

ZONING ADMINISTRATOR DECISION CONDITIONAL USE PERMIT



DECISION NO. 2015-18

HEARING DATE: August 17, 2015

DECISION DATE: August 19, 2015

FILE NO.: PCUP15-008

SUBJECT: A Conditional Use Permit to establish a beer manufacturing business (Strum Brewery) with a Type 23 ABC License (Small Beer Manufacturer), within a 2,225 square-foot industrial building, located at 235 South Campus Street, within the M3 (General Industrial) zoning district.

STAFF

RECOMMENDATION: Approval Approval subject to conditions Denial

PART A: BACKGROUND & ANALYSIS

STRUM BREWING COMPANY, LLC, (herein after referred to as "Applicant") has filed an application requesting Conditional Use Permit approval, File No. PCUP15-008, as described in the subject of this Decision (herein after referred to as "Application" or "Project").

(a) Project Setting: The project site has a lease area of 8,200 square feet on 1.17 acres of land located at 235 South Campus Avenue (**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>	Vacant Building	Industrial	M3 (General Industrial District)	n/a
<i>North</i>	Southern Pacific Rail Road	Rail	M3 (General Industrial District)	n/a
<i>South</i>	Recycling/Warehouse	Industrial	M3 (General Industrial District)	n/a
<i>East</i>	Tow Service and Yard	Industrial	M3 (General Industrial District)	n/a
<i>West</i>	Recycling Center	Industrial	M3 (General Industrial District)	n/a

(b) Project Analysis:

(1) Location and Proposed Use — Strum Brewing Company is proposing to establish a small beer manufacturing facility (Type 23 ABC license) within a 2,225 square-foot industrial building located at 235 South Campus Avenue. Strum Brewing is occupying an 8,200 square foot lease area of a 1.17 acre site. The lease area is surrounded by a 6 - 8 foot high chain link fence with direct access from Campus Avenue and an internal drive aisle (**Exhibit C: Site Plan**). The lease area includes 6 parking spaces in front of the building adjacent to Campus Avenue for the public and 3 employee parking spaces at the rear of the building.

The existing building will be utilized to manufacture small batches of specialty beers which may be sold wholesale or to the public in kegs or growlers. However, in the future as business expands, distribution may grow to include bottled and canned beer to retailers. The majority of the floor space will be utilized for the manufacturing and storage of beer (**Exhibit D: Floor Plan**). The floor plan also includes an indoor and outdoor beer tasting area for the beer manufactured on-site. No outside beer or any other type of alcoholic beverage, not created at the site, is allowed to be brought in for tasting or sale. Beer may be purchased on-site for wholesale or to the public in kegs and is required to follow keg registration rules and regulations (Business and Professions Code 25659.5). Beer may also be sold for off-site consumption in growlers one liter to ½ gallon in size, and shall comply with Business and Professions Code 25200-Refilling and Labeling containers supplied by the consumer.

The business will operate with two employees and have manufacturing hours from 6:00 a.m. to 12:00 a.m. daily. The tasting area will be open to the public from 12:00 p.m. to 10:00pm daily. The project site is located within Safety Zone 3 of the ONT ALUCP and as a result the business will be limited to no more than 24 people on-site at any given time.

The initial CUP application also included a request for live entertainment and for food trucks/caterers to be on site. Although, a Type 23 ABC license does allow for a restaurant use in conjunction with a small brewery, the location had various constraints that would not support the amount of people and activities being proposed. However, in the future the business may apply for a Temporary Use Permit (TUP) to accommodate some of their initial requests for special events, provided that all City regulations, permits and approvals are obtained.

(2) Parking — The Development Code requires a parking ratio of 1 space per 500 square feet of building area for manufacturing uses requiring a minimum of 4 parking spaces for the existing 2,225 square foot building. There are a total of 9 parking spaces being provided on site. Therefore, staff believes that there is sufficient parking being provided on-site.

(3) **ABC License 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. However, alcoholic beverage manufacturing/brewing and wholesale activities are exempt from concentration restrictions. For reference, Strum Brewing Company is located within Census Tract 16.00, and as having a total number of 13 On-Sale licenses, 14 Off-Sale licenses, and 4 Wholesale licenses (**Exhibit E: Census Tract**).

(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 M3 (General Industrial) zoning district and is surrounded by other industrial uses which include: a tow yard service and vehicle storage (Pepe's Towing); a pallet wholesale business; a recycling center (Main Street Fibers); and warehouse/storage uses (**Exhibit F: Site Photos & Surrounding Businesses**). Within this district, alcoholic beverage manufacturing/brewing 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 the surrounding area will not be exposed to any impacts beyond those that would normally be associated with any other use similarly allowed within the M3 (General Industrial) zoning district.

(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.

(a) **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.

(b) **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 August 17, 2015, the Zoning Administrator of the City of Ontario conducted a duly noticed public hearing on the application, as follows:

(a) Lorena Mejia, Associate Planner, presented the staff report on the proposed use, indicating the staff recommendation of approval.

(b) Following staff's presentation, the Zoning Administrator directed staff to remove entertainment conditions from the Police Department's conditions of approval and asked Corporal Munoz if there have been any calls for service to any other beer manufacturing businesses with beer tasting areas. Corporal Munoz explained there is one other beer manufacturer in the City currently operating with a beer tasting area and has had no calls for service. Following questions to staff, the Zoning Administrator opened the public hearing.

(c) Anna Alquitela, the applicant, explained the business operation and spoke in favor of the application.

(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 materially injurious to properties or improvements in the vicinity. The proposed small beer manufacturer is located within the M3 zoning district.

(2) A Type 23 ABC license for a small beer manufacturer is allowed upon approval of a Conditional Use Permit. The project has been conditioned so that the facility and use are operated in a manner that will not be detrimental to the health and safety of the surrounding community. In addition, the Police Department has also reviewed the application and they are in support of the application subject to the attached conditions of approval.

(3) The proposed location of the Conditional Use Permit is in accord with the objectives and purposes of the Ontario Development Code and the zoning designation within which the site is located. Alcoholic beverage manufacturing (brewery) is allowed with Conditional Use Permit approval within the M3 (General Industrial) zoning district. The use is consistent with the objectives of the Ontario Development Code, pertaining to Industrial districts.

(4) Traffic generated by the proposed Conditional Use Permit will not overload the capacity of the surrounding street system and will not create a hazard to public safety. The addition of a small beer manufacturer and tasting room within the existing industrial area, will not generate a substantial amount of trips, nor overload the surrounding circulation system. In addition a sufficient amount of parking will be provided on site.

(5) The proposed Conditional Use Permit will comply with each of the applicable provisions of the Ontario Development Code and applicable municipal codes. The brewery/manufacturing use will comply with the applicable provisions in the Ontario Development Code pertaining to Article 9: *Conditional Use Permits*, Article 13: *Land Use and Special Requirements*, Article 17: *Industrial Districts* (M1, M2, & M3), and Article 32: *General Development Requirements and Exceptions*.

(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(Existing Facilities) 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. PCUP15-008, 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 19th day of August 2015.



Scott Murphy
Zoning Administrator

Exhibit A: Project Vicinity

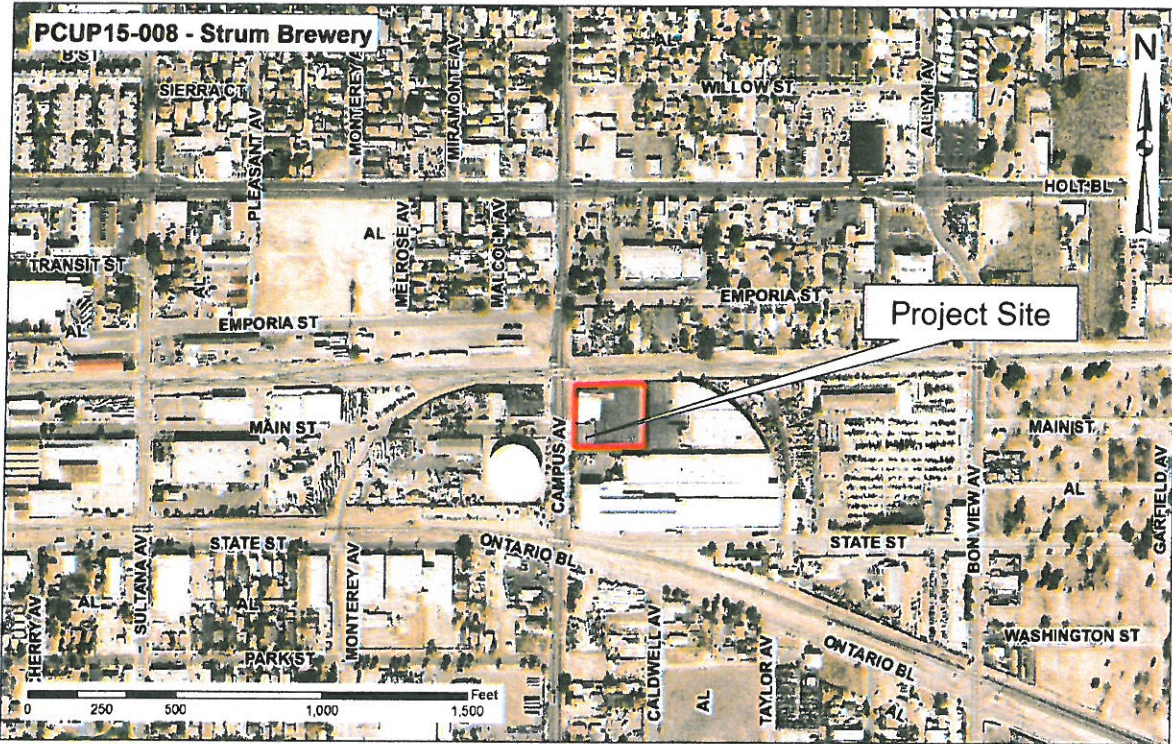


Exhibit B: Project Site

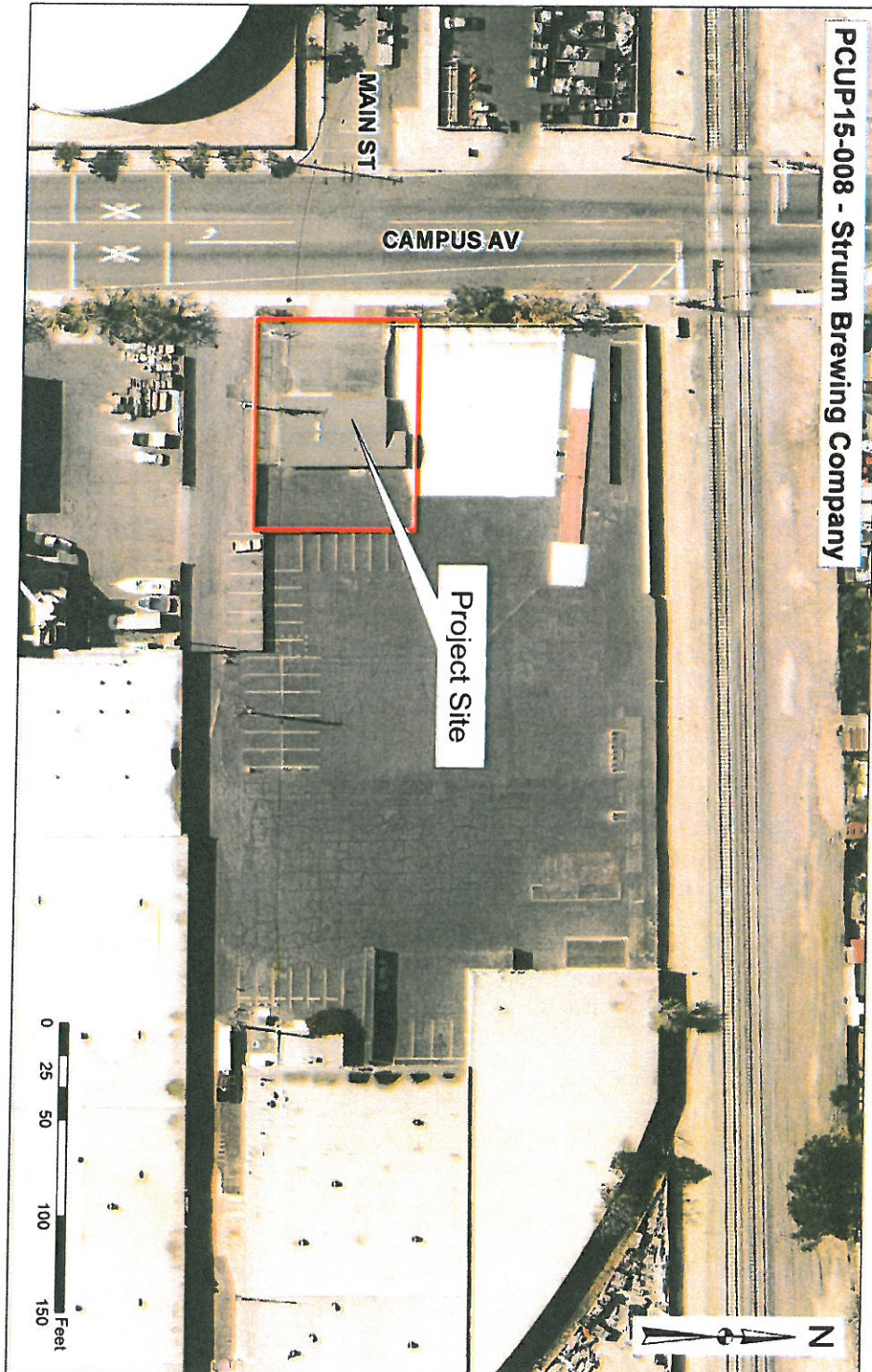


Exhibit C: Site Plan

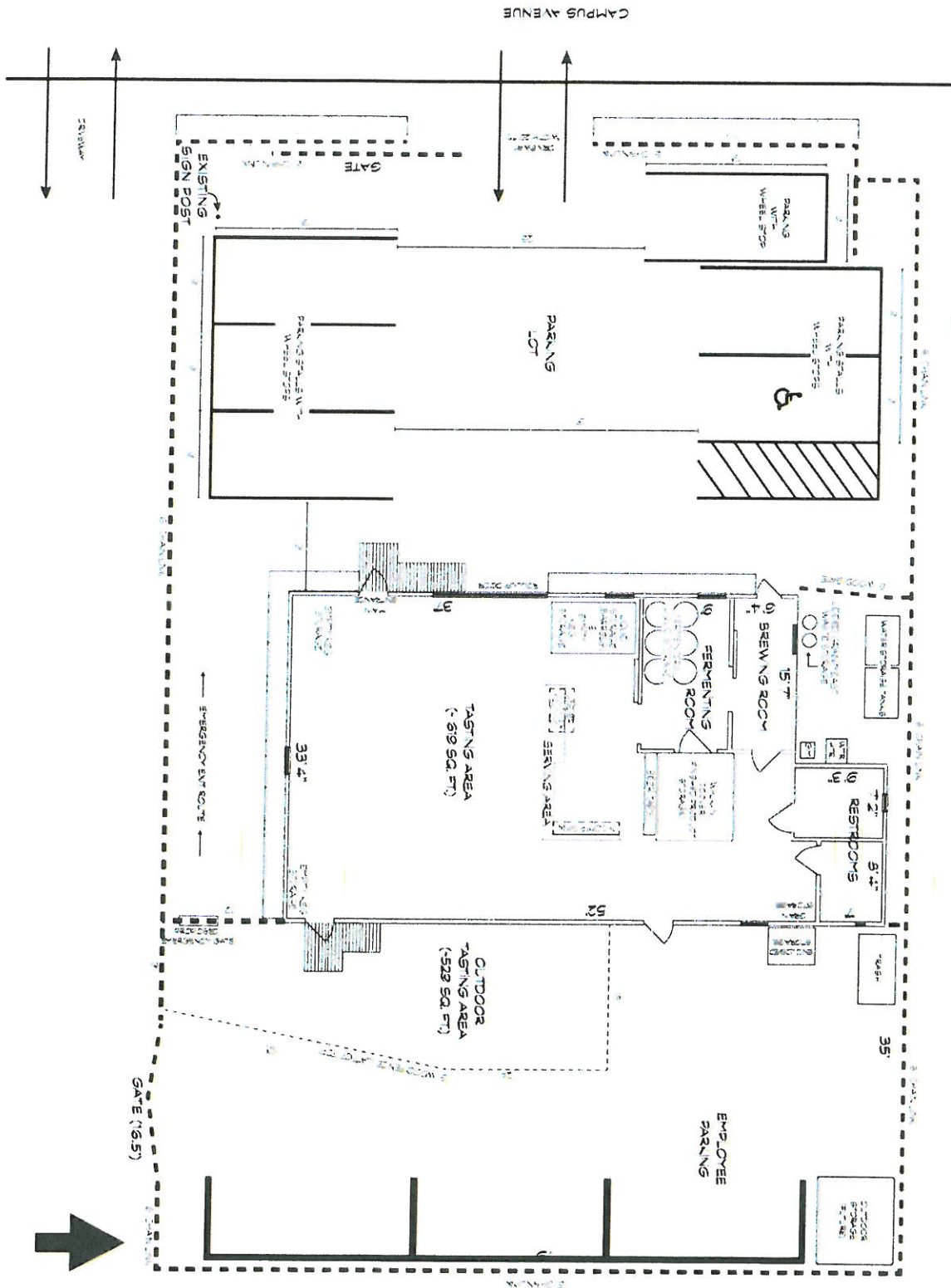


Exhibit D: Floor Plan

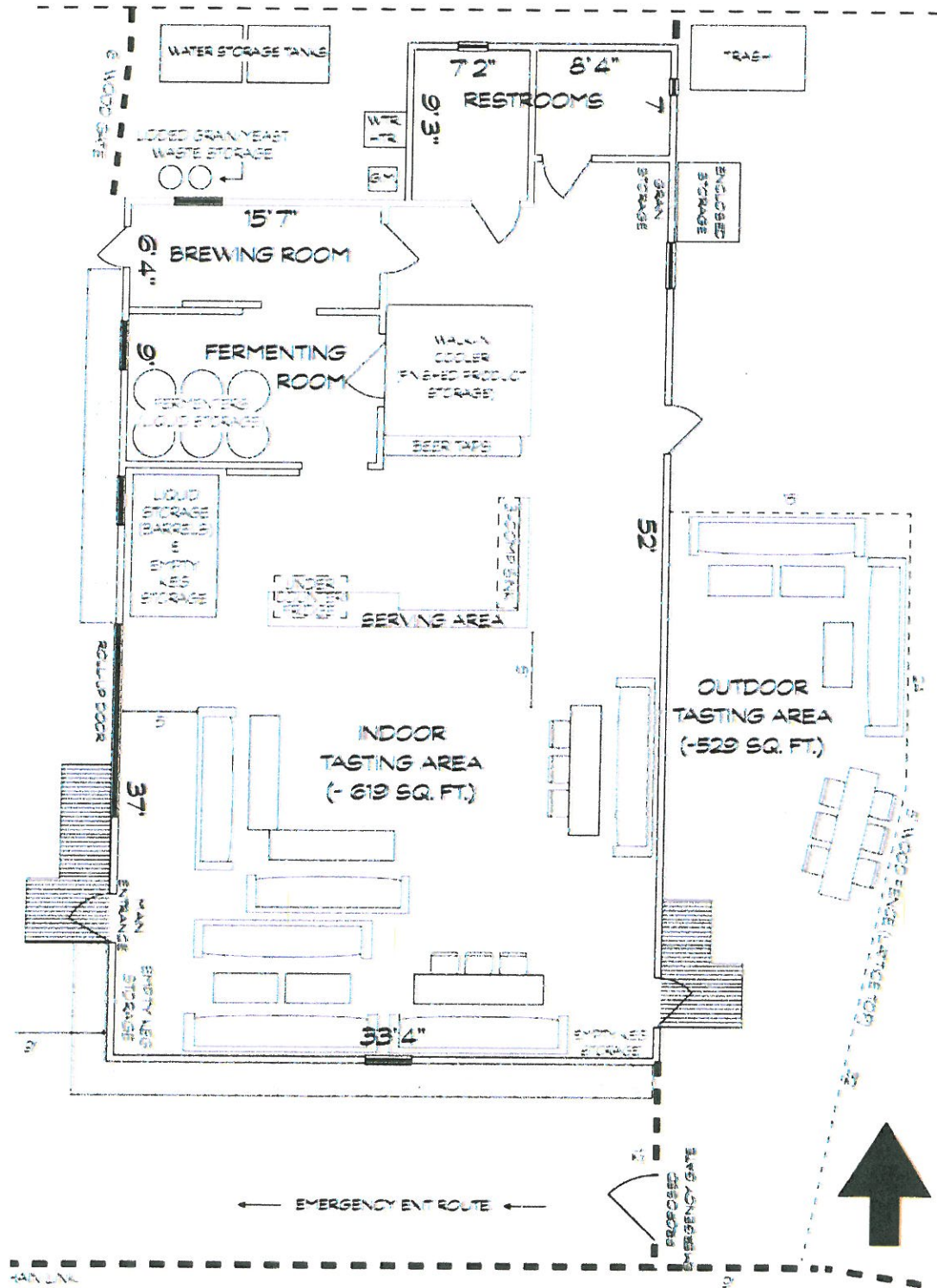


Exhibit E: Census Tract Map

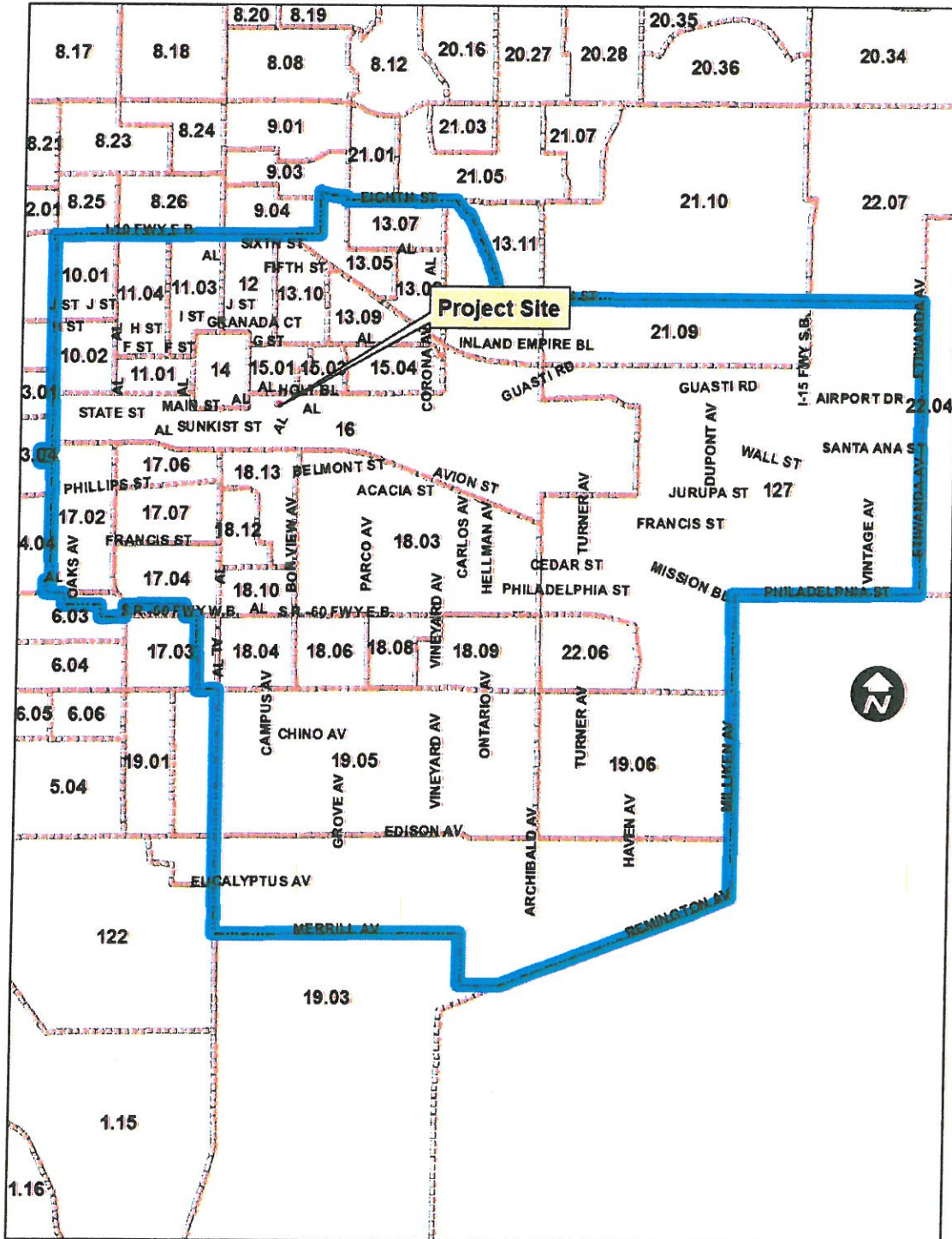


Exhibit F: Site Photos & Surrounding Businesses

Front Entrance of Project Site



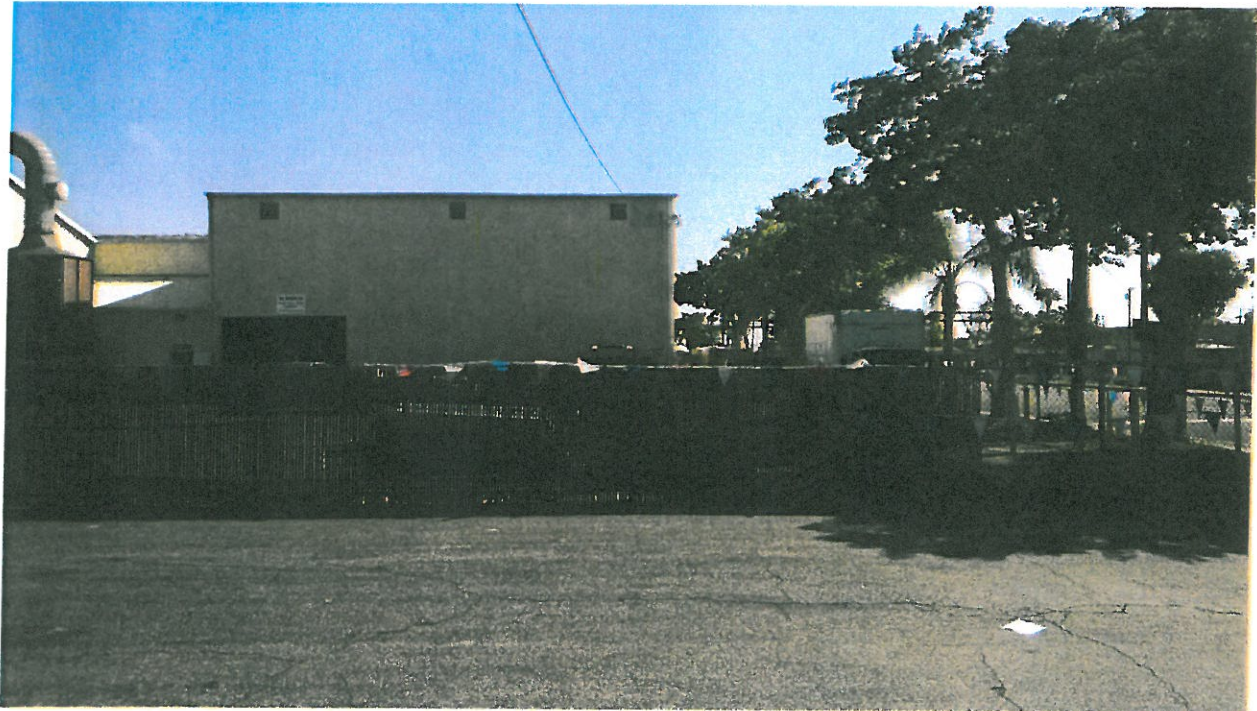
Rear of Project Site



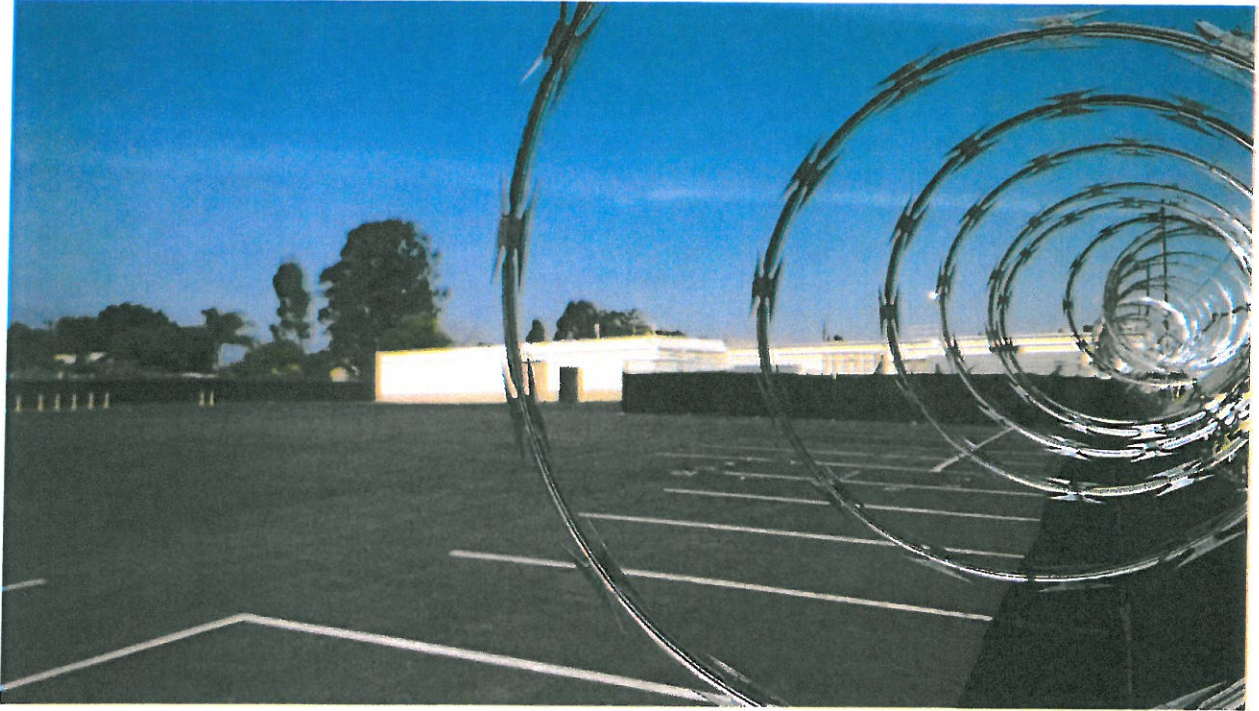
North of the Project Site



South of the Project Site



East of the Project Site



West of the Project Site





**PLANNING DEPARTMENT
CONDITIONS OF APPROVAL**

File No(s). PCUP15-008

Date: August 17, 2015

Project Description: A Conditional Use Permit to establish a beer manufacturing business (Strum Brewery) with a Type 23 ABC License (Small Beer Manufacturer), within a 2,225 square-foot industrial building, located at 235 South Campus Street, within the M3 (General Industrial) zoning district. (APN: 1049-11-06); **submitted by Strum Brewing Company**

Reviewed by: Lorena Mejia, Associate Planner
Phone: (909) 395-2036; **Fax:** (909) 395-2420

CONDITIONS OF APPROVAL

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

1.0 GENERAL REQUIREMENTS

1.0 Failure to maintain compliance with the herein-listed conditions of approval shall be deemed just cause for revocation of conditional use permit approval.

1.1 The use shall be operated in full conformance with the description and requirements of the Conditional Use Permit on file with the City. Any variations from, or changes in, the approved use (i.e., increase in hours/days of operation, expansion or intensification of use, etc.), must first be reviewed and approved by the Zoning Administrator prior to commencement of the change.

1.2 The approved use is subject to all conditions, requirements and recommendations from all other affected departments/agencies, provided on the attached reports/memorandums.

1.3 A copy of the herein-listed conditions of approval shall be maintained on the subject premises at all times.

1.4 A copy of the Department of Alcoholic Beverage Control license issued to the business shall be maintained on the subject premises at all times.

1.5 The Planning Department may, from time to time, conduct a review of the approved use to ascertain compliance with the herein-stated conditions of approval. Any noncompliance with the conditions of approval shall be immediately referred to the Zoning Administrator for possible action.

2.0 Walls and Fences.

2.1 Applicant shall construct a 5 foot high fence around the perimeter of the outdoor tasting area.

3.0 Alcoholic Beverage Sales—General.

3.1 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.

3.2 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.

3.3 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.

3.4 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.

3.5 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.

3.6 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.

3.7 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.

3.8 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.

3.9 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.

3.10 Amplified prerecorded music may be permitted; however, the sound emitted from the premises shall not be audible outside the walls of the business establishment.

4.0 Environmental Review.

4.1 The proposed project is categorically exempt from environmental review in accordance with Section 15301: Class 1(Existing Facilities) of the California Environmental Quality Act Guidelines.

4.2 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.

4.3 Additional Fees.

(a) After project's entitlement approval and prior to issuance of final building permits, the Planning Department's Plan Check and Inspection fees shall be paid at the rate established by resolution of the City Council.

(b) Within 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.

5.0 Additional Requirements.

5.1 The project site is located within Safety Zone 3 of the ONT ALUCP which places limits on the number of people allowed on-site which allows a maximum number of 24 people at any given time.

5.2 Tenant improvement plans for change in occupancy shall be submitted to the Building Department for Building Plan Check.

**CITY OF ONTARIO
MEMORANDUM**

TO: PLANNING DEPARTMENT, John Hildebrand
FROM: BUILDING DEPARTMENT, Kevin Shear
DATE: April 7, 2015
SUBJECT: PCUP15-008

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

Conditions of Approval

1. Permits are required for the change of use.

TOP-Zoning Consistency Determination



File No.: PCUP15-008

Prepared By:

Clarice Burden

Location: 235 South Campus Avenue

Date:

4/23/15

Project Description:

A Conditional Use Permit to establish a beer manufacturer (Brewery) (Type-23-Small Beer Manufacturer-ABC License) within an approximate 2,225 square foot industrial building, located on 1.17 acres at 235 South Campus Avenue, within the M3 (General Industrial) zoning district (APN: 1049-111-06)

Signature:

Clarice Burden

This project has been reviewed for consistency with The Ontario Plan Zoning Consistency project. The following was found:

- The existing TOP land use designation of the property is: **Industrial**
The existing zoning of the property is: **M3, General Industrial**

- A change to the TOP land use designation has been proposed which would change the land use designation of the property to:
This proposed TOP land use change will:
 - Make the existing zoning of the property consistent with the proposed General Plan Amendment;
 - Make the proposed project consistent with The Ontario Plan.

- The zoning of the property will need to be changed in order to be consistent with The Ontario Plan. Through the TOP-Zoning Consistency effort, the zoning of the property is proposed to be changed to:
This proposed zone change will:
 - Make the zoning of the property consistent with The Ontario Plan;
 - Without the Zone Change described above, the proposed project is not consistent with The Ontario Plan. A finding of consistency with The Ontario Plan is required in order to approve this project.

- Additional Comments:
A zone change is not required prior to Conditional Use Permit approval.



CITY OF ONTARIO MEMORANDUM

TO: Lorena Mejia,
Planning Department

FROM: Adam A. Panos, Fire Protection Analyst
Bureau of Fire Prevention

DATE: April 16, 2015

SUBJECT: PCUP15-008 - A Conditional Use Permit to establish a brewery (Type-23-Small Beer Manufacturer-ABC License) within an existing 2,225 square foot industrial building on 1.17 acres of land located at 235 South Campus Avenue, within the M3 (General Industrial) zoning district (APN: 1049-111-06).

-
- The plan does adequately address Fire Department requirements at this time.
- No comments or conditions
 - Conditions of approval below.
- The plan does NOT adequately address Fire Department requirements at this time.
- Comments / corrections below.

SITE AND BUILDING FEATURES:

- A. Type of Building Construction Used: V B – wood frame non rated
- B. Roof Materials Used: N A
- C. Ground Floor Area(s): 2,225 square feet
- D. Number of Stories: 1 story
- E. Total Square Footage: 2,225 square feet
- F. Type of Occupancy: B

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

CONDITIONS OF APPROVAL

Sign Off

Carolyn Bell
Carolyn Bell, Sr. Landscape Planner

4/17/15
Date

Reviewer's Name:
Carolyn Bell, Sr. Landscape Planner

Phone:
(909) 395-2237

D.A.B. File No.:
PCUP15-008

Case Planner:
John Hildebrand

Project Name and Location:
Brewery
235 S Campus Ave
Applicant/Representative:
Strum Brewing Company - Anna Alquitela
1774 Del Prado
Pomona, CA 91768

<input checked="" type="checkbox"/>	A Conditional Use Permit has been approved with the consideration that the following conditions below be met upon site development.
<input type="checkbox"/>	A Preliminary Landscape Plan (dated) has not been approved. Corrections noted below are required prior to Preliminary Landscape Plan approval.

CORRECTIONS REQUIRED

1. Existing trees shall be protected in place. If tree removal is requested a landscape plan and tree inventory shall be submitted to this department for review and approval.
2. Landscape and irrigation plans shall be submitted for review and approval if any on-site construction, staging or storage of material occurs and requires replacement of landscape or irrigation systems in an area 2500 sf or greater.
3. New landscape and irrigation installations shall meet all the requirements of the Landscape Development Standards including water efficient irrigation and landscaping.

AIRPORT LAND USE COMPATIBILITY PLANNING CONSISTENCY DETERMINATION REPORT



Project File No.: PCUP15-008
 Address: 235 S Campus Ave
 APN: 1049-111-06
 Existing Land Use: Warehouse
 Proposed Land Use: Small Beer Manufacturer (Type 23-ABC License) with ancillary indoor tasting room within an 8,200 lease area
 Site Acreage: 1.17 Proposed Structure Height: n/a
 ONT-IAC Project Review: No
 Airport Influence Area: ONT

Reviewed By: Lorena Mejia
 Contact Info: 909-395-2276
 Project Planner: Lorena Mejia
 Date: 7/13/15
 CD No.: 2015-020
 PALU No.: B.G.

The project is impacted by the following ONT ALUCP Compatibility Zones:

Safety	Noise Impact	Airspace Protection	Overflight Notification
<input type="radio"/> Zone 1	<input type="radio"/> 75+ dB CNEL	<input checked="" type="checkbox"/> High Terrain Zone	<input checked="" type="checkbox"/> Avigation Easement Dedication
<input type="radio"/> Zone 1A	<input type="radio"/> 70 - 75 dB CNEL	<input type="checkbox"/> FAA Notification Surfaces	<input type="radio"/> Recorded Overflight Notification
<input type="radio"/> Zone 2	<input checked="" type="checkbox"/> 65 - 70 dB CNEL	<input checked="" type="checkbox"/> Airspace Obstruction Surfaces	<input checked="" type="checkbox"/> Real Estate Transaction Disclosure
<input checked="" type="checkbox"/> Zone 3	<input type="radio"/> 60 - 65 dB CNEL	<input checked="" type="checkbox"/> Airspace Avigation Easement Area	
<input type="radio"/> Zone 4		Allowable Height: 42'	
<input type="radio"/> Zone 5			

The project is impacted by the following Chino ALUCP Compatibility Zones:

Zone A
 Zone B1
 Zone C
 Zone D
 Zone E

CONSISTENCY DETERMINATION

This proposed Project is: Consistent with Conditions

Project is located within Safety Zone 3 which limits uses and number of people allowed on site. The tasting area is limited to 1,148 square feet and 24 is maximum number of people allowed on site at any given time.

Airport Planner Signature: 

Form Updated: 11/14/2014



CITY OF ONTARIO MEMORANDUM

TO: Lorena Mejia, Associate Planner

FROM: Steven Munoz, Police Corporal, COPS Unit

DATE: May 12, 2015

SUBJECT: FILE NO. PCUP15-008
235 S. Campus Avenue, Ontario, CA 91761-Strum Brewing Company

This location has applied for a Type 23 Small Beer Manufacturer license that is granted certain on-sale and off-sale privileges. The business is located within Census Tract No. 16.00. According to the Department of Alcohol Beverage Control (ABC), this type of license is listed as "non-retail," and is not counted for the purposes of tracking Census Tract Concentrations. The Police Department does not object to allowing the license. The location must follow all Department of Alcoholic Beverage Control rules and conditions. In addition, the following conditions of approval shall be imposed by the Police Department:

CONDITIONS

1. The hours of alcohol sales allowed will be from 10:00 AM to 10:00 PM daily. Last call will be 45 minutes prior to closing.
2. Beer sampling containers will be limited in size to no more than 16 ounces.
3. Alcohol consumption at the location is only allowed of the applicants own manufactured product.
4. No sales or service to minors.
5. The business is required to have in place a driver's license and or ID card reading device.
6. No sales or service to intoxicated patrons.
7. Distilled spirits are not allowed to be sold or consumed at the location.
8. No drug paraphernalia to be sold at any time.

9. No smoking inside the establishment is permitted, including electronic nicotine delivery devices.
10. There will be no narcotic sales or usage on the premises at any time.
11. Beer may be sold wholesale or to the public in kegs and is required to follow keg registration rules and regulations (Business and Professions Code 25659.5).
12. Beer may be sold for off-site consumption in growlers one liter to $\frac{1}{2}$ gallon in size, and shall comply with Business and Professions Code 25200-Refilling and Labeling containers supplied by the consumer.
13. Employees engaged in the sale of alcohol must be 21 years of age or older.
14. No more than 25% of advertisements allowed on the windows of the business.
15. The business shall maintain a security camera surveillance system in proper working order. A minimum of one camera will record the interior area, a minimum of one camera will record the parking lot, and a minimum of one camera will record the patio area. 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.
16. Electronic arcade and amusement games, such as a pool table, shall be prohibited at the location. The games allowed will be a Wii video game, and Scrabble.
17. Loitering shall not be permitted on any property adjacent to the licensed premise, which is under the control of the applicant. No Loitering signs must be posted.
18. 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.
19. The applicant will be responsible for keeping the grounds of the business clean from debris and litter as much as possible.

20. The parking lot of the premises shall be equipped with a functioning lighting device capable of providing a minimum of one foot-candle of light at ground level.
21. Applicant shall not encourage or permit alcoholic beverages to be consumed on any property adjacent to the licensed premises under the control of the applicant.
22. 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 ABC and 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 given free of charge by the Ontario Police Department.
23. Camping as defined by Ontario Municipal Code 5-23.02 will not be allowed on the premises.
24. A no trespass letter will be on file with the Police Department.

PATIO CONDITIONS

1. The patio area at the location is on the east side of the building and will be designated on a plan check. The patio area will meet the construction and size requirements by the City prior to use.
2. Beer consumption will be allowed in the patio area.

3. Patio walls need to be a minimum height of 5 feet to prevent patrons from passing alcohol drinks to minors, or unauthorized access to the premises.
4. Patio exits must be gated and closed at all times. Emergency sounding devices and panic hardware must be installed on gates.
5. Outdoor tables shall not be removed or rearranged to increase occupancy.
6. 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 CUP will automatically be referred to the Zoning Administrator for review and re-conditioning or revocation of the permit. The Police Department may, at their sole discretion, request a revocation hearing if they determine that the establishment is being operated in violation of this CUP or has violated the laws of the State or City, or the intent of this action.

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.

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 Police Department will conduct a review in six months to determine whether additional conditions will be needed.

If you have any questions regarding this matter, please call Corporal Munoz at (909) 395-2782.



CITY OF ONTARIO MEMORANDUM

ENGINEERING DEPARTMENT CONDITIONS OF APPROVAL

(Traffic/Transportation Division and Ontario Municipal Utilities Agency, and Environmental Section Conditions incorporated)

DATE: 08/12/15
PROJECT: PCUP15-008, Strum Brewery
APN: 1049-111-06
LOCATION: 235 S Campus Avenue
PROJECT PLANNER: Lorena Mejia
PROJECT ENGINEER: Antonio Alejos

The following items are the Conditions of Approval for the subject project:

1. Project shall comply with the requirements as set forth in the Standard Conditions of Approval adopted by the City Council (Resolution No. 2010-021) on March 16, 2010; as well as project-specific conditions/requirements as outlined below.
2. The Developer shall install a new backflow device on the existing domestic water connection that meets current City Standards because the existing domestic water connection lacks a backflow protection device.
3. The Developer shall apply for a Wastewater Discharge Permit for their establishment, and shall comply with all the requirements of their Wastewater Discharge Permit. Requirements of the Wastewater Discharge Permit may include, but is not limited to installing a new monitoring manhole or other sewer pretreatment equipment. Onsite sewer system shall be plumbed to have the Sanitary Sewer Wastewater leave the building separately from the Process Wastewater.
4. No parking will be allowed along Campus Avenue at Main Street, and at nearby driveways to ensure appropriate driver site lines. (No action required by Applicant)
5. The Developer shall maintain the proposed gate open during business hours.
6. The Developer shall not allow outside storage of solid or liquid waste/materials with exception to the water storage tanks & grain/yeast waste storage. Outside storage shall be lidded and done in leak-proof containers with spill containment, as necessary.

7. The Developer shall perform all brewery tanks, hoses and equipment cleaning inside the building with all discharges to a sanitary sewer drain. All wash-downs of processing areas and cleanup water from the facility shall be directed into the building's interior drains with no discharges to outside paved areas.