



Conference Room A  
14343 Civic Drive  
Victorville, CA  
[www.victorvilleca.gov](http://www.victorvilleca.gov)

## Zoning Administrator

**Regular Meeting Agenda  
Wednesday, May 21, 2025**

**10 a.m. Regular Meeting**

The Zoning Administrator welcomes and encourages public participation and invites the community to attend in person.

Public Comments: Members of the public may submit comments electronically to [planning@victorvilleca.gov](mailto:planning@victorvilleca.gov). All email comments received by 3 p.m. the day before the meeting will be distributed to the Zoning Administrator. Participants are invited to address the Zoning Administrator on agenda and non-agenda topics. Public comments will be no longer than three (3) minutes per community member. Should a speaker conclude their comments prior to the expiration of three (3) minutes, the speaker waives the right to speak for any remaining amount of time.

In compliance with the Americans with Disabilities Act, If you need assistance to participate in this meeting, please contact the Planning Division at (760) 955-5135 or (760) 229-1463 no later than 72 hours prior to the meeting.

## PUBLIC HEARINGS

### 1. ADMN25-00058 – Beatriz Lozada, ABL Consulting

**Environmental** – Environmental Exemption

**Project** – A Minor Conditional Use Permit with an Environmental Exemption to allow for the intensification of an existing alcohol license from a Type 41 on-sale beer and wine license to a Type 47 to include beer, wine, and liquor sales and a Minor Conditional Use Permit to allow for live entertainment at an existing restaurant within the Office Campus zone district of the Civic Center Sustainability Specific Plan.

**Location** – 14366 Atstar Drive

**Recommendation** – Staff recommends that the Zoning Administrator take the following actions:

1. **Environmental Assessment** – Find the project categorically exempt per CEQA Section 15301 – Existing Facilities; and
2. **Minor Conditional Use Permit** – Approve case ADMN25-00058 subject to the recommended Conditions of Approval.

**Public Comments**

**Adjournment**



# ZONING ADMINISTRATOR STAFF REPORT

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**DATE:** May 21, 2025

**AGENDA NO. 1**

**CASE:** ADMN25-00058

**SUBJECT:** A Minor Conditional Use Permit with an Environmental Exemption to allow for the intensification of an existing alcohol license from a Type 41 on-sale beer and wine license to a Type 47 to include beer, wine, and liquor sales and a Minor Conditional Use Permit to allow for live entertainment at an existing restaurant within the Office Campus zone district of the Civic Center Sustainability Specific Plan located at 14366 Atstar Street.

**APPLICANT:** Beatriz Lozada, ABL Consulting

**LOCATION:** 14366 Atstar Drive

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## **I. STAFF RECOMMENDATION:**

Staff recommends that the Zoning Administrator conduct a public hearing, receive testimony regarding the proposed project and take the following actions:

- 1. Environmental Assessment** – Find the project categorically exempt per CEQA Section 15301 – Existing Facilities.
- 2. Minor Conditional Use Permit** – Approve case ADMN25-00058 subject to the recommended Conditions of Approval.

## **II. SUMMARY:**

The applicant is requesting approval of these Minor Conditional Use Permits to allow for the addition of full-service alcohol sales in conjunction with an existing restaurant, Las Islas Marias, that currently sells beer and wine only and to allow for the addition of live entertainment with the extension of current operating hours. The subject site is located on a stand-alone pad within a multi-tenant commercial center in the Office Campus zone district of the Civic Center Community Sustainability Specific Plan. The restaurant has been operating within the City since 2018 and is currently open seven days a week between the hours of 10:00 a.m. – 10:00 p.m. Las Islas Marias would like to extend weekend hours of operation from 10:00 a.m. until 2:00 p.m. on Friday and Saturday nights only. The restaurant is also seeking to expand current operations and offer live entertainment to guests while dining. The business is located within an area that is over-concentrated with on-sale alcohol licenses as defined by the California Department of Alcoholic Beverage Control (ABC), however, any required findings are made by the ABC at their discretion, and in conjunction with this Minor Conditional Use Permit.

### **III. STAFF ANALYSIS:**

#### **1. Environmental Assessment.**

The California Environmental Quality Act (CEQA) provides a list of projects which have been determined not to have a significant effect on the environment and are exempt from the provisions of CEQA. These “Categorical Exemptions” are applicable to certain projects and exempt a land use proposal from CEQA provided they are found not to have a significant effect on the environment. Therefore, based upon the various Categorical Exemptions provided by CEQA, Staff finds that the following are applicable to the subject proposal:

##### **Existing Facilities Projects**

- California Environmental Quality Act (CEQA) Section 15301 allows a categorical exemption for the permitting, licensing, and minor alteration of existing structures involving negligible or no expansion of use. The use of a restaurant with alcohol sales for on-site consumption will not constitute an expansion of use as no construction activities or other tenant improvements are proposed, and the site is currently operating as a restaurant. Therefore, Staff finds this categorical exemption applicable to this proposal.

#### **2. Minor Conditional Use Permit.**

##### **Business Operations / Site History**

- Although the restaurant has been open since 2018, the site was established as a restaurant in 1991. As ownership has changed over the years, the ABC licenses have as well; prior licenses have been issued from ABC for both beer and wine as well as liquor, see attachment D.
- The submitted floor plan indicates an interior dining room with tables and seating for approximately 165 patrons totaling approximately 2,425 sq. ft. The remaining area of the 4,260 sq. ft. building consists of kitchen, storage, cooler, restrooms, office, bar and seating area, and hostess foyer space for those waiting to be seated.
  - Based upon previous approvals by the Planning Commission and Zoning Administrator with regard to restaurants seeking the sales of distilled spirits, Staff has included Conditions 10 – 24, in an effort to ensure the operations do not morph into a bar and/or nightclub atmosphere during late night hours. These conditions include use restrictions, required ABC license type, and hours of operation that will not exceed those proposed in this application.
- The location currently provides jukebox music for customer selection and overall restaurant ambiance. The proposed changes to entertainment include the addition of live entertainment such as a DJ, karaoke, and a mariachi band on weekends and for special events only. The proposal of a small 42 square-foot stage located within the main dining room will provide a dedicated location for all live entertainment. To ensure this new stage is permitted accordingly, Staff has included Condition #32, requiring review and approval by the Building Department.

##### **Title 16**

- Title 16 defines a restaurant as a *“bona fide eating place whose predominant function is the service of food and where alcoholic beverages are incidental. Incidental in this context means a restaurant with alcohol sales totaling less than twenty-five (25%) percent of all*

*gross sales.*” Although a restaurant (meeting the definition above) selling beer and wine only is exempt from the requirement of a Conditional Use Permit as outlined in Section 16-3.07.020(a)(1), a Conditional Use Permit is required due to the proposal’s request for alcohol sales that include liquor.

- Thirty-nine off-street parking spaces are required pursuant to the Title 16 requirement of one space for every one-hundred square feet of floor area (4,260 sq. ft./100 sq. ft. = 42 spaces). Although thirty-nine spaces exist within the confines of the site’s individual parcel, the location is within a larger multi-tenant commercial complex (which includes a reciprocal access/parking agreement between all parcels) that provides parking to fulfill the proposal’s parking needs as well as the parking requirements of other uses within the center. Therefore, due to existing shared parking within the center, Staff finds the available parking sufficient to meet the requirements of Title 16.

### Site Condition

- The building is in generally satisfactory condition (i.e. walls, windows, etc.) however, there are some visible signs of wear and tear that should be addressed. Various locations on the exterior of the building and the multi-tenant free-standing sign located adjacent and abutting the building’s southwest side, will require paint touch ups. The free-standing sign also has exposed/opened panels that shall be repaired.
- The site requires improvements including asphalt crack repair, parking lot restriping, curb painting, and general landscape maintenance. Staff has included Conditions #27 and #28 to remedy the nonconformance issues in accordance with Title 16 standards.



- Additionally, while a trash enclosure exists it does not comply with current code standards in terms of appropriate roof, and security requirements. Staff has included Condition #29, requiring that the applicant make the landlord aware that the trash enclosure is required to be corrected to comply with the current applicable standards of Title 16 within six months of occupancy.

### Required Findings

- In order to approve a Conditional Use Permit the Development Code requires that the Zoning Administrator make the following findings:
  - *The proposed location of the conditional use is in accord with the objectives and requirements of the Development Code.*
    - Comment: The underlying OC (Office Campus) zone district of the Civic Center Community Sustainability Specific Plan land use district conditionally permits full-service alcohol sales in conjunction with a restaurant and the business's sale of alcohol (including distilled spirits) serves public convenience. The addition of live entertainment and extended business hours of operation will not constitute a change in the business's predominant function as food services are available during all hours of operation and the entertainment area comprises a small portion of the site's overall floor area. Should the location still be considered a restaurant as defined by the Development Code, the proposal is in accord with the objectives and requirements of the Development Code.
  - *The proposed location of the conditional use and the conditions under which it will be operated is consistent with the General Plan and will not be detrimental to the public health, safety and welfare or materially injurious to uses, properties or improvements in the vicinity.*
    - Comment: The site has a General Plan designation of Specific Plan with a zoning district of Office Campus that conditionally allows for the proposed uses. Additionally, the Vision for the Land Use Element of the General Plan notes that a "Separation of incompatible land uses and integration of complementary ones" and "Locations for commercial uses with strong vehicular and pedestrian access" are characteristics of the Vision for Victorville. Since the proposal is located approximately eight hundred feet from the nearest residential zone, and due to the site's location on a developed property in close proximity to a Super Arterial Roadway (7<sup>th</sup> Street), Staff finds that the proposal is consistent with the General Plan and will not be detrimental to the public health, safety and welfare or materially injurious to uses, properties or improvements in the vicinity.
  - *The traffic generated by the proposed conditional use will not overload the capacity of the surrounding street system and will not create a hazard to public safety.*
    - Comment: Since the location was developed as a restaurant and has experienced no major traffic impacts, and due to the site's location on a developed lot within an existing multi-tenant commercial center with complete street improvements, the proposal will not overload the capacity of the surrounding street system and will not create a hazard to public safety.
  - *The proposed conditional use will comply with each of the applicable provisions of the "Zoning and Land Use Requirements" chapter of Title 16.*
    - Comment: The existing site is fully developed, including sufficient parking for the proposed use and improvements in accordance with current Specific Plan requirements. Additionally, full-service alcohol sales in conjunction with a

restaurant is listed as a conditional use within the underlying Office Campus zoning of the site. Therefore, Staff finds that the proposal will comply with each of the applicable provisions of the “Zoning and Land Use Requirements” chapter of Title 16 of the Development Code and the Specific Plan.

**IV. SITE CHARACTERISTICS:**

	<b>Existing Land Use</b>	<b>General Plan</b>	<b>Zoning</b>	<b>Specific Plan</b>
Site	Restaurant	Specific Plan	<u>SP</u>	Civic Center
North	Vacant Multi-tenant Building	Specific Plan	<u>SP</u>	Civic Center
South	Vacant Land	Specific Plan	<u>SP</u>	Civic Center
East	Restaurant and Fuel Station	Specific Plan	<u>SP</u>	Civic Center
West	Vacant Commercial Building	Specific Plan	<u>SP</u>	Civic Center

**NUMBER OF RADIUS LETTERS MAILED: 8**

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Attachments:

- Attachment A – Site Plan & Floor Plan Graphic
- Attachment B – Business Proposal
- Attachment C – Aerial Image
- Attachment D – ABC License History

THE ZONING ADMINISTRATOR’S ACTION WILL BE FINAL UNLESS APPEALED TO THE PLANNING COMMISSION WITHIN TEN DAYS.

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CONDITIONS OF APPROVAL  
ADMN25-00058

May 21, 2025

**A MINOR CONDITIONAL USE PERMIT WITH AN ENVIRONMENTAL EXEMPTION TO ALLOW FOR THE INTENSIFICATION OF AN EXISTING ALCOHOL LICENSE FROM A TYPE 41 ON-SALE BEER AND WINE LICENSE TO A TYPE 47 TO INCLUDE BEER, WINE, AND LIQUOR SALES AND A MINOR CONDITIONAL USE PERMIT TO ALLOW FOR LIVE ENTERTAINMENT AT AN EXISTING RESTAURANT WITHIN THE OFFICE CAMPUS ZONE DISTRICT OF THE CIVIC CENTER SUSTAINABILITY SPECIFIC PLAN LOCATED AT 14366 ATSTAR STREET.**

Minor Conditional Use Permit

**Planning Conditions:**

1. This approval is to allow for full-service alcohol sales in conjunction with a restaurant located at 14366 Atstar Street. Operating standards, including business hours, use restrictions, and California Alcoholic Beverage Control licensure type shall be as designated within the following Conditions of Approval. The Zoning Administrator may allow revised hours of operation and/or accessory uses not listed in this approval, providing the approved use does not change and the changes do not negatively affect the public health, safety, and welfare nor cause nonconformance with findings required by Section 16-3.02.050 of the Development Code.
2. The proposed use shall comply with all applicable development standards of Title 16.
3. The proposed development shall be in substantial conformity with the plans submitted as part of this conditional use permit, unless modification is required to comply with the applicable development standards of Title 16, and/or conditions of approval.
4. Any expansion of this proposed use beyond the scope of this conditional use permit shall require submission and approval of a conditional use permit modification or a new conditional use permit based upon the extent of the expansion.
5. Any change in use or implementation of a new use within the facility that may cause negative impacts on the surrounding uses shall cause that use to be subject to Zoning Administrator and/or Planning Commission review and approval.
6. Approval of the Conditional Use Permit shall not abrogate the applicant from maintaining all necessary licenses for alcoholic beverage sales from the Department of Alcoholic Beverage Control.
7. Any non-compliance with this Conditional Use Permit and/or any subsequent Alcohol Beverage License's issued on the premises shall cause immediate revocation of this Conditional Use Permit and the user's Business License.
8. The applicant/developer shall be responsible for obtaining all necessary permits from any affected regulatory agencies.

9. The hours of operation shall be limited to 10 a.m. to 10:00 p.m. Sunday through Thursday, and 10:00 a.m. to 2:00 a.m. Friday and Saturday. Sales and service of alcoholic beverages shall cease 30 minutes before closing Sunday through Thursday and shall cease 45 minutes before closing on Friday and Saturday.
10. Live entertainment is permitted on Saturdays from 10:00 a.m. to 2:00 a.m. and Sundays from 10:00 a.m. to 10:00 p.m. Additional live entertainment and/or special events shall not take place on-site without first obtaining a discretionary modification to the Conditional Use Permit and/or Temporary Use Permit.
11. No cover charge or other fee shall be charged to enter the restaurant.
12. A full food menu shall be available during business hours.
13. There shall be no "stacking" of alcoholic drinks, i.e., no server shall deliver more than one alcoholic drink at a time, to a single patron.
14. Alcoholic beverages are only to be sold and/or provided by the licensed business at the location. Outside alcohol provided by patrons or other vendors is prohibited.
15. Alcohol sales shall total less than twenty-five (25%) of all gross sales on-site. Information verifying alcohol sales requirements shall be made available upon request from the Planning Commission or Zoning Administrator.
16. Minors, under the age of 18 years, shall not be on the premises during any live entertainment events or when security is present, unless accompanied by their legal guardian.
17. Patrons who appear obviously intoxicated shall not be served any alcoholic beverages.
18. Employees shall be advised in writing by the Applicant and/or business owner that they are prohibited from consuming any alcoholic beverages during their work shift, and that the penalty for doing so may be suspension or termination of their employment.
19. Exterior or off-site advertising intended to bring customers to the restaurant exclusively or primarily for the consumption of beer, wine or alcohol is prohibited except for advertising related to a champagne brunch.
20. The facility shall remain a restaurant and maintain a type 47 Department of Alcoholic Beverage Control license (bona fide eating place) at all times and not become strictly a bar.
21. Install and maintain a closed-circuit television system capable of readily identifying facial features, and stature of all patrons entering the establishment during hours of operation. Cameras are to be recorded and a minimum of a 9-day library of events shall be kept and available for inspection by the Victorville Police Department.
22. Special events and/or any use proposed outdoors shall be required to obtain Temporary Use Permit or Conditional Use Permit Modification at the discretion of the City Planner.
23. The subleasing or renting out of the entire facility is prohibited.

24. Should excessive noise be reported due to the extended hours of operation and live entertainment, including loud music, the applicant/business owner shall correct the problem to the satisfaction of the Zoning Administrator.
25. The proposed improvements and use shall be in substantial conformity with the plans submitted as part of this application unless modification is required to comply with the applicable development standards of Title 16 and/or conditions of approval.
26. Should the City of Victorville receive complaints from patrons or adjacent neighbors of the site indicating business operations, hours, or noise that negatively impact the surrounding area, the Zoning Administrator reserves the right to review the use and modify, revoke, or suspend the conditional use permit in accordance with Title 16 guidelines.
27. An incident log shall be maintained at the licensed premises on a continual basis with at least one year of entries and be readily available for inspection by a police officer. The log is for recording any physical altercations, injuries, and objectionable conditions that constitute a nuisance occurring in, on, or at the licensed premises, including the immediately adjacent area that is owned, leased, or rented by the licensee. The log will indicate date, time, description of incident, and action taken. "Objectionable conditions that constitute a nuisance" means disturbance of the peace, public drunkenness, drinking in public, harassment of passersby, gambling, prostitution, loitering, public urination, lewd conduct, drug trafficking, or excessive loud noise.
28. All site conditions shall be maintained in a functional and tidy manner, including but not limited to parking lot striping, wheel stops, signage, curbing, trash enclosure gates, and parking lot paving. Existing parking lot cracks and imperfections shall be repaired/restriped within six months of this approval.
29. All landscaped areas shall be maintained in a neat, clean, orderly and healthful condition. This includes proper pruning, mowing of lawns, weeding, removal of litter, fertilizing, replacements of plants when necessary and the regular watering of all plants. In addition, all landscaped areas shall be provided with a suitable permanent water system. The removal of dead or unhealthy landscape shall be removed and replanted with an acceptable replacement per Chapter 13.60 of the Victorville Municipal Code and Title 16 standards.
30. The applicant shall make the landlord aware that the existing trash enclosure is not in compliance with current code. The building permit process and construction of said enclosure modifications must be completed within six-months of this approval. The enclosure shall be architecturally compatible with the building design with matching colors and materials and meet Title 16 standards (e.g. pedestrian access). Additionally, in accordance with the City's Small MS4 Permit, a solid roof/cover that is architecturally compatible with the primary building onsite and serves to protect the refuse area from inclement weather shall be provided, as well as wrought iron that fully encloses the trash enclosures between the block wall/metal gates and the roof to prevent unauthorized entry. (See Section 16-3.10.060(d)(2) & Sec. 16-3.24.110).
31. All proposed signs, including any freestanding signage, shall comply with the Specific Plan and Title 16. The applicant shall be required to submit a sign package for review and must gain approval by the Planning Commission prior to approval of any signage proposed which is inconsistent with Title 16. Painted and off-site signs are prohibited, and all signs shall be subject to Planning Staff review and approval prior to obtaining a sign permit.

32. All proposed temporary signage shall comply with the Specific Plan and Title 16. All temporary signs (grand openings, special sales, etc.) shall only be affixed to the building/suite they serve in accordance with an approved Temporary Sign Permit. Flags or other off-site signage are prohibited.
33. The applicant shall apply for, gain approval of, and be issued a building permit by the Building Division prior to the commencement of any construction on-site.
34. The handling and disposal of construction and demolition waste for the project shall comply with 6.36.040 of the Victorville Municipal Code. In summary, only the City of Victorville's employees working in their official capacity and the City's waste handling contractor, Victorville Disposal (Burrtec Waste), are authorized to provide solid waste handling services from any and all premises in the City; and no person other than those above specified shall provide solid waste handling services, convey or transport any solid waste material in, along or over any public street, alley or highway in the City, with the exception of solid waste removed from any premises by the waste generator, and which is transported personally by such waste generator (or his/her employees) to a processing or disposal facility in a manner consistent with all applicable laws and regulations, utilizing equipment owned and/or leased by the waste generator.
35. The Applicant/Owner shall agree to defend, indemnify, and hold harmless, the City of Victorville, its agents, officers and employees from any claim, action or proceeding against the City of Victorville or its agents, officers or employees to attack, set aside, void or annul this approval. The City of Victorville shall promptly notify the applicant of any such claim, action or proceeding, and the City of Victorville shall cooperate fully in the defense.

**Fire Department Conditions:**

36. Shall comply with all current California Building and Fire Code requirements based on occupancy classification, and all applicable City of Victorville Fire Prevention Standards.
37. Fire Sprinklers are required for existing occupancies that serve alcoholic beverages per Victorville Fire Prevention Standard F-1, Sprinkler modification and/or installation plans must be submitted under a separate permit prior to construction.
38. Fire Sprinkler Monitoring is required per Victorville Fire Prevention Standard F-5 modification and/or installation plans must be submitted under a separate permit prior to construction.

**Building Department Conditions:**

39. The project shall comply with all building codes in effect at the time of plan submittal.
40. All tenant improvements must be approved and issued prior to any work being started.
41. Plan check fees for this project will be due, and shall be paid in full, upon submittal of plans to the Building Division. The Building Division may be contacted at (760) 955-5100 for an estimate of these fees. Tools for estimating total permit fees are available on the City's website <https://www.victorvilleca.gov/government/city-departments/development/permit-center/fees-forms>. Actual amounts owed will be determined upon submittal of the plans via the City's online permit center.

DATE: May 16, 2025  
TO: Alex Jauregui  
Zoning Administrator  
FROM: Robyn Hernandez  
Administrative Secretary



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SUBJECT: PUBLIC COMMENTS ON PLANNING MATTERS

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In compliance with the Brown Act, it is necessary for the Zoning Administrator to make available time for members of the public to address the Zoning Administrator on items of interest that fall within the Zoning Administrator's subject matter jurisdiction.

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