



CITY OF ONTARIO  
**ZONING ADMINISTRATOR**  
AGENDA

May 2, 2022

Ontario City Council Chambers, 2 PM  
303 East "B" Street, Ontario

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All documents for public review are on file with the Planning Department located at City Hall, 303 East "B" Street, Ontario, CA 91764 and on the City website at [www.ontarioca.gov/agendas/zoning](http://www.ontarioca.gov/agendas/zoning)

**PUBLIC HEARINGS**

- A. **ENVIRONMENTAL ASSESSMENT AND CONDITIONAL USE PERMIT REVIEW FOR FILE NO. PCUP21-024:** A public hearing to consider the modification of a previously approved Conditional Use Permit (File No. PCUP16-004), reconfiguring the floor plan of an established 5,820-square-foot banquet facility, with live entertainment, dancing, and a Type 58 ABC License (Caterer's Permit) for the on-premises consumption of alcoholic beverages, situated on the second floor of a two-story historic commercial building (Local Landmark No. 21, Masonic Hall), located at 231 North Euclid Avenue, within LUA-1 (Euclid Avenue Entertainment) of the MU-1 (Downtown Mixed Use) and EA (Euclid Avenue Overlay) zoning districts. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15301 (Class 1, Existing Facilities) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan; (APN: 1048-565-05) **submitted by Sean Wang.**

If you wish to appeal a decision of the Zoning Administrator, you must do so within ten (10) days of the Zoning Administrator action. Please contact the Planning Department for information regarding the appeal process.

If you challenge any action of the Zoning Administrator in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or written correspondence delivered to the Zoning Administrator at, or prior to, the public hearing.

I, Gwen Berendsen, Administrative Assistant of the City of Ontario, or my designee, hereby certify that a true, accurate copy of the foregoing agenda was posted on or before **April 29, 2022**, at least 72 hours prior to the meeting per Government Code Section 54954.2 at 303 East "B" Street, Ontario.

Administrative Assistant



# ZONING ADMINISTRATOR DECISION: CONDITIONAL USE PERMIT

May 2, 2022

303 East B Street, Ontario, California 91764 Phone: 909.395.2036 / Fax: 909.395.2420

**DECISION NO.:** [insert #]

**FILE NO.:** PCUP21-024

**DESCRIPTION:** A modification to a previously approved Conditional Use Permit (File No. PCUP16-004), reconfiguring the floor plan of an established 5,820-square-foot banquet facility, with live entertainment, dancing, and a Type 58 ABC License (Caterer's Permit) for the on-premises consumption of alcoholic beverages, situated on the second floor of a two-story historic commercial building (Local Landmark No. 21, Masonic Hall), located at 231 North Euclid Avenue, within LUA-1 (Euclid Avenue Entertainment) of the MU-1 (Downtown Mixed Use) and EA (Euclid Avenue Overlay) zoning districts. APN: 1048-565-05; **submitted by Sean Wang.**

## PART 1: BACKGROUND & ANALYSIS

SEAN WANG, (herein after referred to as "Applicant") has filed an application requesting approval of a Conditional Use Permit, File No. PCUP21-024, as described in the subject of this Decision (herein after referred to as "Application" or "Project").

**PROJECT SETTING:** The project site is comprised of 0.146 acres of land located at 231 North Euclid Avenue, and is depicted in *Exhibit A: Aerial Photograph*, attached. The project site is generally located on the west side of North Euclid Avenue, bound by West B Street to the south and West C Street to the north. The existing land uses, General Plan and zoning designations, on and surrounding the project site are as follows:

	Existing Land Use	General Plan Designation	Zoning Designation
Site:	Restaurant (first floor) Vacant (second story)	Mixed Use	LUA-1 (Euclid Avenue Entertainment) of the MU-1 (Downtown Mixed Use) and EA (Euclid Avenue Overlay)
North:	Commercial Retail	Mixed Use	LUA-1 (Euclid Avenue Entertainment) of the MU-1 (Downtown Mixed Use) and EA (Euclid Avenue Overlay)
South:	Commercial Retail	Mixed Use	LUA-1 (Euclid Avenue Entertainment) of the MU-1 (Downtown Mixed Use) and EA (Euclid Avenue Overlay)
East:	Park (Ontario Town Square)	Mixed Use/ Open Space	PUD (Euclid Avenue Entertainment) and EA (Euclid Avenue Overlay)
West:	Parking Lot	Mixed Use	LUA-1 (Euclid Avenue Entertainment) of the MU-1 (Downtown Mixed Use) and EA (Euclid Avenue Overlay)

Prepared: EA 4/19/2022	Reviewed: KR 4/28/2022	Decision: [enter initial/date]
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**PROJECT ANALYSIS:**

(1) Background— The 5,820 square foot tenant space is located on the second story of a 2-story, brick commercial building, also known as the “Masonic Hall Building,” a designated local landmark, and is depicted in Exhibit C: Site Photos, attached. On April 17, 2017, File No. PCUP16-004 was approved by the Zoning Administrator, establishing a second story banquet facility in the Masonic Hall Building with alcoholic beverage sales for consumption on the premises with a catering permit, in conjunction with live entertainment and dancing. In 2015, a Conditional Use Permit (File No. PCUP15-022) was approved for the first floor of the building to allow the sale of beer and wine for on premise consumption in conjunction with a restaurant (Yeast and Flour). The first floor of the Masonic Hall Building is currently undergoing Tenant Improvements to accommodate a new restaurant in the space, “Unique Café,” that will continue the previously conditionally approved use.

(2) Proposed Use— The Applicant is requesting a modification to the previously approved Conditional Use Permit establishing the banquet facility (File No. PCUP16-004) to reconfigure the originally approved second story floor plan and to add karaoke during private events. The Applicant is seeking to offer a local venue for hosting conferences, workshops, and receptions with catering services, live entertainment, karaoke, dancing, and the sale of alcoholic beverage for consumption on the premises.

The previously approved floor plan includes approximately the same square footage and configuration for the banquet area as the proposed floor plan. The primary banquet area, which is approximately 2,300 square feet, will feature a stage for live entertainment and dance floor area. The second banquet room is approximately 700 square feet and will primarily be used as a lounge for the primary banquet room. The seating arrangement and proposed floor plan is depicted in Exhibit B: Floor Plans, attached. The proposed floor plan modifications include the addition of restroom facilities to meet current Building Code requirements, the conversion of a storage space to a secondary karaoke room and the conversion of a dressing room to an office. The second story banquet facility is accessible from Euclid Avenue through an interior staircase, with the primary entrance located at the rear (alley) of the building through an exterior staircase. Patrons have elevator access from the rear (alley) entrance.

The hours of operation for the banquet facility will not change from what was previously approved. The banquet facility will be available for use from 8:00 a.m. to 2:00 a.m. daily, events that include dancing, live entertainment, and/or alcoholic beverage sales will be limited from 4:00 p.m. to 2:00 a.m. daily. Operating business hours for the first-floor tenant located within the building are limited between the hours of 9:00 a.m. to 12:00 a.m. daily. The banquet rooms will be closed to the public whenever an event is not taking place. The rooms will be available for viewing by appointment only. One employee of the facility will be on-site during all events to monitor activities. Live entertainment in the form of a band or DJ with dancing is also proposed in conjunction with the banquet use. The Applicant is not applying for a California Department of Alcohol Beverage Control (ABC) License as they are not proposing any alcohol sales with this Application. However, the Applicant is requesting that caterers be allowed to serve alcohol with their respective Type 58 Caterer’s Permit. The Police Department has included conditions that are in effect when an event is present where alcohol is served under a Type 58 Caterer’s Permit issued by the California Department of ABC.

(3) Parking— The proposed changes do not impact the previously analyzed parking demand under File No. PCUP16-004. As established in the Ontario Development Code, a banquet facility use requires 25 parking stalls per 1,000 square feet (0.025/SF) of gross floor area and an

office use requires 4 parking stalls per 1,000 square feet (0.004/SF) of gross floor area. Staff determined that with the proposed use and proposed floor plan, 79 parking spaces are required. Since the project site is situated within the downtown area and on-site parking is not attainable, the Ontario Development Code allows for staff to conduct parking analysis using the Downtown Ontario Parking Model. The Parking Model specifically evaluates each block within the downtown at maximum build out and provides an estimate of parking availability (on-site and street parking combined), from 6:00 a.m. to 12:00 a.m., with shared parking as the premise.

The Parking Model evaluates the parking availability both by time of day and use. For example, a restaurant use has a higher parking demand during lunch time hours (12:00 p.m. to 2:00 p.m.) and dinner hours (6:00 p.m. to 8:00 p.m.) and an office use has a higher parking demand during normal business hours (8:00 a.m. to 5:00 p.m.) but has zero parking demand after 5:00 p.m. The Parking Model accounts for a variety of land uses but does not include a parking ratio for banquet type uses. Staff has manually added the parking demand of 79 spaces for the banquet use across all hours using the ratio established in the Ontario Development Code. This does not account for the variation in demand by hour, however, this provides the most conservative approach to calculating parking availability for the proposed project.

Based on the proposed and existing land uses calculated in the Model, Staff determined that Block 44 (project site) would have a deficiency in parking from 12:00 p.m. until 4:00 p.m. and from 8:00 p.m. until midnight and result in insufficient parking availability to support the Application. Therefore, the parking study area was expanded to include adjacent Blocks 28, 29, 36, 37, 43, 51, 52, 59, and 60, and the north and south bound Euclid Avenue median as depicted in Exhibit D: Parking Blocks, attached. Evaluation of these parking blocks combined demonstrated sufficient parking to accommodate the proposed banquet facility use and are listed below.

**Available Public Parking with Proposed Use – Day House (9:00 a.m. – 4:00 p.m.)**

Block	9AM	10AM	11AM	12NN	1PM	2PM	3PM	4PM
28	238	238	238	238	238	238	238	233
29	67	66	71	68	66	63	66	75
36	(96)	(103)	(98)	(100)	(103)	(109)	(106)	(97)
37	15	11	12	14	10	5	6	13
43	33	31	31	24	23	18	25	30
44	16	19	4	(41)	(41)	(58)	(12)	(26)
51	53	51	47	41	40	35	43	41
52	9	6	(6)	(29)	(33)	(42)	(19)	(35)
59	30	30	30	31	30	29	29	30
60	(4)	(5)	(4)	(5)	(6)	(9)	(6)	2
Median	112	112	112	112	112	112	112	112
Total	472	457	436	354	335	283	376	379
Additional Demand for CUP	(79)	(79)	(79)	(79)	(79)	(79)	(79)	(79)
Total Suplus or (Deficit)	393	378	357	275	256	204	297	300

**Available Public Parking with Proposed Use – Evening House (5:00 p.m. – 12:00 a.m.)**

<b>Block</b>	<b>5PM</b>	<b>6PM</b>	<b>7PM</b>	<b>8PM</b>	<b>9PM</b>	<b>10PM</b>	<b>11PM</b>	<b>12MN</b>
<b>28</b>	238	238	238	238	238	238	238	233
<b>29</b>	67	66	71	68	66	63	66	75
<b>36</b>	(96)	(103)	(98)	(100)	(103)	(109)	(106)	(97)
<b>37</b>	15	11	12	14	10	5	6	13
<b>43</b>	33	31	31	24	23	18	25	30
<b>44</b>	16	19	4	(41)	(41)	(58)	(12)	(26)
<b>51</b>	53	51	47	41	40	35	43	41
<b>52</b>	9	6	(6)	(29)	(33)	(42)	(19)	(35)
<b>59</b>	30	30	30	31	30	29	29	30
<b>60</b>	(4)	(5)	(4)	(5)	(6)	(9)	(6)	2
<b>Median</b>	112	112	112	112	112	112	112	112
<b>Total</b>	472	457	436	354	335	283	376	379
<b>Additional Demand for CUP</b>	(79)	(79)	(79)	(79)	(79)	(79)	(79)	(79)
<b>Total Surplus or (Deficit)</b>	<b>393</b>	<b>378</b>	<b>357</b>	<b>275</b>	<b>256</b>	<b>204</b>	<b>297</b>	<b>300</b>

(4) 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 subject site is located in the LUA-1 (Euclid Avenue Entertainment) of the MU-1 (Downtown Mixed-Use) and EA (Euclid Avenue) Overlay zoning districts within the downtown. The proposed banquet use is a permitted land use in designated historic buildings and was previously conditionally approved at the site. The downtown is envisioned as an intensive mixed-use area of retail, office and residential to help guide economic and development activity in the downtown. Banquet uses within designated historic buildings in the downtown provide much needed entertainment opportunities to downtown residents and visitors.

The proposed banquet use is located on Euclid Avenue, which is developed with various retail, office, banks and residential mixed-uses. The proposed modifications to the previously approved Conditional Use Permit do not result in an expansion of the previously approved hours of operation nor do the modifications result in an increased parking demand. A banquet facility use is compatible with the surrounding land uses and will help to attract people to support the surrounding uses.

Staff believes that the recommended conditions of approval will sufficiently mitigate potential impacts associated with the proposed use and that the proposed use is compatible with adjacent land uses.

**AIRPORT LAND USE COMPATIBILITY PLAN:** This project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP). Any special

conditions of approval associated with uses in close proximity to the airport are attached to this report.

**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 and are attached to this report.

**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.

**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 2: RECITALS**

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

WHEREAS, the Application is a project pursuant to the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) ("CEQA"); and

WHEREAS, the Project is exempt from CEQA pursuant to a categorical exemption (listed in CEQA Guidelines Article 19, commencing with Section 15300) and the application of that categorical exemption is not barred by one of the exceptions set forth in CEQA Guidelines Section 15300.2; and

WHEREAS, Ontario Development Code Table 2.01-1 (Review Matrix) establishes 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, the Project is located within the Airport Influence Area of Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and is subject to, and must be consistent with, the policies and criteria set forth in the Ontario International Airport Land Use Compatibility Plan ("ALUCP"), which applies only to jurisdictions within San Bernardino County, and addresses the noise, safety, airspace protection, and overflight impacts of current and future airport activity; and

WHEREAS, City of Ontario Development Code Division 2.03 (Public Hearings) prescribes the manner in which public notification shall be provided and hearing procedures to be followed, and all such notifications and procedures have been completed; and

WHEREAS, on May 2, 2022, the Zoning Administrator of the City of Ontario conducted a duly noticed public hearing on the application, as follows:

(1) Elly Antuna, Associate Planner, presented the staff report on the proposed use, indicating the staff recommendation of approval with the attached conditions of approval. Following staff's presentation, the Zoning Administrator opened the public hearing.

(2) [insert speaker's name], the applicant/representing the applicant, explained the business operation and spoke in favor of the application.

(3) [insert additional speaker info]

(4) [insert additional speaker info]

(5) 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 3: THE DECISION**

NOW, THEREFORE, IT IS HEREBY FOUND, DETERMINED AND DECIDED by the Zoning Administrator of the City of Ontario as follows:

SECTION 1: Environmental Determination and Findings. As the decision-making body for the Project, the Zoning Administrator has reviewed and considered the information contained in the administrative record for the Project. Based upon the facts and information contained in the administrative record, including all written and oral evidence presented to the Zoning Administrator, the Zoning Administrator finds as follows:

(1) The project is categorically exempt from the requirements of the California Environmental Quality Act ("CEQA") pursuant to Section 15301 (Existing Facilities) of the CEQA Guidelines, which consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. The proposed use is located within an existing building and includes a negligible building addition and is therefore categorically exempt.

(2) The application of the categorical exemption is not barred by one of the exceptions set forth in CEQA Guidelines Section 15300.2; and

(3) The determination of CEQA exemption reflects the independent judgment of the Zoning Administrator.

SECTION 2: Ontario International Airport Land Use Compatibility Plan ("ALUCP") Compliance. The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan. On April 19, 2011, the City Council of the City of Ontario approved and adopted the Ontario International



Airport Land use Compatibility Plan ("ALUCP"), establishing the Airport Influence Area for Ontario International Airport ("ONT"), which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the decision-making body for the Project, the Zoning Administrator has reviewed and considered the facts and information contained in the Application and supporting documentation against the ALUCP compatibility factors, including [1] Safety Criteria (ALUCP Table 2-2) and Safety Zones (ALUCP Map 2-2), [2] Noise Criteria (ALUCP Table 2-3) and Noise Impact Zones (ALUCP Map 2-3), [3] Airspace protection Zones (ALUCP Map 2-4), and [4] Overflight Notification Zones (ALUCP Map 2-5). As a result, the DAB, therefore, finds and determines that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the policies and criteria set forth within the ALUCP.

**SECTION 3: Concluding Facts and Reasons.** Based upon [1] the substantial evidence presented to the Zoning Administrator in the Background and Analysis of this Decision, [2] the oral information presented during the herein-referenced public hearing, and [3] the findings set forth in Sections 1 and 2, above, the Zoning Administrator hereby concludes as follows:

(a) *The scale and intensity of the proposed land use would be consistent with the scale and intensity of land uses intended for the particular zoning or land use district. The proposed location of the Conditional Use Permit is in accord with the objectives and purposes of the City of Ontario Development Code and the LUA-1 (Euclid Avenue Entertainment) of the MU-1 (Downtown Mixed Use) and EA (Euclid Avenue Overlay) zoning districts, and the scale and intensity of land uses intended for the zoning district in which the use is proposed to be located; and*

(b) *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 Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan. The proposed banquet facility land use will be located within the Mixed Use land use district of the Policy Plan Land Use Map, and the LUA-1 (Euclid Avenue Entertainment) of the MU-1 (Downtown Mixed Use) and EA (Euclid Avenue Overlay) zoning districts. The development standards, and the conditions of approval under which the proposed land use will be established, operated, and maintained, are consistent with the goals, policies, plans, and exhibits of the Vision, City Council Priorities, and Policy Plan (General Plan) components of The Ontario Plan; and*

(c) *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 the Development Code and any applicable specific plan or planned unit development. The proposed banquet facility land use is located with the Mixed Use land use district, and the LUA-1 (Euclid Avenue Entertainment) of the MU-1 (Downtown Mixed Use) and EA (Euclid Avenue Overlay) zoning districts, and has been reviewed and conditioned to ensure the establishment, operation and maintenance of the proposed land use consistent with all applicable objectives, purposes, standards, and guidelines of the Development Code; and*

(d) *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. The Development Advisory Board has required certain safeguards, and impose certain conditions of approval, which have been established to ensure that: [i] the purposes of the Development Code are maintained; [ii] the project will not endanger*



the public health, safety or general welfare; [iii] the project will not result in any significant environmental impacts; and [iv] the project will be in harmony with the surrounding area in which it is proposed to be located; and

(e) For On-Sale alcoholic beverage license types located within overconcentrated census tracts (high density of alcoholic beverage sales locations as defined by the Alcoholic Beverage Control Act (commencing with Business and Professions Code Section 23000 et Seq.), the Zoning Administrator hereby makes the following Public Convenience and Necessity ("PCN") findings:

- *The Applicant has not applied for a California Department of Alcohol Control License in conjunction with the proposed use. However, the Applicant is requesting that caterers be allowed to serve alcohol with their respective Type 58 Caterer's Permit at the location in conjunction with the proposed use.*
- *The proposed retail alcohol license is not located within a high crime area, defined as an area characterized by a high ratio of Police Department calls for service to alcohol-related incidences, not to exceed 20 percent greater than the average number of alcohol-related incidences reported for the City as a whole.*
- *The property/building/use has no outstanding Building or Health Code violations or Code Enforcement activity. As a condition of approval and prior to commencement of use, a building occupancy change is required to accommodate new use.*
- *The site is properly maintained, including building improvements, landscaping, and lighting. As a condition of approval and prior to commencement of use, a building occupancy change is required to accommodate new use.*

SECTION 4: Zoning Administrator Action. Based on the findings and conclusions set forth in Sections 1 through 3, above, the Zoning Administrator hereby APPROVES the Application subject to each and every condition set forth in the Department reports included as "Attachment A" of this Decision, and incorporated herein by this reference.

-or-

DENIES the Application.

SECTION 5: Indemnification. The Applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul this approval. The City of Ontario shall promptly notify the applicant of any such claim, action or proceeding, and the City of Ontario shall cooperate fully in the defense.

SECTION 6: Custodian of Records. The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario. The records are available for inspection by any interested person, upon request.

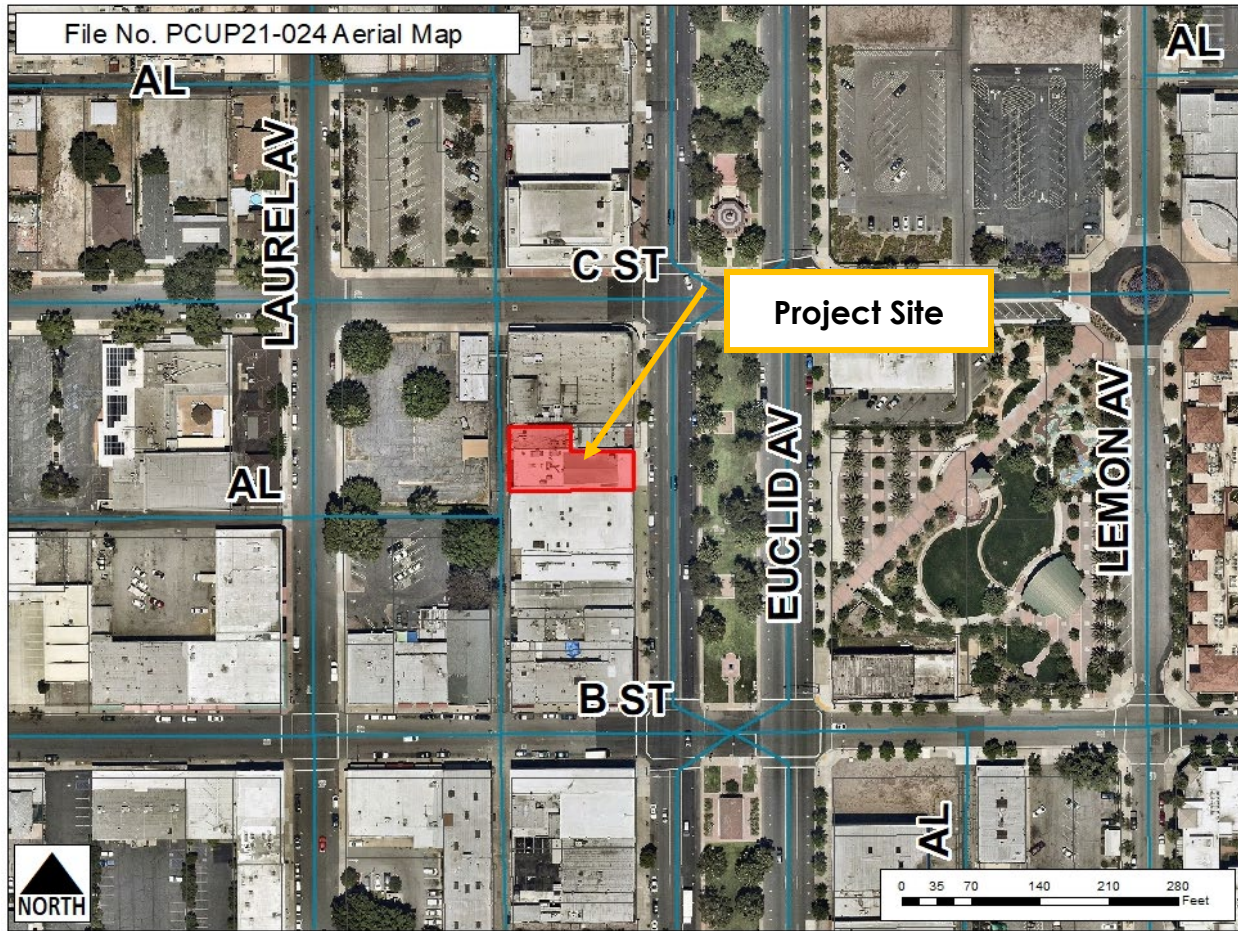
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APPROVED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

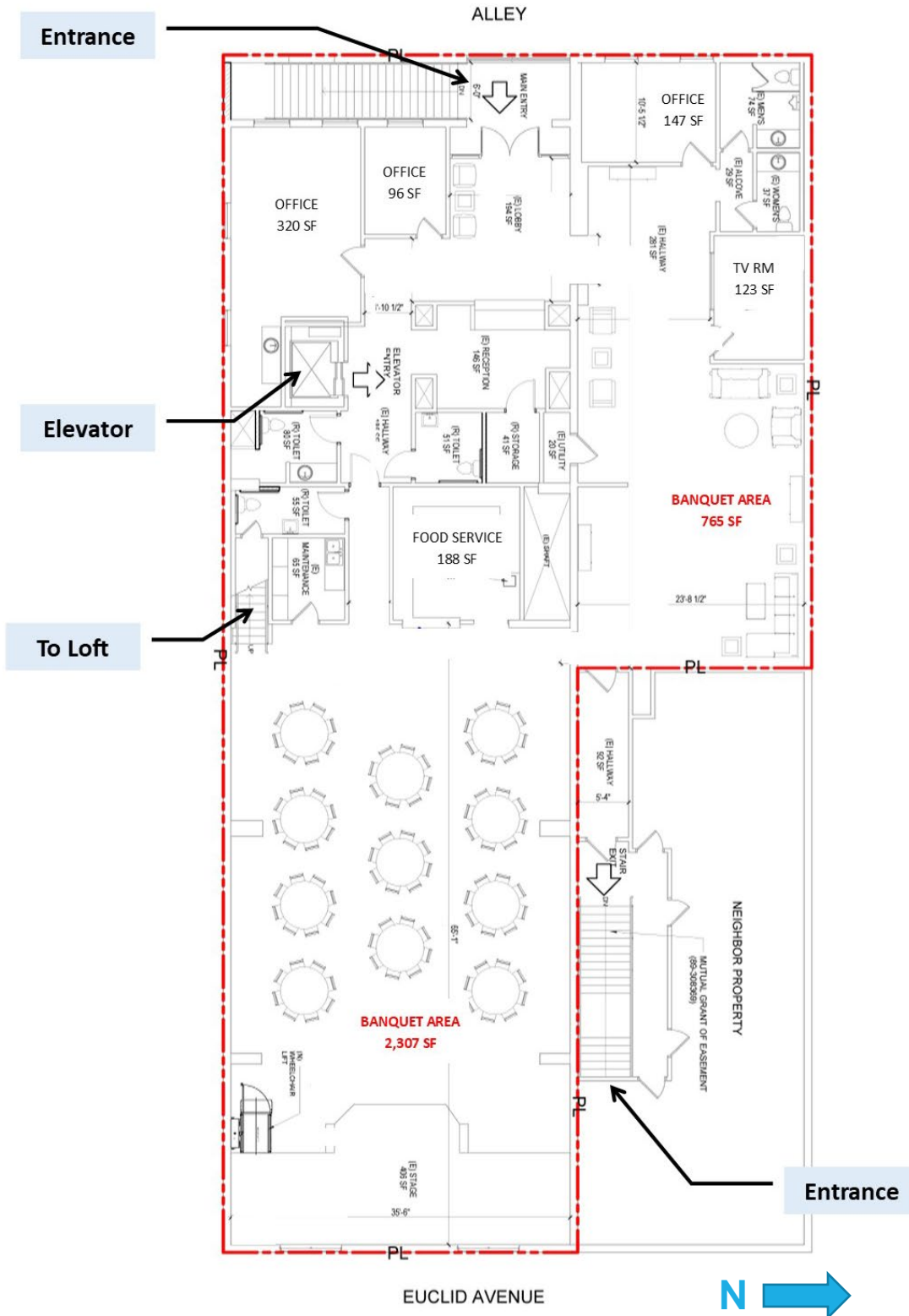
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Rudy Zeledon  
Zoning Administrator

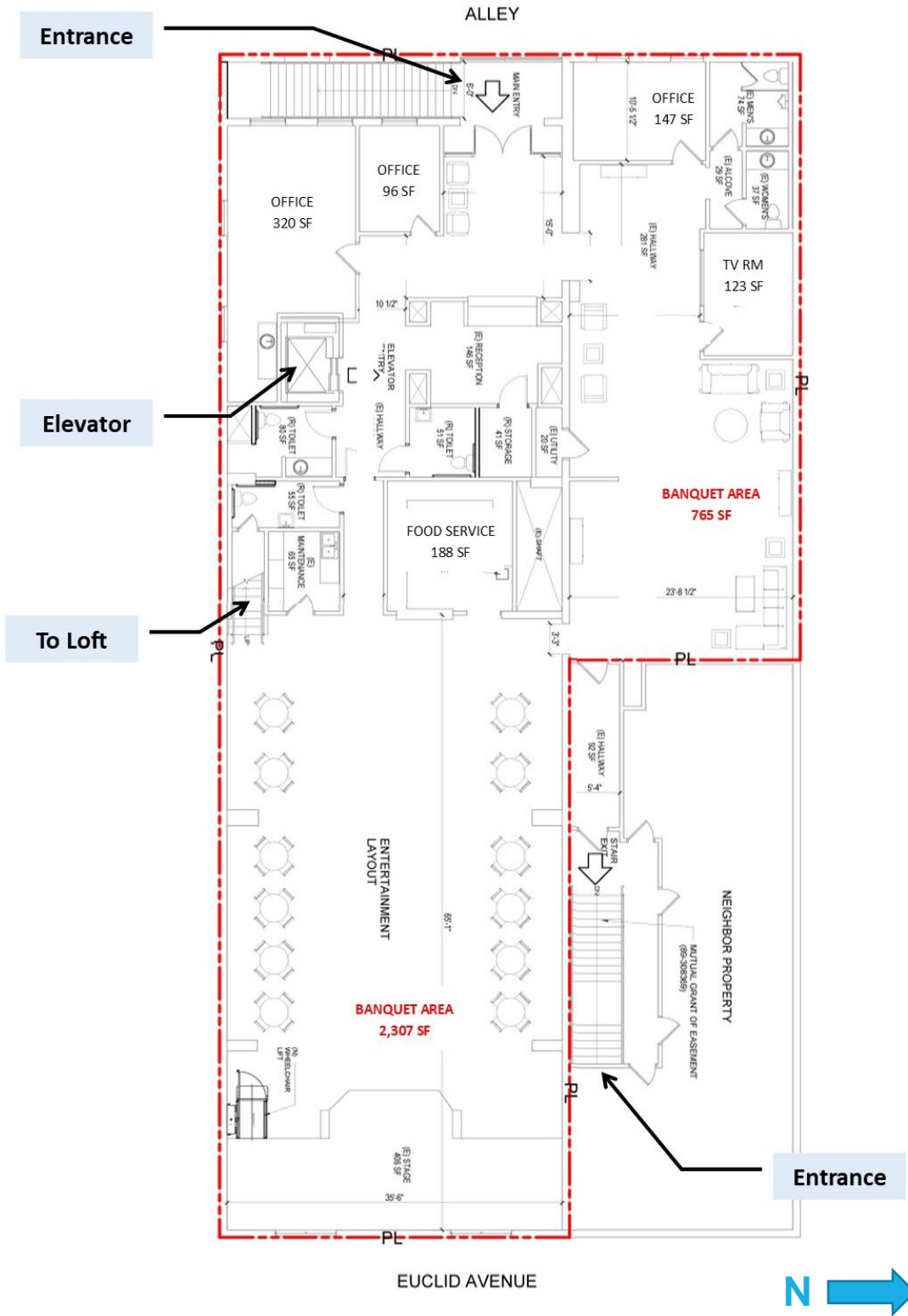
**Exhibit A: AERIAL PHOTOGRAPH**



### Exhibit B: FLOOR PLANS (Banquet Layout 1)

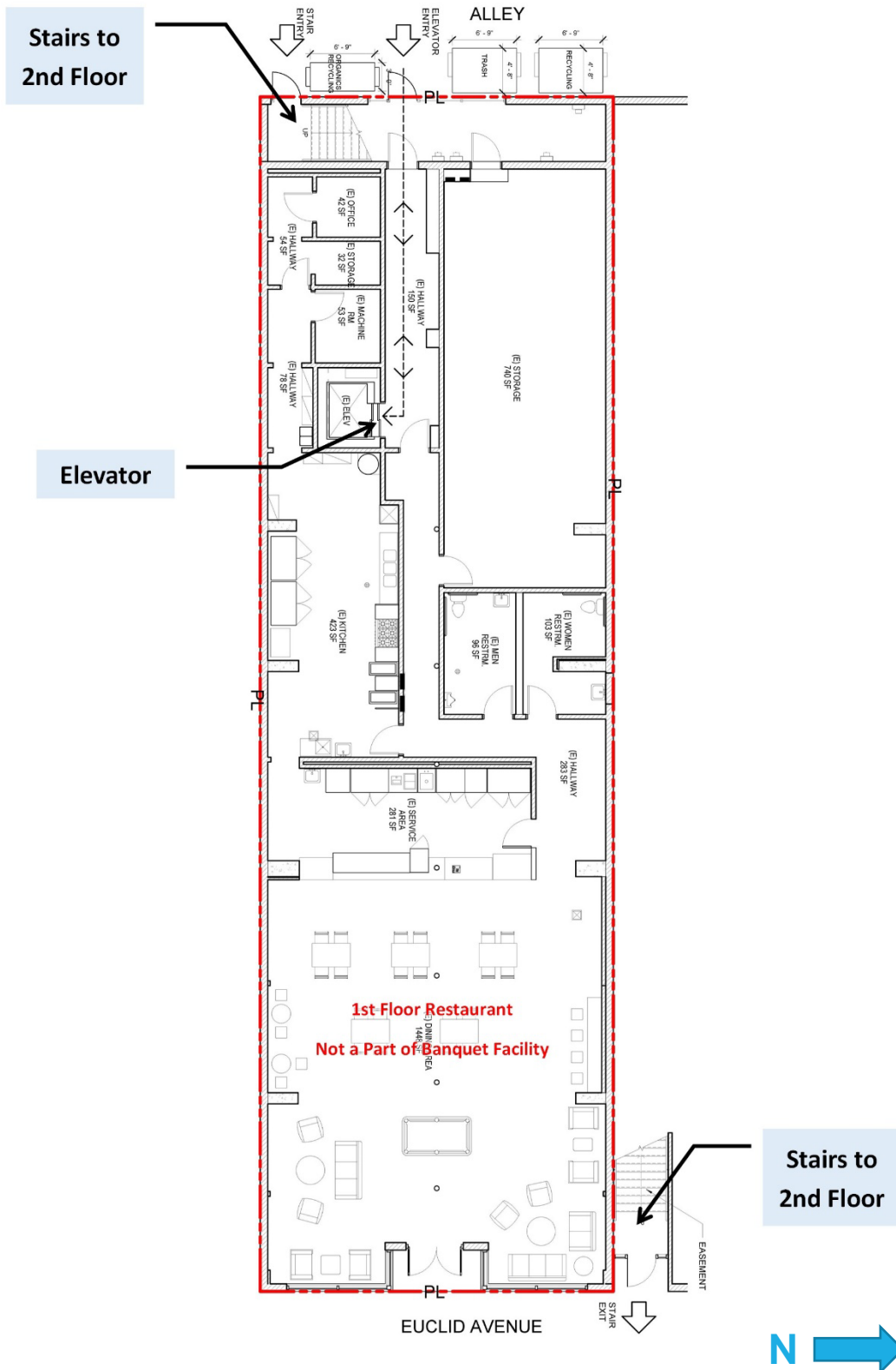


### Exhibit B: FLOOR PLANS CONTINUED (Banquet Layout 2)





**Exhibit B: FLOOR PLANS CONTINUED  
(First Floor Plan)**





**Exhibit C: SITE PHOTOS**



231 North Euclid Avenue (front)

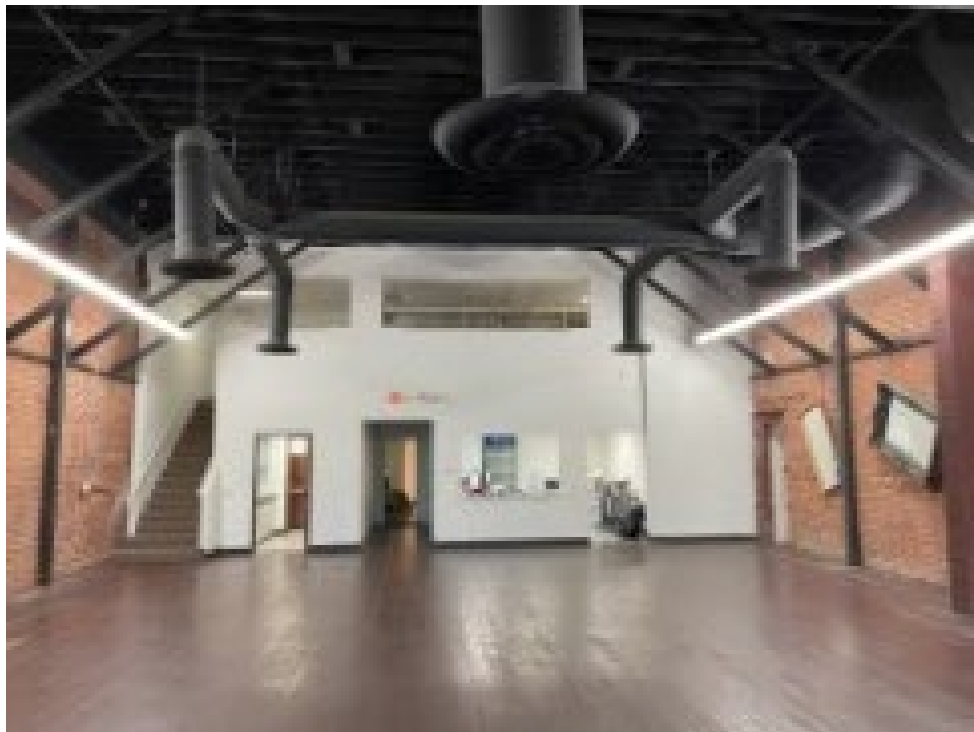


231 North Euclid Avenue (rear, alley access)

**Exhibit C: SITE PHOTOS CONTINUED**



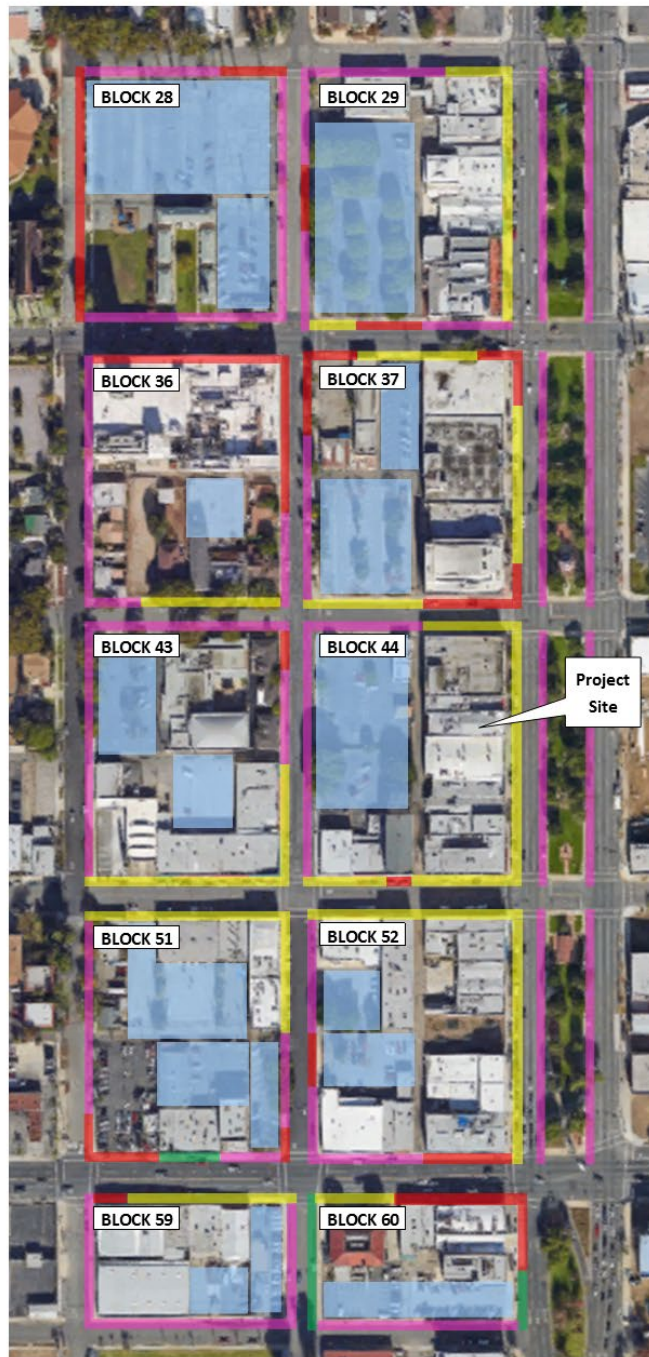
Main Banquet Area Facing East



Main Banquet Area and Mezzanine facing West



**Exhibit D: PARKING BLOCKS**



Legend	
	Available
	24 min zone (8am-6pm)
	No parking allowed
	2 hour zone (9am-6pm)
	Handicap zone
	Off-street parking

## **Attachment A: Department Reports (Conditions of Approval)**

*(Department Reports containing conditions of approval follow this page)*

**Date Prepared:** 5/2/2022

**File No:** PCUP21-024

**Related Files:** PCUP16-004

**Project Description:** A modification to a previously approved Conditional Use Permit (File No. PCUP16-004), reconfiguring the floor plan of an established 5,820-square-foot banquet facility, with live entertainment, dancing, and a Type 58 ABC License (Caterer's Permit) for the on-premises consumption of alcoholic beverages, situated on the second floor of a two-story historic commercial building (Local Landmark No. 21, Masonic Hall), located at 231 North Euclid Avenue, within LUA-1 (Euclid Avenue Entertainment) of the MU-1 (Downtown Mixed Use) and EA (Euclid Avenue Overlay) zoning districts; (APN: 1048-565-05); **submitted by Sean Wang.**

**Prepared By:** Elly Antuna, Associate Planner  
Phone: 909.395.2414 (direct)  
Email: eantuna@ontarioca.gov

The Planning Department, Land Development Section, conditions of approval applicable to the above-described Project, are listed below. The Project shall comply with each condition of approval listed below:

**1.0 Standard Conditions of Approval.** The project shall comply with the *Standard Conditions for New Development*, adopted by City Council Resolution No. 2017-027 on April 18, 2017. A copy of the *Standard Conditions for New Development* may be obtained from the Planning Department or City Clerk/Records Management Department.

**2.0 Special Conditions of Approval.** In addition to the *Standard Conditions for New Development* identified in condition no. 1.0, above, the project shall comply with the following special conditions of approval:

**2.1** Time Limits.

**(a)** Conditional Use Permit approval shall become null and void one year following the effective date of application approval, unless a building permit is issued and construction is commenced, and diligently pursued toward completion, or a time extension has been approved by the Planning Director. This condition does not supersede any individual time limits specified herein, or any other departmental conditions of approval applicable to the Project, for the performance of specific conditions or improvements.

**2.2** General Requirements. The Project shall comply with the following general requirements:

**(a)** All construction documentation shall be coordinated for consistency, including, but not limited to, architectural, structural, mechanical, electrical, and plumbing. All such plans shall be consistent with the approved entitlement plans on file with the Planning Department.

**(b)** The project site shall be developed in conformance with the approved plans on file with the City. Any variation from the approved plans must be reviewed and approved by the Planning Department prior to building permit issuance.

**(c)** The herein-listed conditions of approval from all City departments shall be included in the construction plan set for project, which shall be maintained on site during project construction.

**2.3** Outdoor Loading and Storage Areas.

**(a)** Areas designated for off-street parking, loading, and vehicular circulation and maneuvering, shall not be used for the outdoor storage of materials or equipment.

**2.4** Site Lighting.

**(a)** Unless intended as part of a master lighting program, no operation, activity, or lighting fixture shall create illumination on any adjacent property.

**2.5** Mechanical and Rooftop Equipment.

**(a)** All exterior roof-mounted mechanical, heating and air conditioning equipment, and all appurtenances thereto, shall be completely screened from public view by parapet walls or roof screens that are architecturally treated so as to be consistent with the building architecture.

**2.6** Security Standards. The Project shall comply with all applicable requirements of Ontario Municipal Code Title 4 (Public Safety), Chapter 11 (Security Standards for Buildings).

**2.7** Signs.

**(a)** All Project signage shall comply with the requirements of Ontario Development Code Division 8.1 (Sign Regulations).

**(b)** Allowed signs at this location include pedestrian, rear wall, and window signs only. The location, quantity, size, and design of all signage shall comply with the Ontario Development Code, pursuant to the zoning district for which the project site located within and the Downtown Ontario Design Guidelines.

**2.8** Sound Attenuation. The Project shall be constructed and operated in a manner so as not to exceed the maximum interior and exterior noised levels set forth in Ontario Municipal Code Title 5 (Public Welfare, Morals, and Conduct), Chapter 29 (Noise).

**2.9** 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 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. 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 session sponsored by the State of California Department of Alcoholic Beverage Control, within 6 months following 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) Amplified prerecorded music may be permitted; however, the sound emitted from the premises shall not be audible outside the walls of the business establishment.

(j) Electronic arcade and amusement games shall be prohibited on-site, unless specifically permitted by the Police Department and shown on the approved site plan.

#### **2.10** Environmental Review.

(a) The Project is categorically exempt from environmental review pursuant to **Section 15301 (Class 1, Existing Facilities)** of the CEQA Guidelines, which consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible (less than 10,000 square feet) or no expansion, and is consistent with all of the following conditions:

(i) The project is in an area where all public services and facilities are available to allow for maximum development permissible in the Policy Plan (General Plan) component of The Ontario Plan; and

(ii) The area in which the project is located is not environmentally sensitive.

**2.11** Indemnification. The applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul any approval of the City of Ontario, whether by its City Council, Planning Commission or other authorized board or officer. The City of Ontario shall promptly notify the applicant of any such claim, action or proceeding, and the City of Ontario shall cooperate fully in the defense.

**2.12** Additional Fees.

(a) Within 5 days following final application approval, the 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 of Supervisors", which shall 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"). The filing of an NOE is voluntary; however, failure to provide said fee within the time specified will result in the extension of the statute of limitations for the filing of a CEQA lawsuit from 30 days to 180 days.

(b) After the 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.

**2.13** Additional Requirements.

(a) Building and use shall comply with all Building and Safety requirements prior to opening for business.

(b) The conducting of any special event which is beyond the scope of this Conditional Use Permit, such as outdoor events or special promotional events, shall require approval of a Temporary Use Permit by the City prior to commencement of that special event.

(c) Hours of operation for the conferences and meetings shall be allowed from 8:00 a.m. to 2:00 a.m. daily. Hours of operation for the banquet events which include dancing, live entertainment, and/or alcoholic beverages for consumption on premises shall be allowed from 4:00 p.m. to 2:00 a.m. daily.

(d) All patrons attending events on the premises shall be notified in writing, prior to event, of public parking lot locations and directed away from parking on Euclid Avenue. In the event parking issues are identified, the Zoning Administrator may set the matter for a public hearing to consider modifications to the conditions of approval and/or revocation of the Conditional Use Permit.

(e) All loading required to conduct business operations shall occur at the rear entrance.

**(f)** Pursuant to Division 4.02 of the Ontario Development Code, approval of a Certificate of Appropriateness is required for any exterior alteration of an historical resource.



**CITY OF ONTARIO**  
**MEMORANDUM**  
*“Excellence Through Teamwork”*



**TO:** Elly Antuna, Associate Planner

**FROM:** Thomas Cho, Police Officer, ABC/Tobacco Enforcement Unit  
Savannah Thompson, Police Officer, ABC/Tobacco Enforcement Unit

**DATE:** December 17, 2021

**SUBJECT:** FILE NO. PCUP21-024– Banquet Hall  
231 North Euclid Avenue

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The Police Department is placing the following conditions:

As of this date, this applicant/location has not applied for an alcohol license. The following **alcohol** conditions are only in effect when an event is present, and the representative has a Caterer’s Alcohol Permit/Event Permit/Daily License from the Department of Alcoholic Beverage Control. **Both entertainment and security conditions apply whenever the business has an event with entertainment.** Entertainment is defined as a combination of live entertainment (disc jockey or bands) and dancing.

**Alcohol Conditions**

1. Alcohol can be sold and served between the hours of 08:00 A.M. to 02:00 A.M, daily with the appropriate ABC license to the type of event that is being held. Caterers must provide ABC type 58 license, along with a daily use permit approved by the Alcoholic Beverage Control, Riverside office.
2. The applicant is to contact the ABC Riverside office for the proper license type, as type 58 license is not appropriate for the conditions of this permit without a type 47 license.
3. Any event that is properly licensed who serves alcohol, the last call for alcohol will be no later than 45 minutes prior to the events closing time. All alcohol sales and service will stop at 01:15 A.M.

4. Any caterers hosting an event must obtain a daily use permit from ABC, Riverside office and have a copy of the license issued by ABC present at the event, which allows them to serve alcohol.
5. No alcohol shall be stored at the business prior to or after an event.
6. No sales of alcoholic beverages to minors.
7. No sales to obviously intoxicated patrons.
8. The service commonly known as “Bottle Service” is not allowed.
9. No alcohol shall be removed from the establishment for consumption.
10. Patrons are not allowed to supply their own alcohol.
11. No smoking inside of the establishment is permitted, including electronic nicotine delivery devices.
12. There will be no narcotic sales or usage on the premises at any time.
13. All employees serving alcohol must be 21 years or older.
14. Applicant, managers, and all employees serving alcohol must attend an Alcoholic Beverage Control (ABC) L.E.A.D. training class or a certified responsible beverage service class, which has been approved by the Ontario Police Department, within six months of this approved conditional use permit (CUP). Proof of re-certification is required every 3 years. This class is given free of charge by the Ontario Police Department.
15. Lighting within the Banquet Hall must be kept at a reasonable level for safe movement of patrons.
16. Back door must be alarmed and always closed.
17. Address to the establishment must be illuminated for easy identification of safety personnel.
18. Roof top numbers must be maintained every 3 years.
19. The parking lot will need adequate lighting (minimum 1 foot candle) from dusk to dawn.
20. No pool tables will be allowed in the premises without prior approval of the Ontario Police Department.

21. No arcade type video game machines will be allowed in the premises without prior approval of the Ontario Police Department.
22. All hallways must be kept clear from merchandise, storage, and patrons blocking pathway.
23. No loitering shall be permitted on any property adjacent to the licensed/labeled premise, which is under control of the applicant, signs must be posted reference the same.

## **Security Conditions**

1. The establishment will provide a minimum of one employee, or representative of the Banquet Hall, not part of the alcohol serving operation staff, to control and proactively monitor patrons inside the establishment during hours of entertainment (ex. Lounge Host, Bounce, etc.).
2. In the event security problems occur as a result of the use, the Police Department may request a public hearing before the Zoning Administrator to consider modifications, including but not limited to, additional security guards, and additional hours for security guards, and replacement of security guards with Ontario Police Officers. The public hearing process shall be conducted in accordance with the requirements of the City's Development Code.
3. A Code of Conduct will be required to be used and posted at all public entrances of the establishment. The Code of Conduct will include a dress code and shall be utilized on days/nights of entertainment and special events.
4. Ontario Police Officers have the right to limit or reduce 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.
5. Security personnel 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 guards used will be registered with the City.
6. The business shall maintain a security camera surveillance system in proper working order. A minimum of one camera will record the Patio area, a minimum of one camera will record the parking lot, and a minimum of one camera will record the interior. Each camera will record at least 640x480 recording resolution levels, and at least fifteen (15) frames per second. The field of view for each camera will be to maximize the coverage of patrons. Recorded video will be stored for a minimum of 30 days and made available to the Police Department upon request.
7. 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 on the



premises 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.

## **Entertainment Conditions**

1. The entertainment area must be designated on a plan check and that area will only be allowed for entertainment purposes. (Dance area, live entertainment, DJ)
2. The business shall not utilize promoters or allow "Flyer Parties." The venue may not be utilized for events open to the public, including ticket sales or general membership for reoccurring events. The intent of this establishment is to be used as a Banquet Hall for private events and not a club atmosphere or other type of business.
3. The DJ will only be allowed to set up on the area designated on the plan check as the Entertainment Area.
4. Tables shall not be removed or rearranged to increase occupancy.
5. Entertainment sounds must be confined within the restaurant/banquet hall and cannot expand outside to the parking lot. All entertainment noise will be in accordance with the Ontario Municipal Code Sections 5-29.03 through sections 5-29.05.
6. All entertainment will stop fifteen (15) minutes prior to closing.

## **Conclusion**

If alcohol related crimes at this location are higher than other similar establishments in the overall City during any quarter, the AUP/original 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 AUP/CUP, or has violated the laws of the State or City, or the intent of this action.

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

**The Ontario Police Department and the Ontario Planning Department will conduct an inspection before the restaurant will be allowed to sell alcoholic beverages with the conditional use permit.**

Any special event outside the scope of the AUP/CUP 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.) Situations may arise where the applicant/business owner will request an event that does not violate the intent of this Conditional Use Permit. The applicant/business owner will notify the Police Department within a reasonable time frame, but not less than fifteen (15) days prior to the event, to determine the necessity for a Temporary 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 Cho or Officer Thompson at (909) 408-1671.



# CITY OF ONTARIO

## MEMORANDUM

**TO:** Elly Antuna, Associate Planner  
Planning Department

**FROM:** Michelle Starkey, Deputy Fire Marshal  
Bureau of Fire Prevention

**DATE:** February 9, 2022

**SUBJECT:** PCUP21-024 A Conditional Use Permit to establish live entertainment and alcoholic beverage sales, including ABC Type 58 – caterer’s permit for on-premise consumption in conjunction with a proposed 5,820-square foot banquet facility on property located at 231 N Euclid Ave, within the LUA-a of the MU-1 Downtown Mixed Use Zoning District (Designated) – (APN(s): 1048-565-05).

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The plan **does** adequately address the departmental concerns at this time.

No comments

Report below.

1. Any changes or modifications affecting the fire sprinkler system and/or fire alarm system will require a plans submittal prior to any work being conducted.
2. Occupant must comply with all A-occupancy type requirements, such as, occupant load, path of egress, exiting, emergency lighting, decorative materials to be fire resistive, etc.

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For copies of Ontario Fire Department Standards please access the City of Ontario web site at [www.ontarioca.gov](http://www.ontarioca.gov) , click on Fire Department and then on forms.