

ZONING ADMINISTRATOR DECISION CONDITIONAL USE PERMIT



DECISION NO. 2015-012

HEARING DATE: June 01, 2015

DECISION DATE: June 08, 2015

FILE NO.: PCUP15-007

SUBJECT: A Conditional Use Permit to allow a Type 41 ABC License (On-Sale Beer and Wine-Eating Place) in conjunction with a 1,404 square foot restaurant (*Casa Jimenez*), within a commercial shopping center, located at 1520 North Mountain Avenue, Suite 129, within the Sixth Street District Land Use Designation of the Mountain Village Specific Plan.

STAFF

RECOMMENDATION: Approval Approval subject to conditions Denial

PART A: BACKGROUND & ANALYSIS

LUIS A. PENA, (herein after referred to as "Applicant") has filed an application requesting Conditional Use Permit approval, File No. PCUP15-007, as described in the subject of this Decision (herein after referred to as "Application" or "Project").

(a) Project Setting: The project site will occupy a 1,404 square foot space within a multi-tenant building located within The Gateway at Mountain Village commercial shopping center. The center is comprised of six buildings totaling 94,990 square feet on 8.11 acres. The project site will be located at 1520 North Mountain Avenue, Suite 129 (**Exhibit A: Project Vicinity & Exhibit B: Project Site**). Existing land uses, General Plan and zoning designations, and specific plan land uses on and surrounding the project site are as follows:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
<i>Site</i>	Commercial Shopping Center	General Commercial	Specific Plan – (Mountain Village)	Sixth Street District
<i>North</i>	Commercial Shopping Center	General Commercial	Specific Plan – (Mountain Village)	Sixth Street District
<i>South</i>	Medical Services	General Commercial	Specific Plan – (Mountain Village)	Sixth Street District

Approved By:

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___LB___ Senior Planner

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
<i>East</i>	Commercial Shopping Center	General Commercial	Specific Plan – (Mountain Village)	Sixth Street District
<i>West</i>	Commercial Shopping Center	General Commercial	Specific Plan – (Mountain Village)	Sixth Street District

(b) Project Analysis:

(1) Proposed Use — *Casa Jimenez* is a successful authentic Mexican restaurant which has been operating at the subject site since February of this year (2015). Since established, the business has been operating as a sit-down restaurant without the sale of alcoholic beverages. The applicant is pursuing this Conditional Use Permit in order to integrate the on-site sale of alcoholic beverages (ABC License-Type 41: *On sale Beer and Wine*) into the business model. Prior to opening the establishment at the subject location, the applicant operated a similar restaurant also named *Casa Jimenez* at 1048 West Fourth Street. For 11 years the restaurant also operated with a Type 41 ABC License.

A Type 41 ABC license is defined by the State Department of ABC as a restaurant authorized to sell beer, and wine 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 restaurant’s floor plan will be divided into three general areas: 1) a 669 square foot dining area that has seating for 31 patrons; 2) a 195 square foot patio area that has seating for 6 patrons; and 3) a 437 square foot area that includes the kitchen/serving area, a walk-in cooler and an area for food storage, restrooms and hallways (**Exhibit C: Floor Plan**). The alcoholic beverages would be stored behind the kitchen counter and within the walk-in cooler, and would be served to patrons as part of the restaurant dining experience. Consumption of alcohol would be limited to within the building, however drinking in the outside patio area may be permitted should the applicant increase the patio walls to a minimum height of 5 feet. The restaurant will operate with 5 to 6 employees and the hours of operation will be from 8:00 a.m. to 9:30 p.m. daily. The last call for alcohol will be 45 minutes prior to closing.

(2) Parking — According to the Ontario Development Code, the restaurant is required to provide a total of 14 parking spaces at the rate of 1 space per 100 square feet. Sufficient parking will be provided because there is shared parking for the entire shopping center. The project site is part of a shared parking agreement which was established

when the center was originally developed (PDEV04-41). At the time of approval, a shared parking study concluded that, considering the site's potential uses, the projected number of stalls required at peak demand would be 441 parking spaces; 456 spaces were provided. It is staff's belief that sufficient parking exist to accommodate for this proposed use given the following: 1) the restaurant is consistent with the "projected potential uses" considered in the parking study; 2) the parking study projected that restaurant/fast-food uses would take up approximately 20% of the total square footage of the shopping center (18,578 square feet); 3) the establishment of this ABC licensed restaurant would not surpass the 20% threshold of restaurant/fast-food uses allocated for the entire shopping center (the total square footage used for restaurant/fast-food uses would be 18,573 square feet); and 4) the parking study concluded that the shopping center has a surplus of 15 parking spaces

(3) ABC Concentrations — The California Department of Alcoholic Beverage Control (ABC) is the controlling State entity which grants, renews, and revokes all ABC licenses. ABC determines how many On-Sale and Off-Sale alcoholic beverage license types should be issued per Census Tract, based upon their populations. *Casa Jimenez* is located within Census Tract 11.04, which is generally bounded by the I-10 Freeway on the north, San Antonio Avenue on the east, "G" Street on the south, and Mountain Avenue on the west (ABC has determined that Census Tract 11.04 can support 3 On-Sale license types. As of May 20, 2015, the latest ABC report shows Census Tract 11.04 as having a total number of 4 active On-Sale licenses (**Exhibit D: Census Tract Map**).

Although, Census Tract 11.04 is considered over-concentrated pursuant to ABC, the California State Business and Professions Code contains provisions which allow local jurisdictions to establish their own approval process when a business requests an ABC license within over-concentrated areas, which includes reviewing potential impacts the business may have, as well as compatibility of the business with other surrounding businesses. Each Department within the City of Ontario has reviewed the proposed use and determined that the business will not impact the community, will not impact the surrounding circulation system, nor will it negatively affect the environment. Furthermore, the Police Department has indicated that the surrounding area is not located within a high Police service call area for alcohol related issues. The Police Department has provided standard operating conditions of approval, to ensure the use will not impact surrounding property owners and businesses. As a result, each City Department is recommending Conditional Use Permit approval, subject to the attached conditions.

(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 project site is located within *The Gateway at Mountain Village* commercial shopping center and surrounding businesses include: *Wing Nuts* a restaurant which operates with a Type 47 ABC License; *Maple House Chicken and Waffles* a restaurant which operates with a Type 41 ABC License; *On Tap Barber Shop* which operates with a Type 40 ABC License; Starbucks, and several

other small restaurant and commercial retailers (**Exhibit E: Site Photos & Surrounding Businesses**).

The project is located within the Sixth Street District Land Use Designation of the Mountain Village Specific Plan. Within this district, alcoholic beverage sales is a conditionally permitted use. It is staff's belief that the recommended conditions of approval will sufficiently mitigate potential impacts associated with the proposed use. Additionally, businesses within and surrounding the shopping center will not be exposed to any impacts resulting from the alcoholic beverage sales, beyond those that would normally be associated with any other use similarly allowed within the Sixth Street District Land Use Designation of the Mountain Village Specific Plan.

(c) 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. Any special conditions of approval associated with uses in close proximity to the airport are attached to this report.

(d) 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.

(e) 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 500 feet of the exterior boundaries of the property that is the subject of the hearing, as shown on the records of the County Assessor.

(f) 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 June 01, 2015, the Zoning Administrator of the City of Ontario conducted a duly noticed public hearing on the application, as follows:

(a) Daniel Villa, presented the staff report on the proposed use, indicating the staff recommendation of approval, subject to conditions. Following staff's presentation, the Zoning Administrator opened the public hearing.

(b) Victor Sanchez, the applicant's representative, spoke in favor of the application and then requested from Zoning Administrator that the business hours of operation be modified. He requested the business hours be changed to reflect that the business would operate daily between the hours of 8:00 am to 9:30 pm rather than from 8:00 am to 9:00 pm, as originally requested.

(c) The Zoning Administrator entertained the request and asked both the Police and Planning Department's representatives if they had any concerns. Given that neither of the departments had concerns with the request, the Zoning Administrator indicated that she would support the request. Therefore, the hours of operation were extended to reflect 8:00 am to 9:30 pm, daily.

(d) 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 finds as follows:

(1) The proposed location of the requested Conditional Use Permit, and the proposed conditions under which it will be operated or maintained, will be consistent with the Policy Plan component of The Ontario Plan and will not be detrimental to the public health, safety, or welfare, or be materially injurious to properties or improvements in the vicinity. The proposed 1,404 square foot ABC licensed restaurant lies within the Sixth Street District Land Use designation of the Mountain Village Specific Plan, and the use is

conditionally allowed within the subject designation. Staff believes that the recommended conditions of approval will sufficiently mitigate any potential negative effects to the public health, safety, or welfare.

(2) A full service restaurant with a Type 41 (On-Sale Beer and Wine-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.

(3) The proposed location of the Conditional Use Permit is in accord with the objectives and purposes of the Ontario Development Code and the zoning designation within which the site is located. The project site is located within the Sixth Street District Land Use designation of the Mountain Village Specific Plan, for which alcoholic beverage sales is a conditionally permitted use. Alcoholic beverage sales is consistent with the allowed types of uses specified within the Specific Plan and the Conditional Use Permit will be conditioned to ensure that it will not create negative impacts to the other existing surrounding businesses.

(4) The City's traffic Division has reviewed the proposed use and they found that 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, the project site is part of a shared parking agreement which provides sufficient parking for the entire shopping center.

(5) The proposed Conditional Use Permit will comply with each of the applicable provisions of the Ontario Development Code, including Article 33: *Environmental Performance Standards*, as well as the development standards and uses, as specified for the Sixth Street District Land Use district of the Mountain Village Specific Plan.

(6) For On-Sale alcoholic beverage license types located within over concentrated 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:

(i) 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 Ontario Police Department has determined that the facility and adjacent commercial center are not located within a high-crime area and are in support of this Conditional Use Permit, provided all attached conditions of approval are implemented.

(ii) The property/building/use has no outstanding Building or Health Code violations or Code Enforcement activity. Both the City's Building and Code Enforcement Departments have had the chance to review the application and identify any concerns they may have, it has been determined that the project site does not currently have any outstanding violations.

(iii) The site is properly maintained, including building improvements, landscaping, and lighting. There are no outstanding violations related to the property or the adjacent commercial area.

(c) 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 § Section 15301: Class 1 of the State CEQA Guidelines. Class 1 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 does not include any negligible building additions or operational changes and is therefore categorically exempt.

(d) 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.

(e) Based upon the findings and conclusions set forth in Parts A, B and C above, the Zoning Administrator hereby approves File No. PCUP15-007, 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 8th day of June, 2015.

A handwritten signature in blue ink, appearing to read 'MEW', written over a horizontal line.

Barbara Millman
Zoning Administrator

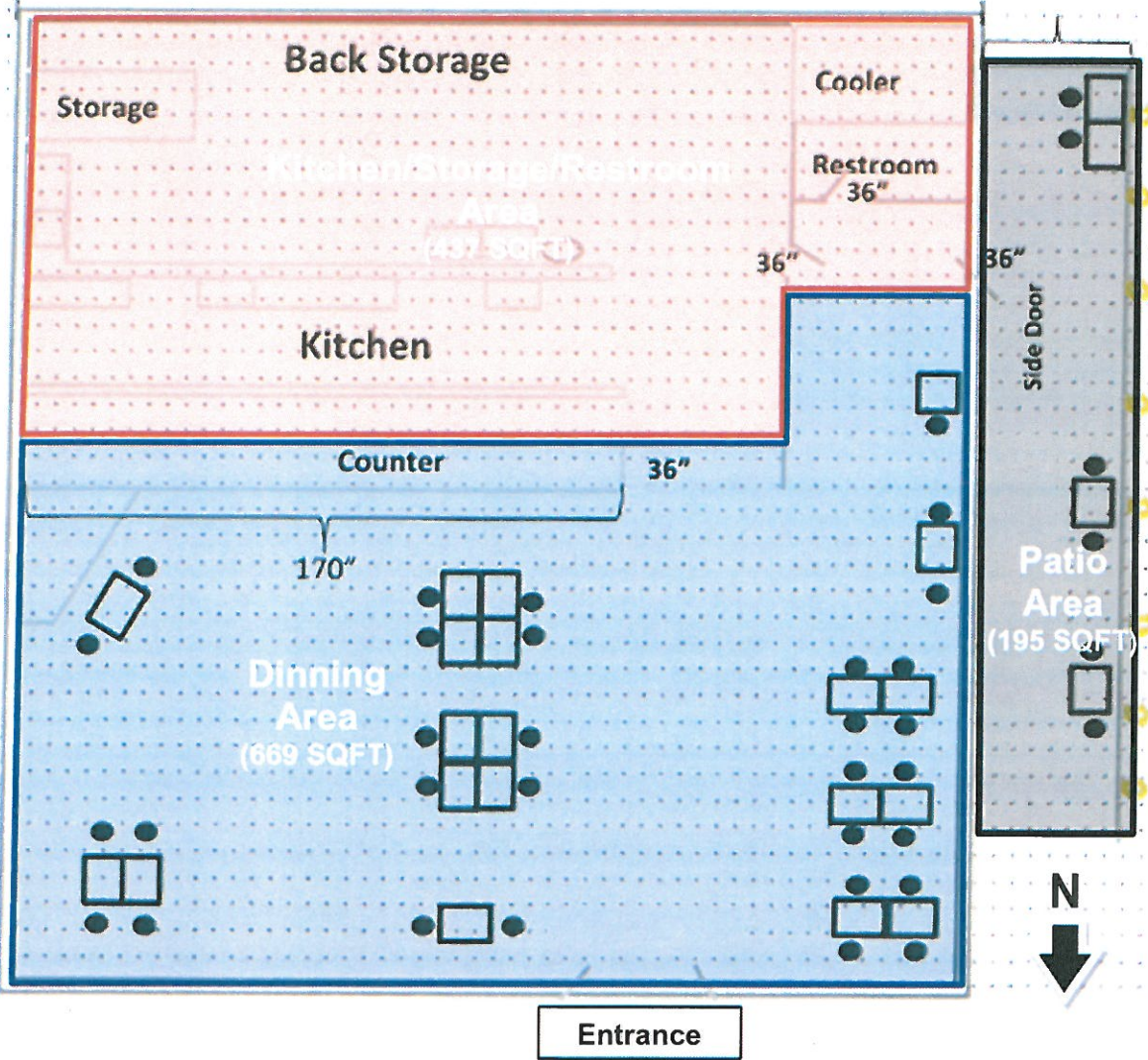
Exhibit A: Project Vicinity



Exhibit B: Project Site



Exhibit C: Floor Plan



-  Kitchen/Storage Area
-  Dining Area
-  Outside Patio Area

Exhibit D: Census Tract Map: City of Ontario

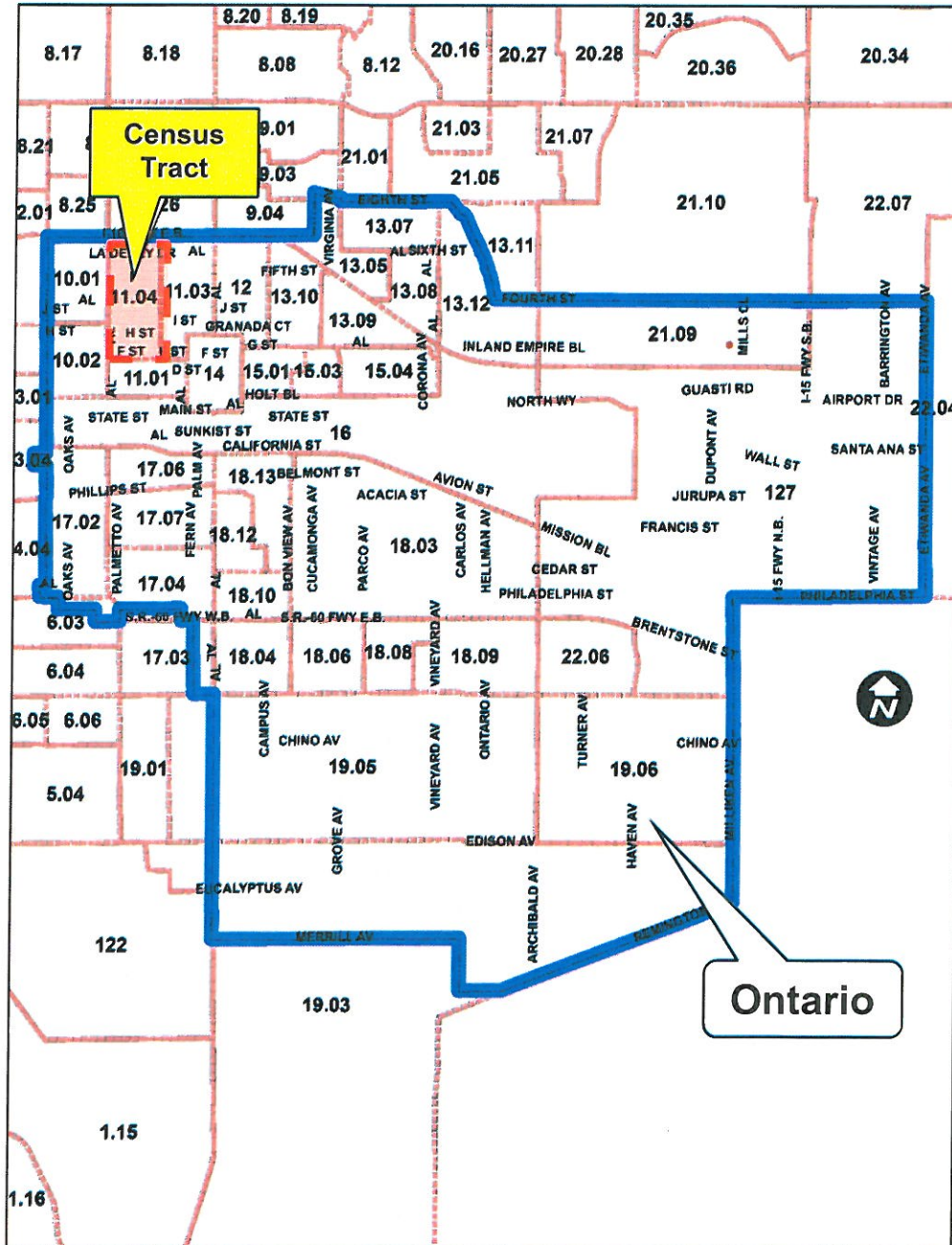


Exhibit E: Site Photos & Surrounding Businesses



Project location, front-exterior.



Project location, outside patio area.



Project location, adjacent tenants.

Exhibit E: Site Photos & Surrounding Businesses



Project location, outside patio area.



Project location, dining area.

Exhibit E: Site Photos & Surrounding Businesses



Other tenants in the shopping center.



Other tenants in the shopping center.



**PLANNING DEPARTMENT
CONDITIONS OF APPROVAL**

File No. PCUP15-007

Date: June 01, 2015

Project Description: A Conditional Use Permit to allow a Type 41 ABC License (On-Sale Beer and Wine Eating Place) in conjunction with a 1,404 square foot restaurant (*Casa Jimenez*), within a commercial shopping center, located at 1520 North Mountain Avenue, Suite 129, within the Sixth Street District land use designation of the Mountain Village Specific Plan. (APN: 1008-272-05); **Submitted By: Luis A. Pena**

Reviewed by: Daniel Villa, Land Development Intern
Phone: (909) 395-2443; **Fax:** (909) 395-2420

CONDITIONS OF APPROVAL

The above-described Conditional Use Permit application shall comply with the following conditions of approval:

1. Alcoholic Beverage Sales

- 1.1. 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.
- 1.2. 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.
- 1.3. 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.

- 1.4. 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.
 - 1.5. 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.
 - 1.6. 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.
 - 1.7. 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.
 - 1.8. 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.
 - 1.9. Amplified prerecorded music may be permitted; however, the sound emitted from the premises shall not be audible outside the walls of the business establishment.
 - 1.10. 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. Alcoholic Beverage Sales—Restaurants.
- 2.1. The establishment shall be operated as a "bona fide 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.

2.2. 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.

2.3. No alcohol shall be consumed outside of the enclosed building, except within the approved outdoor eating area (only after the patio walls have been increase to a minimum height of 5 feet), which has been designed so as to be adequately separated from direct public access, and has been inspected and approved by Building, Planning and the Police Department.

3. Environmental Review.

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

4. Additional Fees.

4.1. Within 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.



CITY OF ONTARIO MEMORANDUM

TO: Daniel Villa, Planner

FROM: Steven Munoz, Police Corporal / COPS Unit, ABC Detail

DATE: April 7th, 2015

SUBJECT: PCUP15-007 – Casa Jimenez.
1520 N. Mountain Avenue, #129, Ontario, CA 91762

This location has applied for a type 41 On-Sale Beer and Wine license located within Census Tract No. 11.04. According to the Department of Alcoholic Beverage Control (ABC), three on-sale licenses are allowed within this tract, and there are currently four. This location operates as a “Bona Fide Public Eating Place,” and the Police Department does not object to allowing the license. The location must follow all Department of Alcoholic Beverage Control laws, rules, and conditions. In addition, the following conditions of approval shall be imposed by the Police Department:

1. The business hours permitted will be 8:00 a.m. to 9:30 p.m. daily. Last call for alcohol will be 45 minutes prior to closing.
2. No sales to minors.
3. No sales to obviously intoxicated patrons.
4. No alcoholic beverages are to be sold or removed from the establishment for outside consumption. This condition will not apply to the patio area after it is upgraded, inspected, and approved by the Planning Department and the Police Department.
5. No self serve alcohol displays or machines.
6. Smoking is not permitted inside of the establishment, including electronic nicotine delivery devices.
7. There will be no narcotic sales or usage on the premises at any time.

8. Roof top numbers shall be installed on the commercial building. They shall be a minimum of 3 feet in length and 1 foot in width. Numbers shall be painted in reflective white paint on a flat black background away from roof obstacles. Roof top numbers must be maintained every 3 years.
9. The parking lot will need adequate lighting (minimum 1 foot candle) from dusk to dawn.
10. Restrooms must be kept free of graffiti.
11. Televisions will be allowed in the premises.
12. No arcade video game machines, pool tables, or Juke Boxes will be allowed in the premises.
13. All hallways must be kept clear from merchandise, storage, and patrons blocking the pathway.
14. 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.
15. All special events will require Ontario Police Officers or an authorized security company to provide security at the applicant's expense. The amount of officers will be determined by the size of the event. (For example a radio station promotion held at the restaurant 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 additional security.)
16. Employees 18 and older may serve alcoholic beverages in an area primarily designed and used for the sale and service of food for consumption on the premises as an incidental part of their overall duties.
17. Applicant and all employees that serve alcohol must attend an Alcoholic Beverage Control (ABC) L.E.A.D.'s training class or a certified responsible beverage service class, which has been approved by ABC and the Ontario Police Department, within six months of this dated conditional use permit. Proof of re-certification is required every 3 years. New employees must attend the training class within three months of their hire date. This class is offered free of charge through the Ontario Police Department.

18. Back door must be alarmed and closed at all times except for deliveries.
19. Lighting within the restaurant must be kept at a reasonable level for safe movement of patrons.
20. Address to the establishment must be illuminated for easy identification by safety personnel.
21. No loitering shall be permitted on any property adjacent to the licensed premise, which is under the control of the applicant.
22. 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)
23. 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.

ENTERTAINMENT CONDITIONS

1. Live entertainment, which includes karaoke, disc jockeys, musicians, and bands, will not be permitted at the location.

PATIO CONDITIONS

1. Patio walls need to be a minimum height of 5 feet to prevent patrons from passing alcohol drinks to minors or outside the licensed premises.
2. Patio exits must be gated and closed at all times. Emergency sounding devices and panic hardware must be installed on gates.
3. Outdoor tables shall not be removed or rearranged to increase occupancy.
4. No sounds emitted to the patio shall be heard outside of the patio area.

If alcohol related crimes at this location are higher than other similar establishments in the overall City during any quarter, the Conditional Use Permit 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, or 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 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 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.)

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 Corporal Munoz at (909) 395-2782.