



CITY OF ONTARIO  
**ZONING ADMINISTRATOR**  
AGENDA

August 16, 2021

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

**PUBLIC HEARINGS**

- A. **ENVIRONMENTAL ASSESSMENT AND CONDITIONAL USE PERMIT REVIEW FOR FILE NO. PCUP21-008**: A Conditional Use Permit to upgrade a type 41 ABC license to a type 47 ABC license in conjunction with a Bona Fide Public Eating Place (Casa Sanchez) on a 2.112 acre parcel located at 2264 South Mountain Avenue within the CN (Neighborhood Commercial) zoning district. 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 (ALUCP). (APN: 1015-131-24) **submitted by Casa Sanchez.**

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 **August 16, 2021**, 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

August 16, 2021

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

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

**FILE NO.:** PCUP21-008

**DESCRIPTION:** A Conditional Use Permit to upgrade a Type 41 ABC license (On-Sale Beer and Wine – Eating Place) to a Type 47 ABC license (On-Sale General – Eating Place) in conjunction with a Bona Fide Public Eating Place (Casa Sanchez) on a 2.14-acre parcel located at 2264 South Mountain Avenue within the CN (Neighborhood Commercial) zoning district; (APN: 1015-131-24) **submitted by Casa Sanchez.**

## PART 1: BACKGROUND & ANALYSIS

CASA SANCHEZ, (herein after referred to as "Applicant") has filed an Application requesting approval of a Conditional Use Permit, File No. PCUP21-008, as described in the subject of this Decision (herein after referred to as "Application" or "Project").

**PROJECT SETTING:** The Project site is comprised of 2.14 acres of land located at 2264 Mountain Avenue and is depicted in Exhibit A: Project Location Map, attached. Existing land uses, General Plan and zoning designations, and specific plan land use on and surrounding the Project site are as follows:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>
Site:	Multiple-Tenant Commercial/Retail	Neighborhood Commercial	Neighborhood Commercial
North:	Multiple-Tenant Commercial/Retail	Neighborhood Commercial	Neighborhood Commercial
South:	Fast Food Restaurants	Neighborhood Commercial	Neighborhood Commercial
East:	Hospitality	Neighborhood Commercial	Neighborhood Commercial
West:	Multiple-Family Residential	Medium Density Residential (11.1 – 18 du/ac)	MDR-18 (Medium Density Residential – 11.1 to 18.0 du/ac)

## PROJECT ANALYSIS:

(1) **Background**—The Project site is located within the Vista Ontario Plaza commercial center, which was established in 1978. The Project site is located near the eastern side of a 57,128 square foot building. In 1991, the Project site was established as a full-service restaurant. In 1994, Casa Sanchez initiated a tenant improvement to expand the establishment by 1,110 square feet, resulting in a gross floor area of 3,552 square feet (see Exhibit B: Site Plan, attached).

Prepared: RM 8/6/2021	Reviewed: KR 8/4/2021	Decision: [enter initial/date]
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The Applicant specializes in providing traditional Mexican food dishes. The Applicant is a local business with only one location in Ontario, California.

(2) Proposed Use — On September 16, 1996, the Project site was approved for a Type 41 ABC License for On-Sale Beer & Wine. The Type 41 license is specifically designated for businesses that primarily serve food. On June 2, 2021, the Applicant filed an application requesting a Conditional Use Permit to upgrade their Type 41 ABC license to a Type 47 for On-Sale General – Eating Places for consumption on the premises at the subject location. The restaurant space is divided into four general areas (See *Exhibit C: Floor Plan*), which includes a waiting area, two separate dining areas, and a kitchen area.

The subject site's main entrances are located on the south side of the building, facing the parking lot (see *Exhibit B: Site Plan*, attached). The Applicant will use the existing preparation area of the restaurant to prepare drinks for their patrons.

The Police Department further requires that the business maintain the ability to provide a full menu until the last call. Alcoholic beverage sales will stop at 9:15 p.m., or 45 minutes prior to closing. In addition, the restaurant will have no bar seating.

The proposed business hours of operation are Monday through Sunday, 8:00 a.m. to 10:00 p.m. The restaurant proposes to operate with a total of 21 employees (16 full-time and five part-time employees).

(3) Parking — Pursuant to the Ontario Development Code's Off-Street Parking Requirements, the Project is required to provide 36 parking spaces, at a ratio of 10 spaces per 1,000 SF of GFA (Gross Floor Area). Parking was calculated based on the Development Code's "Full-Service Restaurant" standard. The Vista Ontario Plaza commercial center was developed with 182 parking spaces and an approved Shared Parking and Access Agreement is in place. The Application does not include the elimination of any parking spaces. The Applicant has requested Conditional Use Permit approval with the intent to provide an additional convenience to restaurant patrons; therefore, staff believes that the proposed use will not adversely affect the parking demand for the existing neighborhood shopping center.

(4) ABC Concentration — The Applicant has applied for a Type 47 On-Sale General Liquor License for a Bona Fide Public Eating Place located within Census Tract No. 06.03. According to the Department of Alcohol Beverage Control (ABC), four on-sale licenses are allowed within this census tract; there are currently ten active licenses. The census tract is currently over-concentrated; however, the Applicant has an existing license and is included in the ten licenses mentioned. The requested upgrade to the existing ABC license will not further the over-concentration. The Police Department neither approves nor denies Conditional Use Permits; however, due to the above circumstances, the Police Department has recommended the Applicant obtain the ABC license through the State ABC office prior to moving forward. On approval by the Zoning Administrator, the Applicant must follow all Department of Alcohol Beverage Control rules and conditions. In addition, the Applicant shall follow the Police Department's Conditions of Approval as seen in Attachment A: Department Reports (Conditions of Approval) of this report.

(5) Land Use Combability — 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 Vista Ontario Plaza commercial center, which consists of one stand-alone shopping complex and several surrounding

multi-tenant commercial buildings. One other restaurant tenant in the area currently holds a Type 47 ABC license, which includes El Pescador located at 2322 South Mountain Avenue, approximately 330 feet south of the Project site.

Staff believes that the recommended Conditions of Approval will sufficiently mitigate any potential impacts that may be associated with the proposed use. Additionally, the nearby businesses within and surrounding the Project site will not be exposed to any impacts resulting from alcoholic beverage sales and consumption beyond those that would normally be associated with any other restaurant uses within the center and surrounding area.

**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 400 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 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 August 16, 2021, the Zoning Administrator of the City of Ontario conducted a duly noticed public hearing on the Application, as follows:

(1) Robert Morales, Assistant Planner, presented the staff report on the proposed use, indicating the staff recommendation of approval of the subject Application. 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 desiring 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 15331 (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. Furthermore, the Project is consistent with all of the following conditions:

(a) 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

(b) The area in which the project is located is not environmentally sensitive; and

(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 Zoning Administrator, 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:

(1) *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 CN (Neighborhood Commercial) zoning district, and the scale and intensity of land uses intended for the zoning district in which the use is proposed to be located; and*

(2) *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 Full-Service Restaurant land use will be located within the Neighborhood Commercial land use district of the Policy Plan Land Use Map, and the CN (Neighborhood Commercial) zoning*



district. 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

(3) *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 Full-Service Restaurant land use is located with the Neighborhood Commercial land use district, and the CN (Neighborhood Commercial) zoning district, 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

(4) *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.

(5) 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 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 Police Department has reviewed the application and is recommending approval subject to the conditions of approval. The use is consistent with the CN (Neighborhood Commercial) zoning district, and one similar restaurant in the area has also received approval of an On-Sale ABC license. The proposed use will also be provided as a convenience to restaurant patrons that would like to purchase alcoholic beverages.
- *The property/building/use has no outstanding Building or Health Code violations or Code Enforcement activity.* Since the project site was developed, there have been no recorded Building or Health Code Violations.
- *The site is properly maintained, including building improvements, landscaping, and lighting.* The site is properly maintained, including the building, landscaping, and lighting. Additionally, department conditions of approval require the project site to be maintained and free of debris, litter, and graffiti.

**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.

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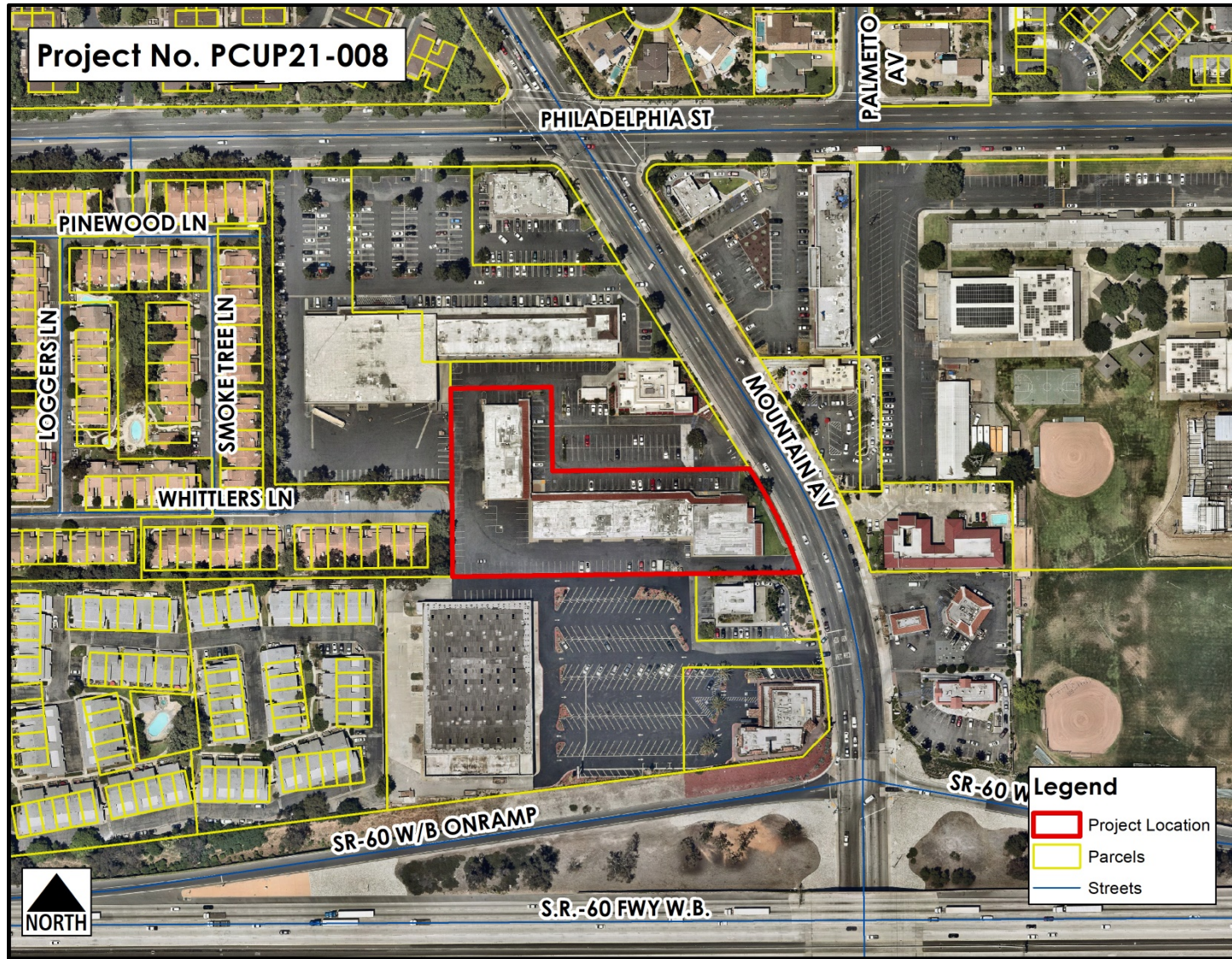
APPROVED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

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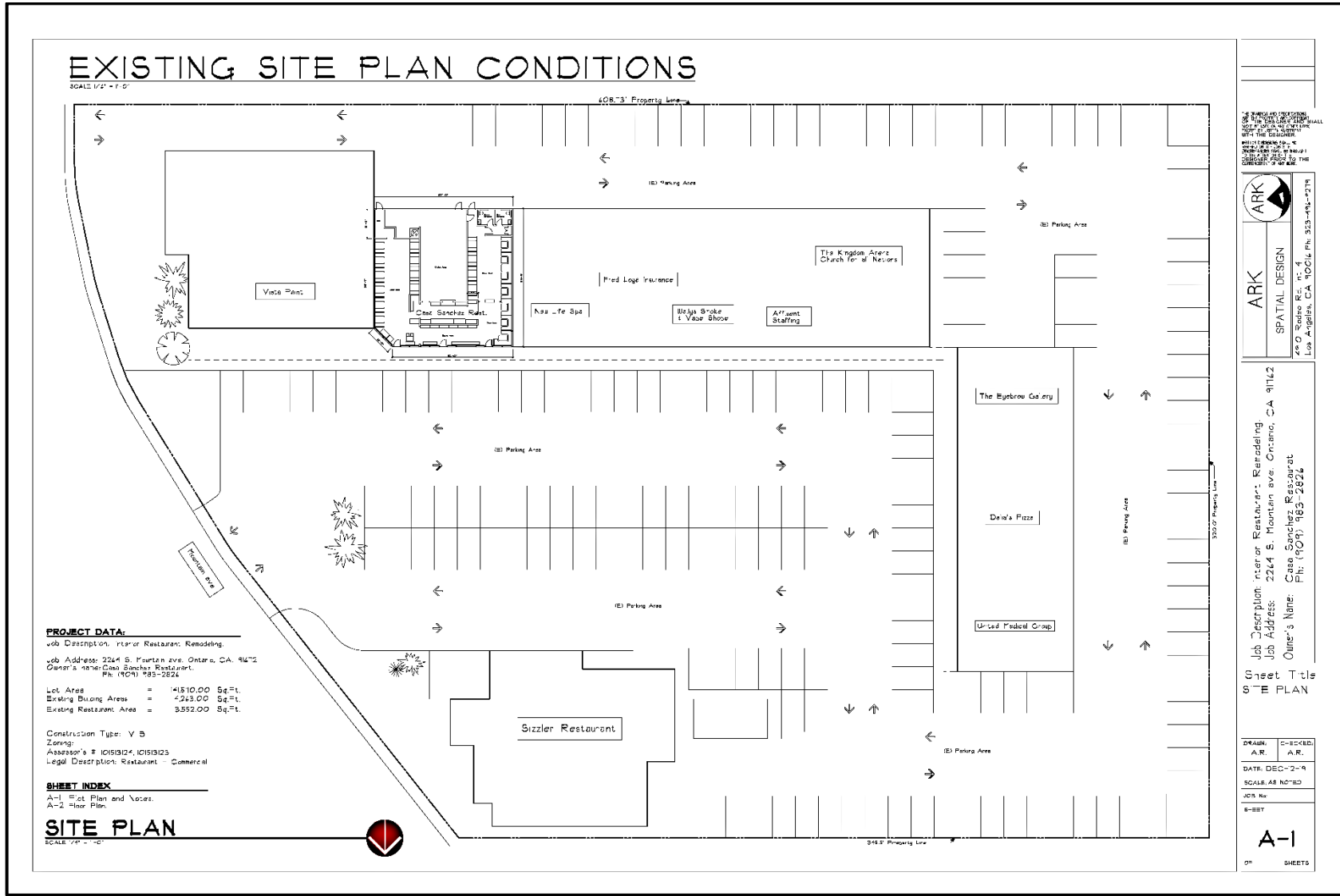
Rudy Zeledon  
Zoning Administrator



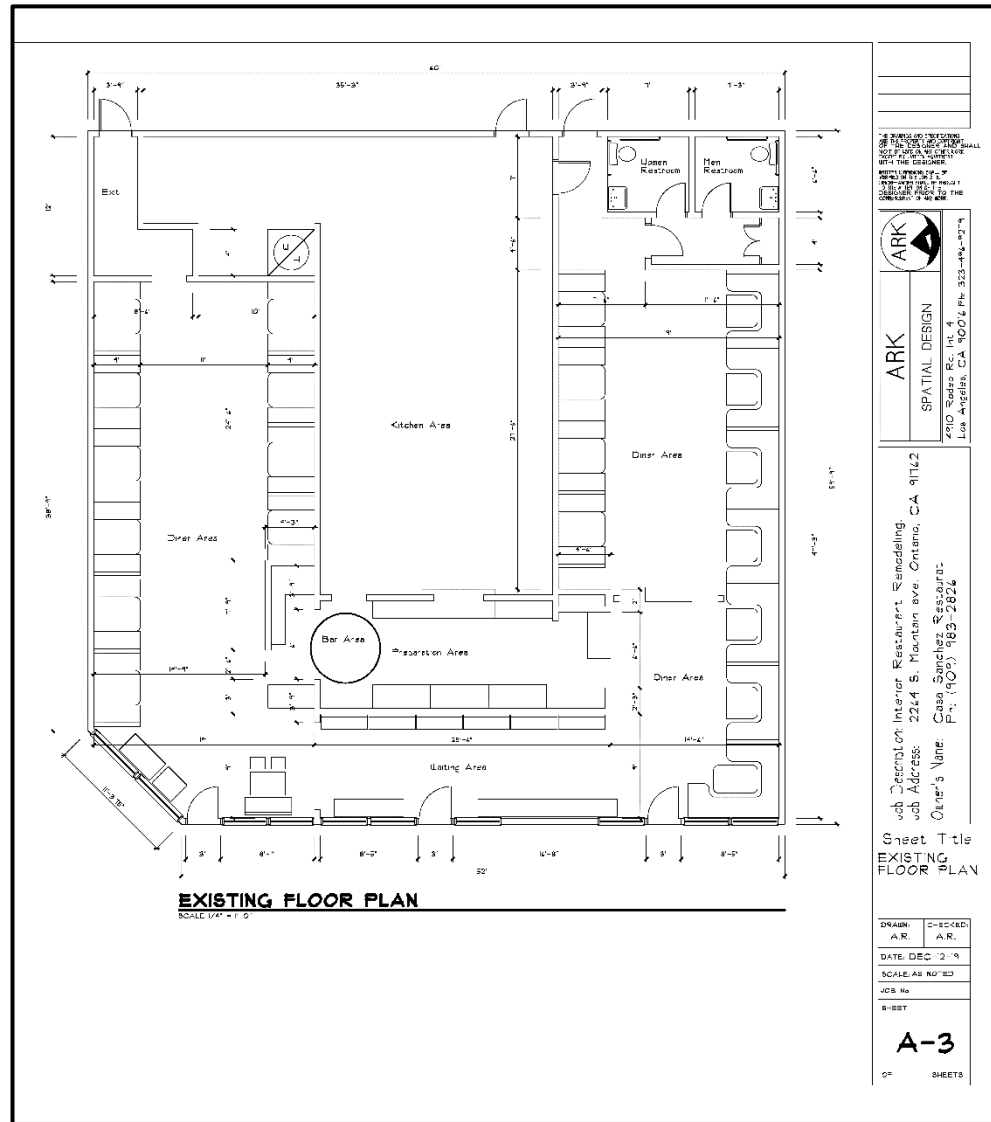
**Exhibit A: PROJECT LOCATION MAP**



**Exhibit B: SITE PLAN**



**Exhibit C: FLOOR PLAN**





**Exhibit D: SITE PHOTOS**



**Figure 1: Street View of Project Site**



**Figure 2: Preparation Area**



**Figure 3: Dining Area**



**Figure 4 Dining Area Continued`**

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

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



City of Ontario  
Planning Department  
303 East B Street  
Ontario, California 91764  
Phone: 909.395.2036  
Fax: 909.395.2420

## ***Planning Department Land Development Division Conditions of Approval***

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**Meeting Date:** August 16, 2021

**File No:** PCUP21-008

**Project Description:** A Conditional Use Permit to upgrade a Type 41 ABC license (on-sale beer and wine – eating place) to a Type 47 ABC license (on-sale general – eating place) in conjunction with a Bona Fide Public Eating Place (Casa Sanchez) on 2.112 acres of land located at 2264 South Mountain Avenue, within the CN (Neighborhood Commercial) zoning district; (APN: 1015-131-24) **submitted by Casa Sanchez**

**Prepared By:** Robert Morales, Assistant Planner  
Phone: 909.395.2432 (direct)  
Email: Rmorales@ontarioca.gov

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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 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:

**1.1 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, except that a Conditional Use Permit approved in conjunction with a Development Plan shall have the same time limits as said Development Plan. 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.

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

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

**1.4 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).

**1.5 Alcoholic Beverage Sales—Restaurants.**

**(a)** The establishment shall be operated as a “bona fide public eating place” as defined by Business and Professions Code Section 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 percent 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.

**1.6** Environmental Review. 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 the following conditions:

- 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
- The area in which the project is located is not environmentally sensitive.

**1.7** 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.

**1.8** 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). Failure to provide said fee within the time specified may result in a 180-day extension to the statute of limitations for the filing of a CEQA lawsuit.

**(b)** After the Project's entitlement approval, and prior to issuance of final building permits (if any), the Planning Department's Plan Check and Inspection fees shall be paid at the rate established by resolution of the City Council, as applicable.





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



**TO: Jose Jara, Administrative Intern**

**FROM: Rick Rees, Police Officer, Alcohol and Tobacco Enforcement**

**DATE: June 30, 2021**

**SUBJECT: FILE NO. PCUP21-008 – CASA SANCHEZ  
2264 S MOUNTAIN AVENUE, ONTARIO, CA 91761**

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This location has applied for a type 47 On-Sale General Liquor License for a Bona Fide Public Eating Place located within Census Tract No. 06.03. According to the Department of Alcohol Beverage Control (ABC), four on-sale licenses are allowed within this tract, there are currently ten. The census tract is currently over-concentrated. However, this business has an existing license and is included in the ten licenses mentioned. The upgrade to the existing license will not further the over-concentration. The Police Department neither approves or denies conditional use permits. However, due to the above circumstances, it is recommended the applicant obtain the ABC license through the State ABC office prior to moving forward. On approval by the planning department, 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 Ontario Police Department:

**RESTAURANT CONDITIONS**

1. Alcohol sales will be from 08:00 A.M. to 10:00 P.M., daily. Last call for alcohol shall be made by 09:15 P.M. and alcohol sales must cease by 09:45 P.M. All alcohol shall be removed from the tables/patrons at 10:00 P.M.
2. At least 51% of sales at the establishment shall be food.
3. No sales to minors.
4. The restaurant will have no bar seating.
5. No sales to obviously intoxicated patrons.
6. No self-serve alcohol displays allowed.

7. No alcoholic beverages are to be sold or removed from the establishment for outside consumption.
8. Signs must be posted at all exits stating no alcohol beyond this point.
9. No smoking inside of the establishment is permitted, including any type of electronic nicotine delivery device.
10. There will be no narcotic sales or usage on the premises at any time.
11. Employees engaged in alcohol preparation and service shall be at least 21 years of age.
12. 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 required every 3 years. New employees must attend the training class within three months of their hire date.
13. Lighting within the restaurant must be kept at a reasonable level for safe movement of patrons.
14. Address to the establishment must be plainly visible to the front for easy identification by safety personnel.
15. 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.
16. 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.
17. No loitering shall be permitted on any property adjacent to the licensed premise, which is under the control of the applicant.
18. 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).

### **PATIO CONDITIONS**

1. The applicant did not propose a patio seating.

### **ENTERTAINMENT CONDITIONS**

1. There was no entertainment area designated on a plan check. Any entertainment will have to be approved by the Ontario Police Department prior to the event.

### **SECURITY CONDITIONS**

1. 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.
2. A Code of Conduct will be required to be used and posted at all public entrances of the establishment.
3. 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/or the officer. Any additional police resources requested to bring peace in the establishment may be charged to the business owner.
4. If the business chooses to hire security personnel. The 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 company and guards used will be registered with the City of Ontario.
5. The business shall maintain a security camera surveillance system in proper working order. Cameras will be placed to record the patrons using the restaurant area. A minimum of one camera will record the parking lot. A minimum of one camera will record each cash register. A minimum of one camera will record each entry/exit. Each camera will record at least 720p recording resolution levels and at least 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 Ontario Police Department upon request.

Any special event outside the scope of the Conditional Use Permit will require a Temporary Use Permit (TUP) 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 its sole discretion, request a revocation hearing if it determines that the establishment is being operated in violation of this CUP or has violated the laws of the State or City.


**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 conduct an inspection to document compliance with this Conditional Use Permit before this business will be allowed to sell alcoholic beverages.**

The Police Department will conduct a review six months after commencement of business to determine whether additional conditions will be needed.

**Please contact Officer Rees if you have any questions regarding this matter at (909) 408-1660.**

**CITY OF ONTARIO**  
**LANDSCAPE PLANNING DIVISION**  
 303 East "B" Street, Ontario, CA 91764

<b>CONDITIONS OF APPROVAL</b>	
Sign Off	
	06/16/21
Philip Marino, Associate Landscape Planner	Date

Reviewer's Name: <b>Philip Marino, Associate Landscape Planner</b>	Phone: <b>(909) 395-2237</b>
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D.A.B. File No.: <b>PCUP21-008</b>	Related Files:	Case Planner: <b>Jose Jara</b>
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Project Name and Location: <b>Upgrade type 41 ABC license to a type 47 ABC license 2264 South Mountain</b>
---

Applicant/Representative: <b>David Garcia Sanchez 2264 S Mountain Ave Ontario, Ca 91767</b>
--

<input checked="" type="checkbox"/>	<b>A site plan dated 6/08/21 meets the Standard Conditions for New Development and has been approved with the consideration that the following conditions below be met.</b>
<input type="checkbox"/>	<b>A site plan () has not been approved. Corrections noted below are required prior to DAB approval.</b>



# CITY OF ONTARIO

## MEMORANDUM

**TO:** Jose Jara, Administrative Intern  
Planning Department

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

**DATE:** June 23, 2021

**SUBJECT:** PCUP21-007 A Conditional Use Permit to upgrade a type 41 ABC license to a type 47 ABC license in conjunction with a full service restaurant (Casa Sanchez) on 2.112 acres parcel located at 2264 South Mountain Avenue within CN (Neighborhood Commercial) Zoning District. APN: 1015-131-24

---

- The plan **does** adequately address the departmental concerns at this time.
- No comments
  - Report below.

---

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.



# CITY OF ONTARIO

## MEMORANDUM

TO: Scott Murphy, Community Development Director  
 Rudy Zeledon, Planning Director (Copy of memo only)  
 Diane Ayala, Advanced Planning Division (Copy of memo only)  
 Charity Hernandez, Economic Development  
 Matt Montieth, Building Department  
 Raymond Lee, Engineering Department *David Zurita*  
 Jamie Richardson, Landscape Planning Division  
 Dennis Mejia, Municipal Utility Company  
 Gabriel Gutierrez, Police Department  
 Mike Gerken, Deputy Fire Chief/Fire Marshal  
 Jay Bautista, T. E., Traffic/Transportation Manager  
 Lorena Mejia, Airport Planning  
 Eric Woosley, Engineering/NPDES  
 Angela Magana, Community Improvement (Copy of memo only)  
 Jimmy Chang, IPA Department

FROM: Jose Jara, Administrative Intern

DATE: June 08, 2021

SUBJECT: FILE #: PCUP21-008 Finance Acct#:

The following project has been submitted for review. Please send one (1) copy and email one (1) copy of your DAB report to the Planning Department by .

- Note:
- Only DAB action is required
  - Both DAB and Planning Commission actions are required
  - Only Planning Commission action is required
  - DAB, Planning Commission and City Council actions are required
  - Only Zoning Administrator action is required

**PROJECT DESCRIPTION:** A Conditional Use Permit to upgrade a type 41 ABC license to a type 47 ABC license in conjunction with a full service restaurant (Casa Sanchez) on a 2.112 acres parcel located at 2264 South Mountain Avenue within the CN (Neighborhood Commercial) Zoning District.  
 APN:1015-131-24

- The plan does adequately address the departmental concerns at this time.
  - No comments
  - Report attached (1 copy and email 1 copy)
  - Standard Conditions of Approval apply
- The plan does not adequately address the departmental concerns.
  - The conditions contained in the attached report must be met prior to scheduling for Development Advisory Board.

ENGINEERING-LAND *[Signature]* ENGINEERING ASSISTANT 6-21-2021  
 Department Signature Title Date





# CITY OF ONTARIO

## MEMORANDUM

TO: Scott Murphy, Community Development Director  
Rudy Zeledon, Planning Director (Copy of memo only)  
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Charity Hernandez, Economic Development  
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DATE: June 08, 2021

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Department \_\_\_\_\_ Signature ENG (ENVIVO) Title Engineering Assistant Date 6/2/2021



# CITY OF ONTARIO

## MEMORANDUM

TO: Scott Murphy, Community Development Director  
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SUBJECT: FILE #: PCUP21-008

Finance Acct#:

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ENG./  
TRAF.

ENG.  
ASST.

6/29/21

Department

Signature

Title

Date

**From:** [Heather A. Young](#)  
**To:** [Jose L. Jara](#); [David Zurita](#)  
**Cc:** [Dennis Mejia](#); [Peter Tuan M. Tran](#); [Ivan Sanchez](#); [Danielle D. Guevara](#)  
**Subject:** PCUP21-008 DPR1 (#7701)  
**Date:** Wednesday, June 16, 2021 4:53:36 PM  
**Attachments:** [image001.jpg](#)

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Jose & David,

Regarding: PCUP21-008 - DPR1 - 2264 S Mountain Avenue - Utilities Comments (#7701)

**NOTE: The Ontario Municipal Utilities Company (OMUC) has no comment on this submittal.**

Let me know if you have any questions.

Thank you,

*Heather Young*

Assistant Engineer



1425 S. Bon View Avenue, Ontario, CA 91761  
Tel: (909) 395-2600 ext. 2646 | Fax: (909) 395-2601  
Email: [hyoung@ontarioca.gov](mailto:hyoung@ontarioca.gov) | Website: [www.ontarioca.gov/omuc](http://www.ontarioca.gov/omuc)