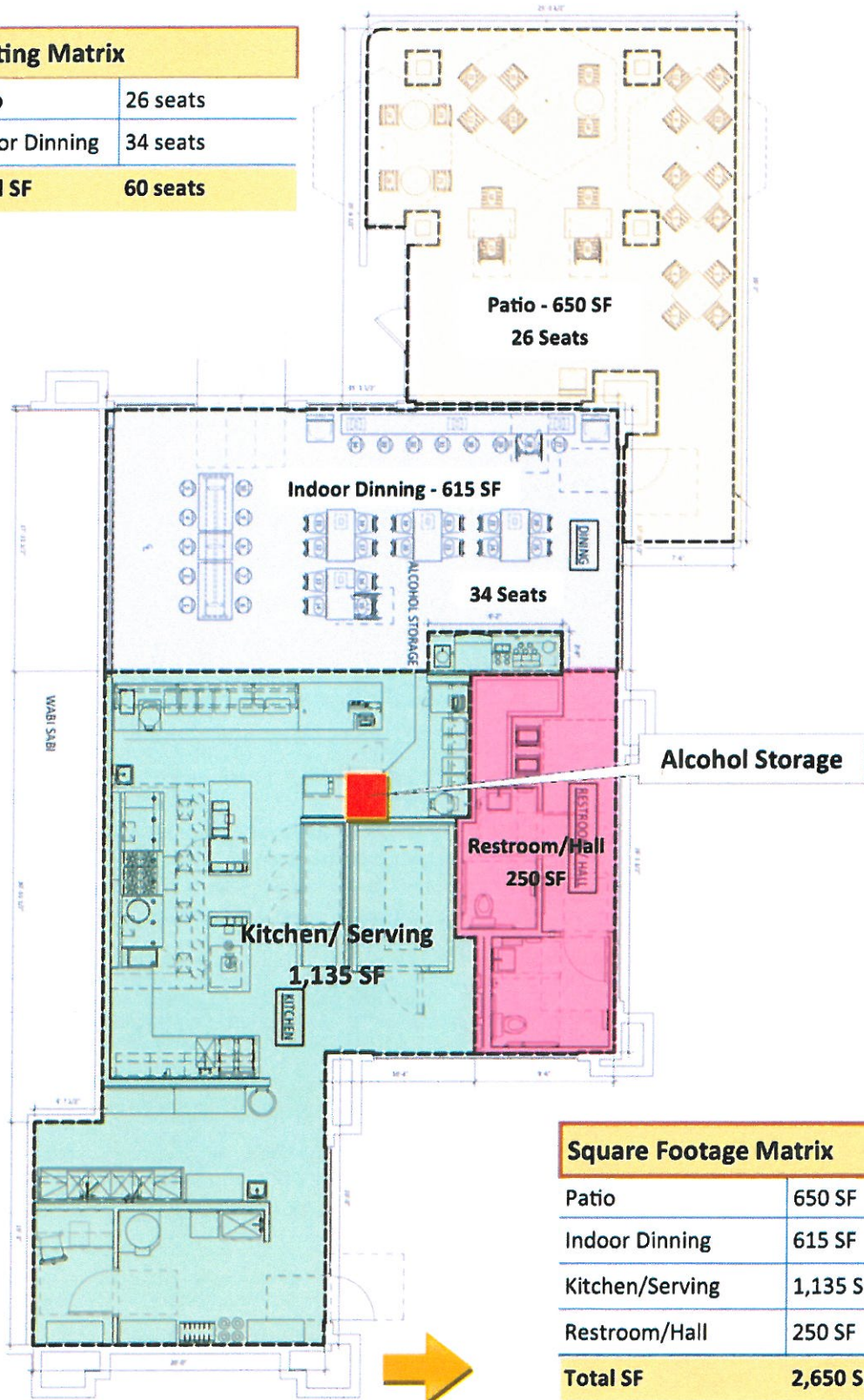


Exhibit C: Floor Plan

Seating Matrix	
Patio	26 seats
Indoor Dining	34 seats
Total SF	60 seats



Square Footage Matrix	
Patio	650 SF
Indoor Dining	615 SF
Kitchen/Serving	1,135 SF
Restroom/Hall	250 SF
Total SF	2,650 SF

Exhibit D: Site Photos



Front Entrance of Restaurant



Northwest Corner of Restaurant

Exhibit E: Outdoor Patio Plan



5' Barrier Required
South and West sides

Decorative design with
2" - 3" vertical spacing

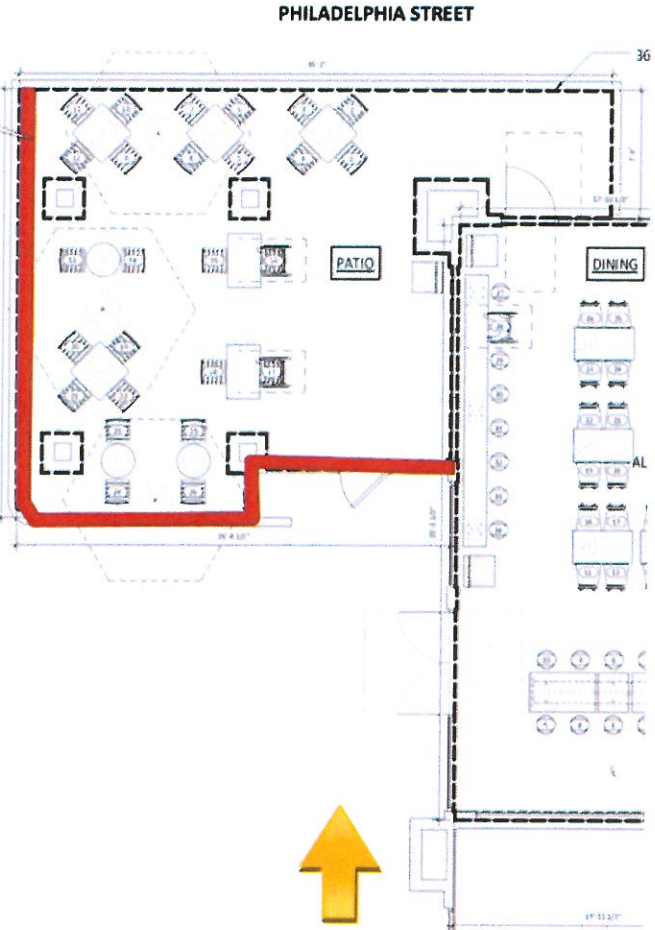


Exhibit F: Census Tract Map

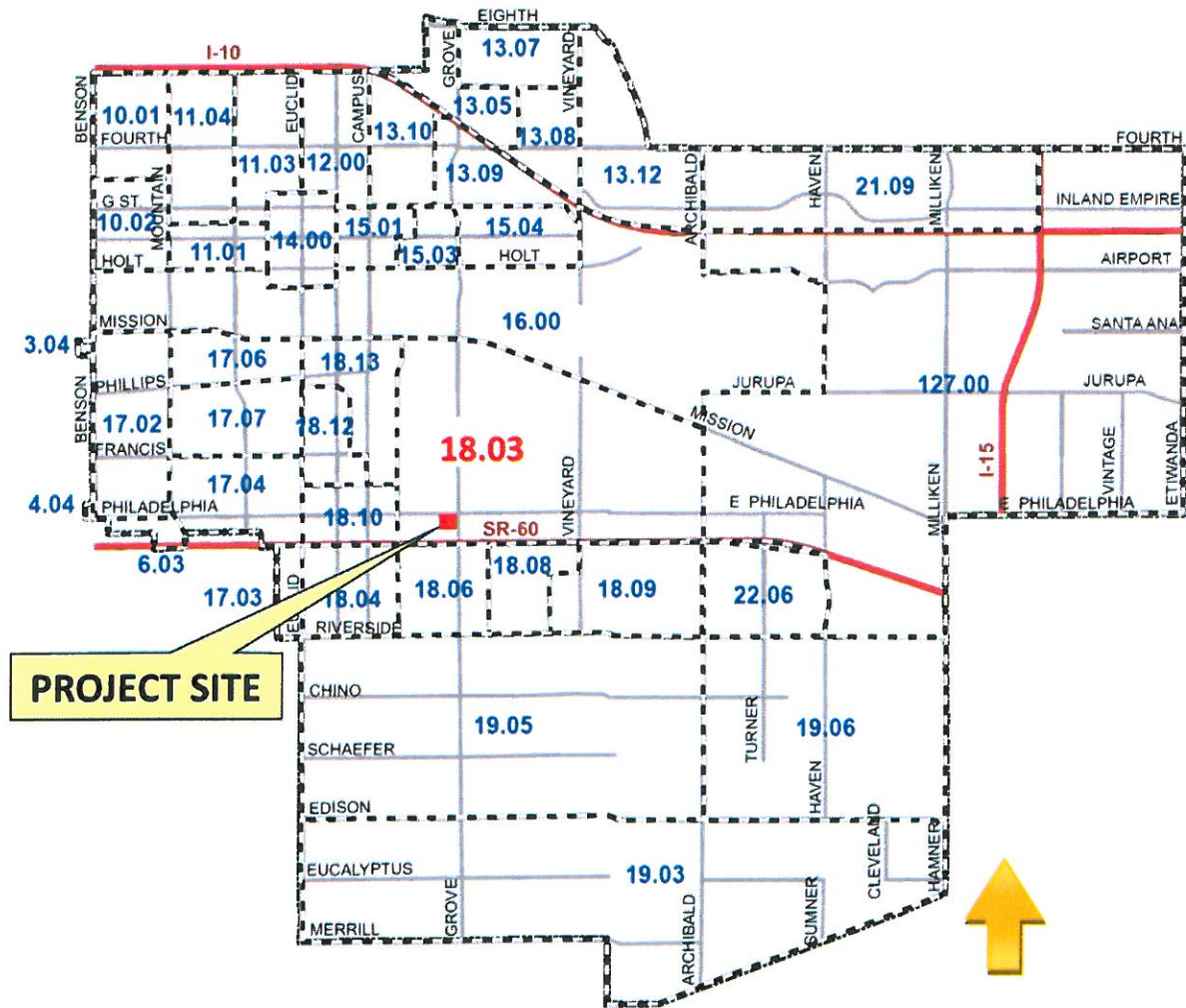


Exhibit G: On-Sale ABC License Locations

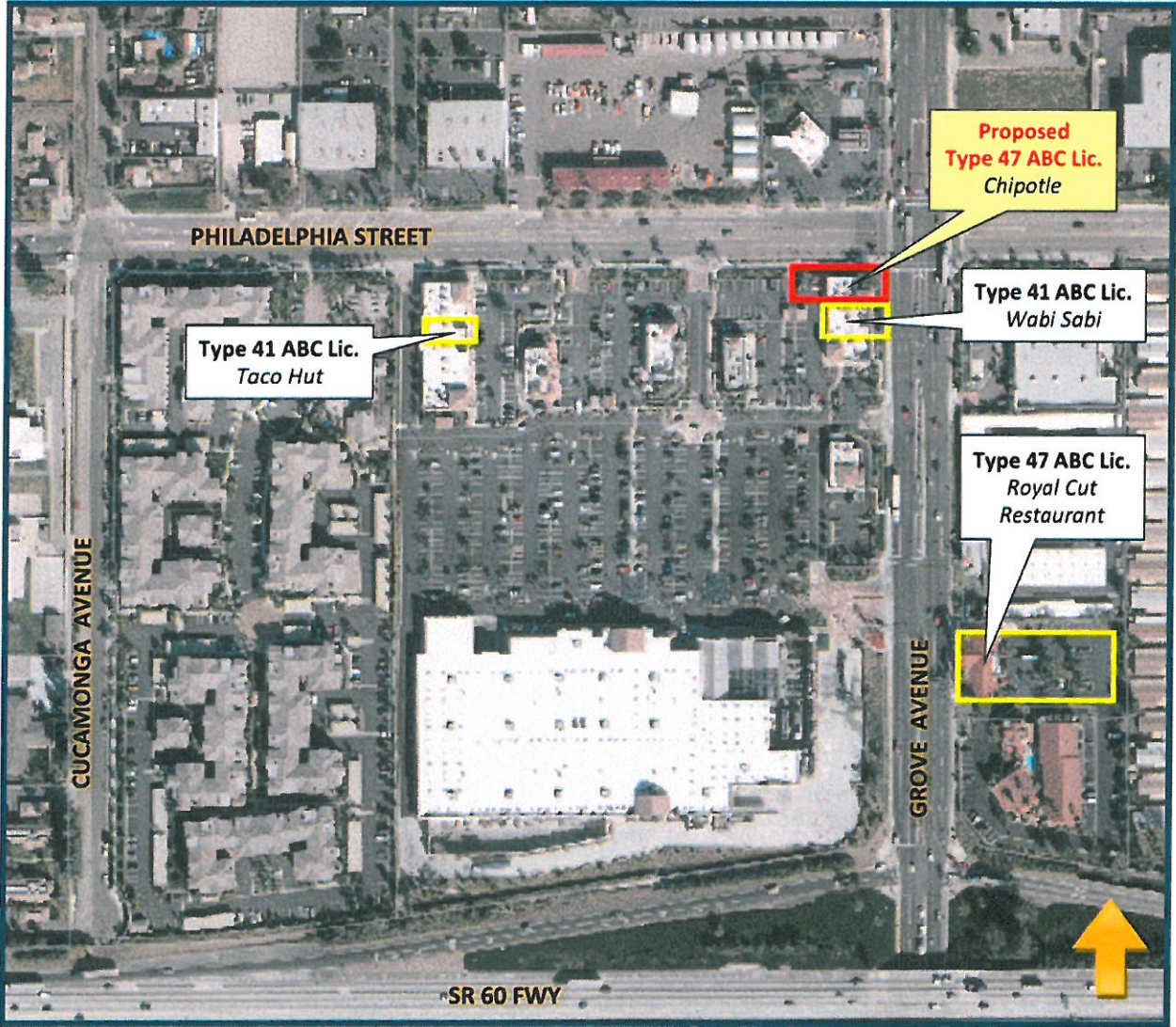


Exhibit H: Surrounding Land Uses



Exhibit H: Surrounding Land Uses Continued





**PLANNING DEPARTMENT
ZONING ADMINISTRATOR (ZA) REPORT**

File No. PCUP14-010

Date: August 4, 2014

Applicant: Chipotle Mexican Grill INC

Project Description/Location: A Conditional Use Permit request to allow a Type 47 (On Sale General – Eating Place) ABC license in conjunction with an existing 2,650 square foot restaurant (Chipotle Mexican Grill), within The Marketplace on Grove shopping center, located on 2200 South Grove Avenue, Suite 104, within the C3 (Commercial Service District) zone.

APN: 1051-151-12

Site Size: 0.84 acres

Reviewed by: Lorena Mejia, Associate Planner/Paul Gutierrez, Planning Intern
Phone: (909) 395-2276; **Fax:** (909) 395-2420

CONDITIONS OF APPROVAL

The above-described Development Plan application shall comply with the following conditions of approval:

1.0 The project shall comply with the project specific special conditions of approval listed below:

1.1 Alcoholic Beverage Sales – General

- (a) No upgrade/change of an alcoholic beverage license type may occur until a minimum one-year of operations under the approved license type has occurred.
- (b) The business shall be operated in strict compliance with the rules, regulations and orders of the State of California Department of Alcoholic Beverage Control. Failure to comply with this requirement shall be deemed just cause for revocation of conditional use permit approval.
- (c) Coinciding with the annual Police Department inspection, the Planning Department shall conduct a review of the approved use and shall prepare for Zoning Administrator consideration, a status report identifying impacts associated with the use and any non-compliance with the conditions of approval. In addition, such status report shall

contain a police report regarding calls for service to the subject premises during the prior one (1) year period. Nothing herein shall modify or limit the City's ability to regulate the business or modify or revoke the permit upon the City's determination that the business is being operated in a manner adverse to the public health, safety and welfare.

- (d) Signs shall comply with all City of Ontario sign regulations. No more than 25% of the total window area shall bear advertising or signs of any sort. Window signs shall be placed and maintained in a manner so that there is clear and unobstructed view of the interior of the premises from the building exterior.
- (e) The rear doors shall be kept closed at all times during the operation of the premises, except in case of emergency or to permit deliveries.
- (f) In the event that security problems occur as a result of the approved subject use and at the request of the Police Department, the permittee, at his/her own expense, shall provide a California licensed, uniformed security guard(s) on the subject premises, during such hours and in such number as requested by the Police Department.
- (g) The licensee shall attend a LEAD (Licensee Education on Alcohol and Drugs) training secession sponsored by the State of California Department of Alcoholic Beverage Control, within six (6) months of commencement of the approved use.
- (h) A clearly legible copy of the herein-listed conditions of approval shall be posted at all times at a prominent place in the interior of the premises.
- (i) Live entertainment shall be prohibited. Any future request for live entertainment shall require conditional use permit approval by the Zoning Administrator. Karaoke, DJs, live musical acts, and other similar forms of entertainment, are considered live entertainment.
- (j) Amplified prerecorded music may be permitted; however, the sound emitted from the premises shall not be audible outside the walls of the business establishment.
- (k) Electronic arcade and amusement games shall be prohibited on-site, unless specifically permitted by the Police Department and shown on the approved site plan.

1.2 Alcoholic Beverage Sales – Restaurants

- (a) The establishment shall be operated as a “bona fide public eating place” as defined by Business and Professions Code § 23038. The restaurant shall contain full kitchen facilities for the cooking of an assortment of foods required for ordinary meals. The kitchen shall be open for the serving of meals to guests during all hours the establishment is open. The establishment shall provide an assortment of foods commonly ordered at various hours of the day. The service of sandwiches or salads shall not be deemed in compliance with this requirement.
- (b) The sale of alcoholic beverages shall be incidental to the sale of food. The quarterly gross sales of alcoholic beverages shall be less than 50% of the restaurants total sales, which includes all food, and alcoholic and non-alcoholic beverages. The owner of the establishment, upon request, shall provide the City of Ontario with an audited report of the sales ratio of food and non-alcoholic beverages to alcoholic beverages.
- (c) No alcoholic beverage shall be consumed outside of the enclosed building, except within the approved outdoor eating area, which has been designed so as to be adequately separated from direct public access.

1.3 Environmental Review

- (a) The proposed project is categorically exempt from environmental review in accordance with Section 15301 of the California Environmental Quality Act Guidelines.

1.4 Additional Fees

- (a) After project’s entitlement approval and prior to issuance of final building permits, the Planning Department’s Plan Check and Inspection fees shall be paid at the rate established by resolution of the City Council.
- (b) Within five (5) days following final application approval, the Notice of Determination (NOD), Notice of Exemption (NOE), filing fee shall be provided to the Planning Department. The fee shall be paid by check, made payable to the “*Clerk of the Board*”, which will be forwarded to the San Bernardino County Clerk of the Board of Supervisors, along with all applicable environmental forms/notices, pursuant to the requirements of the California Environmental Quality Act (CEQA). Failure to provide said fee within the time specified may result in the 30-day statute of limitations for the filing of a CEQA lawsuit being extended to 180 days.

1.5 Additional Requirements

CITY OF ONTARIO
MEMORANDUM
“Excellence Through Teamwork”

TO: Lorena Mejia, Planning Department
FROM: Robert Sturgis, Police Officer
DATE: July 08, 2014
SUBJECT: FILE NO. PCUP14-010– CHIPOTLE
2200 S. GROVE AVENUE STE 104 ONTARIO, CA 91761

This location has applied for a type 47 On-Sale General license located within Census Tract No. 18.03. According to the Department of Alcohol Beverage Control (ABC), two on-sale licenses are allowed within this tract, there are currently three. This location operates as a “Bona Fide Public Eating Place,” and the Police Department does not object to allowing this conditional use permit. The location must follow all Department of Alcohol Beverage Control rules and conditions. In addition, the following conditions of approval shall be imposed by the Police Department:

RESTAURANT CONDITIONS

1. Alcohol sales will be from 11:00 A.M. to 10:00 P.M. daily. Last call for alcohol shall be made 45 minutes prior to closing and no later than 9:15 P.M.
2. No sales to minors.
3. No sales to obviously intoxicated patrons.
4. No self serve alcohol displays allowed.
5. No alcoholic beverages are to be sold or removed from the establishment for outside consumption.
6. Alcoholic beverage will not be served or consumed in the patio area unless surrounded by a barrier with a minimum height of 5 feet. This barrier is required on the south and west side of the patio and must prevent drinks from being passed through. This area must also be licensed with the Department of Alcoholic Beverage Control.
7. Signs must be post at all exits stating no alcohol beyond this point.
8. No smoking inside of the establishment is permitted, including any type of electronic nicotine delivery device.
9. There will be no narcotic sales or usage on the premises at any time.
10. Employees 18 and older may serve alcoholic beverages in an area primarily designed and used for the sale and service of food as an incidental part of their overall duties. Bartenders and cocktail servers must be 21.
11. Applicant and all employees must attend an Alcohol Beverage Control (ABC) L.E.A.D.’s training class or a certified responsible beverage service class, which has been approved by the Ontario Police Department. This is required within six months of this dated conditional use permit and proof of re-certification is

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FILE NO.: PCUP14-010

required every 3 years. New employees must attend the training class within three months of their hire date.

12. Lighting within the restaurant must be kept at a reasonable level for safe movement of patrons.
13. Address to the establishment must be plainly visible to the front for easy identification by safety personnel.
14. The parking lots under control of the applicant shall be equipped with a maintained lighting device capable of providing a minimum of one-foot candle of light at ground level from dusk to dawn.
15. Graffiti abatement by the business owner/licensee, or management shall be immediate and on-going on the premises, but in no event shall graffiti be allowed unabated for more than 72 hours. Abatement shall take the form of removal, or shall be covered/painted over with a color reasonably matching the color of the existing building, structure, or other surface being abated. Additionally, the business owner/licensee, or management shall notify the City within 24 hours at (909) 395-2626 (graffiti hotline) of any graffiti elsewhere on the property not under the business owner/licensee's or management control so that it may be abated by the property owner and/or the City's graffiti team.
16. No loitering shall be permitted on any property adjacent to the licensed premise, which is under the control of the applicant.
17. The restaurant manager shall be qualified per ABC rules. Anyone to whom a licensee delegates discretionary power to organize, direct, carry on, or control operations of the licensed business is presumed to be the manager of the business. (Business and Professions Code Section 23788.5, Rules 57.5 and 57.6).
18. Ontario Police Officers have the right to limit or reduce the occupancy inside the establishment, if situations arise that may compromise the safety of patrons and the officer. Any additional police resources requested to bring peace in the establishment may be charged to the business owner.

Any special event outside the scope of the Conditional Use Permit will require a TUP (Temporary Use Permit) which will be processed by the Planning Department and conditioned by the Ontario Police Department. (For example a radio station promotion held at the restaurant, or an outdoor event with alcoholic beverages would be a special event requiring Police or security personnel, but a community service organization breakfast meeting would not be considered a special event and therefore would not require security.) If security personnel are needed they will be required to follow Ontario Municipal Code Article 6, Title 3, Section 3-1.601-621 (security regulations), which states in part that the security company and guards used will be registered with the City.

If alcohol related crimes at this location are higher than other similar establishments in the overall City during any quarter, the CUP will automatically be referred to the Zoning Administrator for review and re-conditioning or revocation of the permit. The Police Department may, at their sole discretion, request a revocation hearing if they determine that the establishment is being operated in violation of this CUP or has violated the laws of the State or City are the intent of this action.

A copy of the listed conditions of approval must be posted with your ABC license at all times in a prominent place in the interior of the premises.

The Ontario Police Department will be notified to conduct an inspection before the opening of the restaurant with the conditional use permit.

The Police Department will conduct a review in six months to determine whether additional conditions will be needed. If you have any questions please call Officer Robert Sturgis at (909) 395-2001 ext 4773.