



LAND USE SERVICES DEPARTMENT PLANNING COMMISSION STAFF REPORT

HEARING DATE: January 20, 2022

AGENDA ITEM #5

Project Description

Vicinity Map

APN: 0422-023-16
Applicant: Suzette Sierra
Appellant: David J. Greiner Law Corp
Community/ Lenwood/
District: 1st Supervisorial District
Location: 25254 West Main Street, Lenwood, CA 92311
Project No: PAPL-2021-00007
 (Appeal of PABC-2020-00009)
Staff: Irene Romero, Senior Planner
Rep: Tina Mateo
Proposal: Appeal of the approval of a Letter of Public Convenience and Necessity for a Type-21 Off-Sale General Liquor License.



43 Hearing Notices Sent on January 7, 2022

Report Prepared By: Irene Romero, Planner

SITE INFORMATION:

Parcel Size: 0.6 Acre (26,250 square feet)
Terrain: Relatively flat terrain
Vegetation: Site is paved and cleared of vegetation

SURROUNDING LAND DESCRIPTION:

AREA	EXISTING LAND USE	LAND USE CATEGORY/ZONING DISTRICT
SITE	Existing Retail Building	Commercial (C)/Rural Commercial (CR)
North	Vacant	Rural (RL)/ Rural Living (RL)
South	Vacant / Retail Building	Rural (RL)/ Rural Living (RL)
East	Vacant	Commercial (C)/Rural Commercial (CR)
West	Veterans Clubhouse	Commercial (C)/Rural Commercial (CR)

	<u>Agency</u>	<u>Comment</u>
City Sphere of Influence:	Barstow	None
Water Service:	Mojave Water Agency	The site is served.
Sewer Service:	Existing Onsite Wastewater Treatment System	Will be reviewed and certified by EHS

STAFF RECOMMENDATION: That the Planning Commission **DENY** the Appeal and **FIND** that a public convenience or necessity will be served by the granting of the license¹.

¹ In accordance with Section 86.08.010 of the Development Code, this action may be appealed to the Board of Supervisors.

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Regional Vicinity Map



Local Vicinity Map

Project Site



Project Site Street Views



Looking north at the subject property from Main Street



Looking west at the subject property from Main Street



Looking east at the subject property from Main Street

BACKGROUND:

The applicant, Suzette Sierra, plans to operate a local market at an existing authorized retail building and seeks a liquor license from the California Department of Alcoholic Beverage Control (ABC). The project site is located at 25254 West Main Street within the Land Use Category of Commercial (C) and a zoning district of Rural Commercial (CR). The primary purpose of the CR zoning district is to provide locations for retail, office, and service commercial businesses for local residents, regional markets, and visitors/tourists that provides employment opportunities for residents in the surrounding area. The CR zoning district allows for a mix of commercial and lower density residential uses in rural areas. The proposed market is an allowed use in the CR zoning district.

The applicant filed an application with ABC for a type 21 license that would allow the sale of beer, wine and distilled spirits for off-site consumption. ABC has determined that there is an overconcentration of similar ABC licenses in the vicinity and the applicant was directed to obtain a letter of Public Convenience or Necessity (PCN) from the County.

The applicant submitted the required Licensing Review application to the County on October 15, 2020 (Exhibit A). After the application was deemed complete, project notices were sent to all property owners within 500 feet of the external boundaries of the site. Staff received feedback from members of the community expressing concerns about possible increase in crime, alcohol addiction, overconcentration of similar ABC licenses, the proximity to a community church and desire to have other types of businesses (Exhibit B). On December 1, 2021, the Director determined that a public convenience or necessity will be served by the granting of the license and issued a PCN letter.

APPEAL:

The appellant filed an Appeal Application (Exhibit C) on December 12, 2021, to overturn the Director's PCN determination. The basis of the appeal cites law enforcement problems that may result in, or add to, undue concentration of ABC licenses and that the site is unsuitable for a Type-21 ABC License. The appeal was timely filed and deemed complete for processing on December 22, 2021. As outlined in Development Code § 85.04.030(d) notice was provided to owners and occupants of property located within 500 feet of the exterior boundaries of the proposed establishment.

PUBLIC CONVENIENCE OR NECESSITY:

The California Constitution grants ABC exclusive authority to issue licenses for the sale of alcoholic beverages subject to limitations the Legislature enacts. (Cal. Const., art. XX, § 22.) The Constitution further provides that ABC "shall have the power, in its discretion, to deny, suspend or revoke any specific alcoholic beverage license if it shall determine for good cause that the granting or continuance of such license would be contrary to public welfare or morals...." (*Ibid.*)

ABC may deny the issuance of a liquor license "if issuance would result in or add to an undue concentration of licenses." (California Business and Professions Code¹ § 23958.) Notwithstanding this prohibition, ABC may issue a license that would result in an undue concentration of licenses "if the local governing body of the area in which the applicant premises are located ... determines within 90 days of notification of a completed application that public convenience or necessity would be served by the issuance." (§ 23958.4, subd. (b)(2).) The local

¹ All further reference is to the California Business and Professions Code unless indicated otherwise.

governing body may delegate the public convenience or necessity determination to a “subordinate officer or body.” (*Ibid.*) If the local governing body or its designee fails to act timely, ABC may still issue the license provided it determines issuance would serve the public convenience or necessity. (*Ibid.*)

What it means to have a “public convenience or necessity” is not statutorily defined. As a result, courts have concluded that “whether issuance of a license would serve the public convenience or necessity must be determined on a case-by-case basis; there is no single fact that must be established because there is no single definition of what constitutes public convenience or necessity. The primary consideration is whether the determination is reasonable based on the circumstances of each case.” *Nick v. City of Lake Forest* (2014) 232 Cal.App.4th 871, 886.

Whether the local governing body or the ABC makes the public convenience or necessity determination, the ultimate decision to issue the license lies with ABC. (Cal. Const., art. XX, § 22; see §§ 23958, 23958.4, subd. (b)(2).) ABC still must determine whether the applicant and the premises for which a license is sought satisfy the Alcoholic Beverage Control Act's other requirements, and whether issuing the license would be contrary to public welfare or morals. A local governing body's public convenience or necessity determination is, therefore, only one of many factors bearing on ABC's final decision.

ANALYSIS:

In order for the County to issue a letter of PCN, a finding must be made that a public convenience or necessity will be served by the granting of the license. The subject property is located within a census tract that allows for four licenses of this type. Any licenses issued beyond this limitation are considered an overconcentration and requires a finding of PCN from the local governing body or ABC.

In reviewing this request, the county found the following:

- Lenwood community by itself has only one ABC Type-21 license authorized in the portion of census tract 118.02 west of Highway 58 where the subject property is located. Therefore, the additional license would provide a public convenience where there is currently only one other Type-21 license, located at 25181 West Main Street.
- Five Type-21 licenses exist in the downtown Barstow—3.5 to 5.6 miles away from the location where the subject license is being requested, indicating that the real concentration is actually in Barstow's downtown area and not in the Lenwood area where the license is being sought.
- Type-21 ABC License provides a unique convenience that is not being offered by other types of licenses such as Type-20 which authorizes the sale of beer and wine (excluding distilled spirits) for consumption off the premises where sold, or Type-47 which authorizes the sale of beer, wine and distilled spirits for consumption on the licenses' premises such as restaurants.
- The County's Planning Division is not aware of any substantial evidence that the issuance of the ABC license in question would create additional law enforcement issues. The application was noticed to the Barstow Sheriff Station to solicit any concerns. The Planning Division received an email response on January 28, 2021, stating Barstow Sheriff Station has no questions or comments regarding the proposed PCN application.

- ABC still retains the discretion and final decision on whether to issue the license. ABC must still determine whether the applicant and the premises for which a license is sought satisfy the Alcoholic Beverage Control Act's other requirements, and whether issuing the license would be contrary to public welfare or morals.

RECOMMENDATION:

That the Planning Commission **DENY** the Appeal and **FIND** that a public convenience or necessity will be served by the granting of the requested license.

ATTACHMENTS:

EXHIBIT A: Licensing Review Application

EXHIBIT B: Correspondence

EXHIBIT C: Appeal Application

EXHIBIT A

Licensing Review Application

PABC-2020-00... STATUS LOCATION CONTACT
 ABC LETTER OF C... > Appealed > 25254 MAIN ST > suzette sierra
 LICENSING REVIE... 12/14/2021 by Ire... LENWOOD, CA ...

WORKFLOW
 > 19 total Task
 ● 6 completed ○
 1 active

PABC-2020-00009 - ABC LETTER OF CONVENIENCE

Menu Reports Help

Assigned To: [Irene Romero](#)

Application Status: [Appealed](#)

Application Type: [ABC Letter of Public Convenience](#)

File Date: [10/15/2020](#)

Initiated by Product: [ACA](#)

Application Name: [ABC LETTER OF CONVENIENCE](#)

Description of Work: [LICENSING REVIEW FOR AN ALCOHOLIC BEVERAGE CONTROL \(ABC\) LETTER OF "PUBLIC CONVENIENCE OR NECESSITY" FOR A TYPE 21 OFF-SALE LENWOOD; APN: 0422-023-16; PROJECT NO.: PABC-2020-00009](#)

Parcel No: [0422023160000](#)

Address: [25254 W MAIN ST, LENWOOD, CA 92311](#)

Owner Name: [ABU HANTASH ENTERPRISES INC](#)

Contact Info: Name	Organization Name	Contact Type	Status
suzette sierra		Applicant	Active
ABU HANTASH ENTERPRISE...	ABU HANTASH ENT...	Property Owner	Active

Licensed Professionals Info: Primary	License Number	License Type	Name	Business Name	Business License #
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Total Fee Assessed: [\\$778.00](#)

Total Fee Invoiced: [\\$778.00](#)

Balance: [\\$0.00](#)

Application Comments: View ID	Comment	Date
IROMERO	Project decision notice for mail-out on Decembe...	12/01/2021
PRivera	4 NOTICES OF DECISION MAILED CERTIFIED AND REGU...	12/01/2021
TFREEDMAN	12/23/2020 - PROJECT NOTICES MAILED. TFREEDMAN	12/23/2020
ACLABORN	RCVD PROJECT NOTICING FOR MAIL OUT VIA EMAIL FRO...	12/22/2020
IROMERO	Project notice routed to Ronnie for assignment.	12/17/2020

Condition Status: Name	Short Comments	Status	Apply Date	Severity	Action By
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Scheduled/Pending Inspections: Inspection Type	Scheduled Date	Inspector	Status	Comments
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Resulted Inspections: Inspection Type	Inspection Date	Inspector	Status	Comments
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Custom Fields: ABC LETTER APP INFO	License Type	Building Construc
Existing Licenses None	Liquor License	Yes

**INFORMATION AND INSTRUCTIONS -
SECTION 23958.4 B&P**

- Instructions
- This form is to be used for all applications for original issuance or premises to premises transfer of licenses.
 - Part 1 is to be completed by an ABC employee, given to applicant with pre-application package, with copy retained in holding file or applicant's district file.
 - Part 2 is to be completed by the applicant, and returned to ABC.
 - Part 3 is to be completed by the local governing body or its designated subordinate officer or body, and returned to ABC.

PART 1 - TO BE COMPLETED BY ABC

1. APPLICANT'S NAME

SIERRA, SUZETTE JAQUELINE

2. PREMISES ADDRESS (Street number and name, city, zip code)

25254 W MAIN ST., BARSTOW, CA 92311

3. LICENSE TYPE

21

4. TYPE OF BUSINESS

- | | | | |
|---|--|--|--|
| <input type="checkbox"/> Full Service Restaurant | <input type="checkbox"/> Hofbrau/Cafeteria | <input type="checkbox"/> Cocktail Lounge | <input type="checkbox"/> Private Club |
| <input type="checkbox"/> Deli or Specialty Restaurant | <input type="checkbox"/> Comedy Club | <input type="checkbox"/> Night Club | <input type="checkbox"/> Veterans Club |
| <input type="checkbox"/> Cafe/Coffee Shop | <input type="checkbox"/> Brew Pub | <input type="checkbox"/> Tavern: Beer | <input type="checkbox"/> Fraternal Club |
| <input type="checkbox"/> Bed & Breakfast: | <input type="checkbox"/> Theater | <input type="checkbox"/> Tavern: Beer & Wine | <input type="checkbox"/> Wine Tasting Room |
| <input type="checkbox"/> Wine only | <input type="checkbox"/> All | | |
| <input type="checkbox"/> Supermarket | <input type="checkbox"/> Membership Store | <input type="checkbox"/> Service Station | <input type="checkbox"/> Swap Meet/Flea Market |
| <input checked="" type="checkbox"/> Liquor Store | <input type="checkbox"/> Department Store | <input type="checkbox"/> Convenience Market | <input type="checkbox"/> Drive-in Dairy |
| <input type="checkbox"/> Drug/Variety Store | <input type="checkbox"/> Florist/Gift Shop | <input type="checkbox"/> Convenience Market w/Gasoline | |
| Other - describe: | | | |

5. COUNTY POPULATION

6. TOTAL NUMBER OF LICENSES IN COUNTY

7. RATIO OF LICENSES TO POPULATION IN COUNTY

On-Sale Off-Sale On-Sale Off-Sale

8. CENSUS TRACT NUMBER

118

9. NO. OF LICENSES ALLOWED IN CENSUS TRACT

4

10. NO. OF LICENSES EXISTING IN CENSUS TRACT

11

On-Sale Off-Sale On-Sale Off-Sale

11. IS THE ABOVE CENSUS TRACT OVERCONCENTRATED WITH LICENSES? (i.e., does the ratio of licenses to population in the census tract exceed the ratio of licenses to population for the entire county?)

Yes, the number of existing licenses exceeds the number allowed

No, the number of existing licenses is lower than the number allowed

12. DOES LAW ENFORCEMENT AGENCY MAINTAIN CRIME STATISTICS?

Yes (Go to Item #13)

No (Go to Item #20)

13. CRIME REPORTING DISTRICT NUMBER

14. TOTAL NUMBER OF REPORTING DISTRICTS

15. TOTAL NUMBER OF OFFENSES IN ALL REPORTING DISTRICTS

16. AVERAGE NO. OF OFFENSES PER DISTRICT

17. 120% OF AVERAGE NUMBER OF OFFENSES

18. TOTAL NUMBER OF OFFENSES IN REPORTING DISTRICT

19. IS THE PREMISES LOCATED IN A HIGH CRIME REPORTING DISTRICT? (i.e., has a 20% greater number of reported crimes than the average number of reported crimes as determined from all crime reporting districts within the jurisdiction of the local law enforcement agency)

Yes, the total number of offenses in the reporting district equals or exceeds the total number in item #17

No, the total number of offenses in the reporting district is lower than the total number in item #17

20. CHECK THE BOX THAT APPLIES (check only one box)

a. If "No" is checked in both item #11 and item #19, Section 23958.4 B&P does not apply to this application, and no additional information will be needed on this issue. Advise the applicant to bring this completed form to ABC when filing the application.

b. If "Yes" is checked in either item #11 or item #19, and the applicant is applying for a non-retail license, a retail bona fide public eating place license, a retail license issued for a hotel, motel or other lodging establishment as defined in Section 25503.16(b) B&P, or a retail license issued in conjunction with a beer manufacturer's license, or winegrower's license, advise the applicant to complete Section 2 and bring the completed form to ABC when filing the application or as soon as possible thereafter.

c. If "Yes" is checked in either item #11 or item #19, and the applicant is applying for an off-sale beer and wine license, an off-sale general license, an on-sale beer license, an on-sale beer and wine (public premises) license, or an on-sale general (public premises) license, advise the applicant to take this form to the local governing body, or its designated subordinate officer or body to have them complete Section 3. The completed form will need to be provided to ABC in order to process the application.

Governing Body/Designated Subordinate Name:

May and Common Council

FOR DEPARTMENT USE ONLY

PREPARED BY (Name of Department Employee)

S.A

ABC-245 (rev. 01-11)

Department of Alcoholic Beverage Control
INFORMATION AND INSTRUCTIONS -
SECTION 23958.4 B&P

State of California
 Gavin Newsom, Governor

- Instructions** This form is to be used for all applications for original issuance or premises to premises transfer of licenses.
- Part 1 is to be completed by an ABC employee, given to applicant with pre-application package, with copy retained in holding file or applicant's district file.
 - Part 2 is to be completed by the applicant, and returned to ABC.
 - Part 3 is to be completed by the local governing body or its designated subordinate officer or body, and returned to ABC.

PART 1 - TO BE COMPLETED BY ABC

1. APPLICANT'S NAME
SIERRA, SUZETTE JACQUELINE

2. PREMISES ADDRESS (Street number and name, city, zip code)
25254 W MAIN ST., BARSTOW, CA 92311

3. LICENSE TYPE
21

4. TYPE OF BUSINESS
- | | | | |
|---|--|--|--|
| <input type="checkbox"/> Full Service Restaurant | <input type="checkbox"/> Hofbrau/Cafeteria | <input type="checkbox"/> Cocktail Lounge | <input type="checkbox"/> Private Club |
| <input type="checkbox"/> Deli or Specialty Restaurant | <input type="checkbox"/> Comedy Club | <input type="checkbox"/> Night Club | <input type="checkbox"/> Veterans Club |
| <input type="checkbox"/> Cafe/Coffee Shop | <input type="checkbox"/> Brew Pub | <input type="checkbox"/> Tavern: Beer | <input type="checkbox"/> Fraternal Club |
| <input type="checkbox"/> Bed & Breakfast | <input type="checkbox"/> Theater | <input type="checkbox"/> Tavern: Beer & Wine | <input type="checkbox"/> Wine Tasting Room |
| <input type="checkbox"/> Wine only | <input type="checkbox"/> All | | |
| <input type="checkbox"/> Supermarket | <input type="checkbox"/> Membership Store | <input type="checkbox"/> Service Station | <input type="checkbox"/> Swap Meet/Flea Market |
| <input checked="" type="checkbox"/> Liquor Store | <input type="checkbox"/> Department Store | <input type="checkbox"/> Convenience Market | <input type="checkbox"/> Drive-in Dairy |
| <input type="checkbox"/> Drug/Variety Store | <input type="checkbox"/> Florist/Gift Shop | <input type="checkbox"/> Convenience Market w/Gasoline | |
| <input type="checkbox"/> Other - describe: | | | |

5. COUNTY POPULATION

6. TOTAL NUMBER OF LICENSES IN COUNTY

	On-Sale	Off-Sale		On-Sale	Off-Sale
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7. RATIO OF LICENSES TO POPULATION IN COUNTY

8. CENSUS TRACT NUMBER
118

9. NO. OF LICENSES ALLOWED IN CENSUS TRACT

	On-Sale	X Off-Sale	
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10. NO. OF LICENSES EXISTING IN CENSUS TRACT

	On-Sale	X Off-Sale
--	---------	------------

11. a. If "No" is checked in both item #11 and item #19, Section 23958.4 B&P does not apply to this application, and no additional information will be needed on this issue. Advise the applicant to bring this completed form to ABC when filing the application.
- b. If "Yes" is checked in either item #11 or item #19, and the applicant is applying for a non-retail license, a retail bona fide public eating place license, a retail license issued for a hotel, motel or other lodging establishment as defined in Section 25503.16(b) B&P, or a retail license issued in conjunction with a beer manufacturer's license, or winegrower's license, advise the applicant to complete Section 2 and bring the completed form to ABC when filing the application or as soon as possible thereafter.
12. c. If "Yes" is checked in either item #11 or item #19, and the applicant is applying for an off-sale beer and wine license, an off-sale general license, an on-sale beer license, an on-sale beer and wine (public premises) license, or an on-sale general (public premises) license, advise the applicant to take this form to the local governing body, or its designated subordinate officer or body, to have them complete Section 3. The completed form will need to be provided to ABC in order to process the application.

16. AVERAGE NO. OF OFFENSES PER DISTRICT

17. 120% OF AVERAGE NUMBER OF OFFENSES

18. TOTAL NUMBER OF OFFENSES IN REPORTING DISTRICT

19. IS THE PREMISES LOCATED IN A HIGH CRIME REPORTING DISTRICT? (i.e., has a 20% greater number of reported crimes than the average number of reported crimes as determined from all crime reporting districts within the jurisdiction of the local law enforcement agency)

Yes, the total number of offenses in the reporting district equals or exceeds the total number in item #17

21. Based on the information on the reverse, the Department may approve your application if you can show that public convenience or necessity would be served by the issuance of the license. Please describe below the reasons why issuance of another license is justified in this area. You may attach a separate sheet or additional documentation, if desired. Do not proceed to Part 3.

Governing Body/Designated Subordinate Name:

FOR DEPARTMENT USE ONLY

PREPARED BY (Name of Department Employee)

S.A

ABC-245 (rev. 01-11)

PART 2 - TO BE COMPLETED BY THE APPLICANT (if box #20b is checked)

The applicant named on the reverse is applying for a license to sell alcoholic beverages at a premises where undue concentration exists (i.e., an over-concentration of licenses and/or a higher than average crime rate as defined in Section 23958.4 of the Business and Professions Code). Sections 23958 and 23958.4 of the Business and Professions Code requires the Department to deny the application unless the local governing body of the area in which the applicant premises are located, or its designated subordinate officer or body, determines within 90 days of notification of a completed application that public convenience or necessity would be served by the issuance. Please complete items #24 to #30 below and certify or affix an official seal, or attach a copy of the Council or Board resolution or a signed letter on official letterhead stating whether or not the issuance of the applied for license would serve as a public convenience or necessity.

22. APPLICANT SIGNATURE

23. DATE SIGNED

PART 3 - TO BE COMPLETED BY LOCAL OFFICIALS (If box #20c is checked)

24. WILL PUBLIC CONVENIENCE OR NECESSITY BE SERVED BY ISSUANCE OF THIS ALCOHOLIC BEVERAGE LICENSE?

Yes

No

See Attached (i.e., letter, resolution, etc.)

25. ADDITIONAL COMMENTS, IF DESIRED (may include reasons for approval or denial of public convenience or necessity):

26. CITY/COUNTY OFFICIAL NAME

27. CITY/COUNTY OFFICIAL TITLE

28. CITY/COUNTY OFFICIAL PHONE NUMBER

29. CITY/COUNTY OFFICIAL SIGNATURE

30. DATE SIGNED

ABC-245 REVERSE (rev. 01-11)

APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE(S)

ABC 211 (6/99)

TO: Department of Alcoholic Beverage Control
 3737 MAIN ST
 STE 900
 RIVERSIDE, CA 92501
 (951) 782-4400

File Number: **610736**
 Receipt Number: **2617605**
 Geographical Code: **3600**
 Copies Mailed Date: **December 17, 2019**
 Issued Date:

DISTRICT SERVING LOCATION: **RIVERSIDE**

First Owner: **SIERRA, SUZETTE JACQUELINE**

Name of Business:

Location of Business: **25254 W MAIN ST
 BARSTOW, CA 92311-9707**

County: **SAN BERNARDINO**

Is Premises inside city limits? **No** Census Tract: **0118.00**

Mailing Address:(If different from premises address) **2100 DIAMOND AVE
 BARSTOW, CA 92311**

Type of license(s): **21** Dropping Partner: Yes ___ No X

Transferor's license/name:

<u>License Type</u>	<u>Transaction Type</u>	<u>Master</u>	<u>Secondary LT And Count</u>		
21 - Off-Sale General	ORI	Y			
<u>License Type</u>	<u>Transaction Description</u>	<u>Fee Code</u>	<u>Dup</u>	<u>Date</u>	<u>Fee</u>
Application Fee	ADD PRIMARY LICENSE TYPE	NA	0	09/20/19	\$15,835.00
Application Fee	FEDERAL FINGERPRINTS	NA	1	12/17/19	\$24.00
Application Fee	STATE FINGERPRINTS	NA	1	12/17/19	\$39.00
21 - Off-Sale General	ANNUAL FEE	NA	0	12/17/19	\$814.00
Total					\$16,712.00

Have you ever been convicted of a felony? **No**

Have you ever violated any provisions of the Alcoholic Beverage Control Act, or regulations of the Department pertaining to the Act? **No**

STATE OF CALIFORNIA County of SAN BERNARDINO

Date: September 20, 2019

Applicant Name(s)

SIERRA, SUZETTE JACQUELINE

ABC-211-SIG

AFFIDAVIT OF POSTING

ABC 293

Posting should be accomplished within 5 days from the date of application.

Investigation cannot progress until this completed form, Affidavit of Posting, has been received by this office.

Date of Filing Application: **December 17, 2019**

Name of Applicant(s): **SUZETTE JACQUELINE SIERRA**

Address of Premises: **25254 W MAIN ST
BARSTOW, CA 92311-9707**

License(s) Applied for: **21 - Off-Sale General**

I hereby certify under penalty of perjury that pursuant to the provisions of Section 23985 of the Alcoholic Beverage Control Act and Rule 109, Title 4, Chapter 1, California Code of Regulations, after filing an application to engage in the sale of alcoholic beverages at the above-designated premises, I did date the posting notice and on said date did post the notice in a conspicuous place on the premises and said notice shall remain posted for a period of at least 30 consecutive days.

NOTICE DATED AND POSTING: 12-18-19

SIGNATURE OF APPLICANT: *Suzette Sierra* DATE 12-18-19

Please return within five (5) days to:

**Department of Alcoholic Beverage Control
3737 MAIN ST
STE 900
RIVERSIDE, CA 92501
(951) 782-4400**

Section 23985 and Rule 109,

Section 23985. POSTING NOTICE. After filing an application to engage in the sale of any alcoholic beverage at any premises, notice of intention to so commence shall be posted in a conspicuous place at the entrance to the premises. The applicant shall notify the department of the date when such notice is first posted. No License shall be issued for the premises until the notice has been so posted for at least 30 consecutive days. The notice shall be in such form as the department shall prescribe.

Notice of the application for a license pursuant to Section 24044 shall be posted at the proposed premises after the application is filed and shall remain so posted for at least 30 consecutive days. The applicant shall notify the department of the date when such notice is first posted.

Rule 109. POSTING NOTICE. After filing an application to sell alcoholic beverages at any premises, the applicant shall post on the proposed premises notice of intention to sell alcoholic beverages. The notice shall be at least two feet in length and fourteen inches in width. This notice shall be posted in a conspicuous place which can be readily observed by ordinary passersby at or near the entrance to the premises. In the case of a vacant lot, posting shall be on a post or stake of permanent material, at the midpoint of the largest boundary fronting on a public thoroughfare at a point not more than ten (10) feet from the sidewalk, or roadway in the absence of any sidewalk. This notice must be mounted upon heavy cardboard or wood backing affixed to the post or stake so as to be readily visible from the sidewalk or roadway.

The notice shall remain posted for at least 30 consecutive days.

RECEIVED

DEC 23 2019

**Alcoholic Beverage Control
Riverside**

PULL

DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL

PUBLIC NOTICE OF APPLICATION TO SELL ALCOHOLIC BEVERAGES

ATM/Debit Accepted Here



APPLICANT SIRIYA SIVAKA
TYPE OF LICENSE OFF-SITE ACQUISITION
BUSINESS NAME OFF-SITE ACQUISITION

ADDRESS OF PREMISES 15154 W MAIN ST, RARSTON, CA 92311
APPLICANT HAS FILED FOR: C-NEW LICENSE

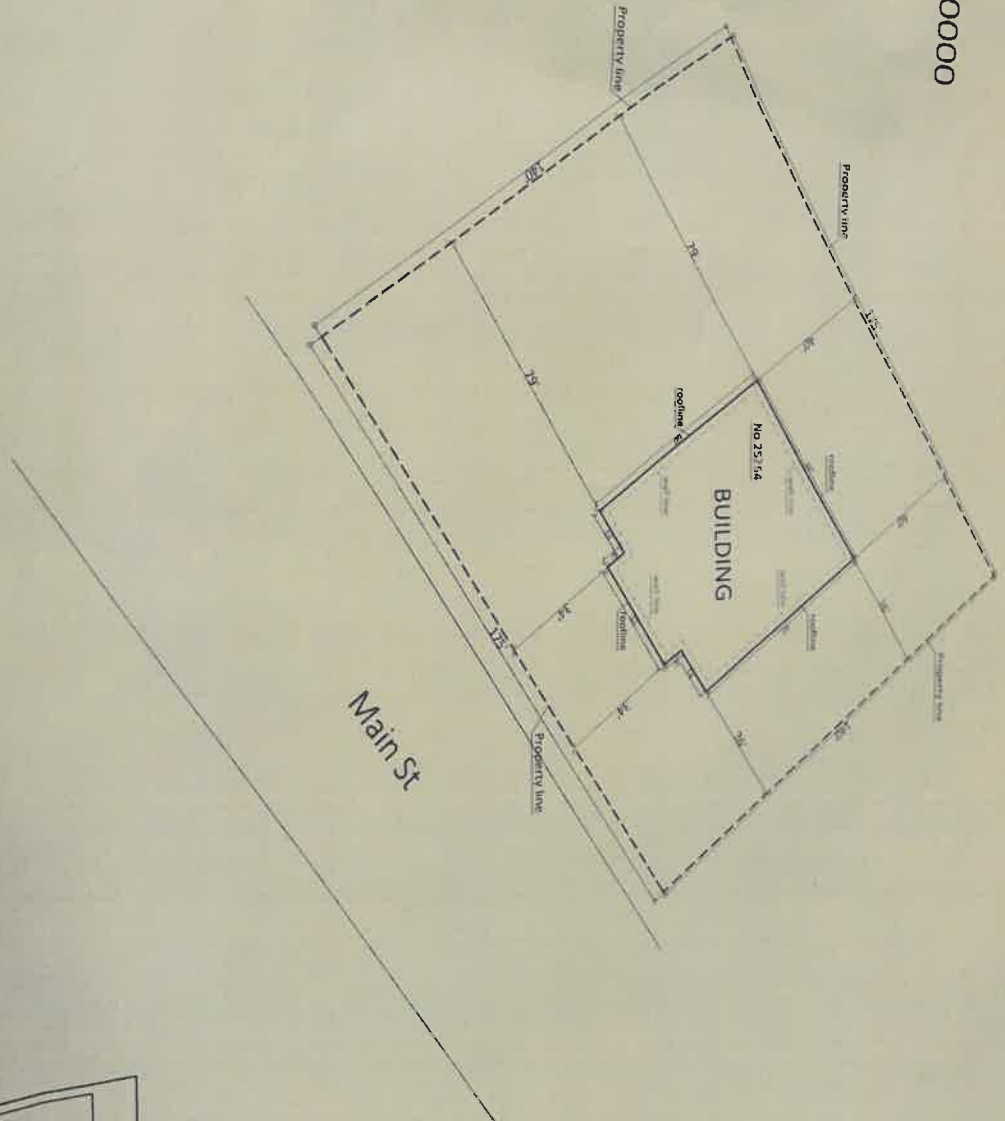
IF A VERIFIED PROTEST IS TO BE MADE AGAINST THIS APPLICATION, IT MUST BE RECEIVED BY ANY OFFICE OF THE DEPARTMENT OR DISTRICTAL HEADQUARTERS, 1097 LENHARD DRIVE, SUITE 100, SACRAMENTO 95834, WITHIN 30 DAYS OF DATE POSTED. PROTESTS MUST BE VERIFIED. FURTHER INFORMATION REGARDING THIS APPLICATION AND VERIFICATION FORMS MAY BE OBTAINED AT

WARNING
This license is subject to the provisions of the Alcoholic Beverage Control Act, Chapter 104, Sections 23000-23010, and the regulations thereunder.

Finished 01/17/20

PREMISES ARE NOT LICENSED TO SELL ALCOHOLIC BEVERAGES.

S I T E P L A N
25254 Main St
Barstow, CA 92311
Parcel ID: 0422-023-16-0000
Lot area: 0.56 Acres
Plot Size: 11"X17"



GET A SITE PLAN
WITH BEST QUALITY IN SA

Created by:

DISPLAY CONSPICUOUSLY AT PLACE OF BUSINESS FOR WHICH ISSUED

CALIFORNIA DEPARTMENT OF TAX AND FEE ADMINISTRATION

SELLER'S PERMIT

March 20, 2020

ACCOUNT NUMBER

265663616 - 00002

LENWOOD LIQUOR
SUZETTE J. SIERRA
25254 MAIN ST
BARSTOW CA 92311-9707



Office of Control:
Rancho Cucamonga Office

NOTICE TO PERMITTEE:
You are required to obey all
Federal and State laws that
regulate or control your
business. This permit does
not allow you to do
otherwise.

IS HEREBY AUTHORIZED PURSUANT TO SALES AND USE TAX LAW TO ENGAGE IN THE BUSINESS OF SELLING TANGIBLE PERSONAL PROPERTY AT THE ABOVE LOCATION. THIS PERMIT IS VALID ONLY AT THE ABOVE ADDRESS.

THIS PERMIT IS VALID UNTIL REVOKED OR CANCELED AND IS NOT TRANSFERABLE. IF YOU SELL YOUR BUSINESS OR DROP OUT OF A PARTNERSHIP, NOTIFY US OR YOU COULD BE RESPONSIBLE FOR SALES AND USE TAXES OWED BY THE NEW OPERATOR OF THE BUSINESS.

Not valid at any other address

For general tax questions, please call our Customer Service Center at 1-800-400-7115 (TTY:711).
For information on your rights, contact the Taxpayers' Rights Advocate Office at 1-888-324-2798 or 1-916-324-2798.

CDTFA-442-R REV 18 (5-18)

A MESSAGE TO OUR NEW PERMIT HOLDER

As a seller, you have rights and responsibilities under the Sales and Use Tax Law. In order to assist you in your endeavor and to better understand the law, we offer the following sources of help:

- Visiting our website at www.cdtfa.ca.gov
- Visiting an office
- Attending a Basic Sales and Use Tax Law class offered at one of our offices
- Sending your questions in writing to any one of our offices
- Calling our toll-free Customer Service Center at 1-800-400-7115 (TTY:711)

As a seller, you have the right to issue resale certificates for merchandise that you intend to resell. You also have the responsibility of not misusing resale certificates. While the sales tax is imposed upon the retailer,

- You have the right to seek reimbursement of the tax from your customer
- You are responsible for filing and paying your sales and use tax returns timely
- You have the right to be treated in a fair and equitable manner by the employees of the California Department of Tax and Fee Administration (CDTFA)
- You are responsible for following the regulations set forth by the CDTFA

As a seller, you are expected to maintain the normal books and records of a prudent businessperson. You are required to maintain these books and records for no less than four years, and make them available for inspection by a CDTFA representative when requested. You are also required to know and charge the correct sales or use tax rate, including any local and district taxes. The tax rate applicable to your sales or use may not necessarily correspond to the tax rate of your business address displayed on this permit. You are also expected to notify us if you are buying, selling, adding a location, or discontinuing your business, adding or dropping a partner, officer, or member, or when you are moving any or all of your business locations. If it becomes necessary to surrender this permit, you should only do so by mailing it to a CDTFA office, or giving it to a CDTFA representative.

If you would like to know more about your rights as a taxpayer, or if you are unable to resolve an issue with CDTFA, please contact the Taxpayers' Rights Advocate Office for help by calling toll-free, 1-888-324-2798 or 1-916-324-2798. Their fax number is 1-916-323-3319.

Please post this permit at the address for which it was issued and at a location visible to your customers.

California Department of Tax and Fee Administration

Business Tax and Fee Division



San Bernardino County
 Recorder - Clerk
 222 W. Hospitality Lane, 1st Floor
 San Bernardino CA 92415-0022
 855 REC-CLRK
 www.sbcounty.gov/arc

Filed in County Clerk's Office
County of San Bernardino
Bob Dutton
 Assessor-Recorder-County Clerk
FBN20200001926
 02/12/2020 12:24 PM
 FBN
 Pages: 2
 Fee: \$55.00
 HES
 G4364

BUSINESS OWNER IS RESPONSIBLE TO DETERMINE IF PUBLICATION IS REQUIRED (BPC 17917). FILING IS A PUBLIC RECORD (GC 6250-6277).

Space above for County Clerk USE ONLY

FICTITIOUS BUSINESS NAME STATEMENT

FILING

ABANDONMENT: County of Current Filing _____ Date of Current Filing _____ File No. _____

Fees: \$55.00 includes one registrant (please make check payable to "County Clerk") \$10.00 Each additional registrant
 \$10.00 Each additional FBN name filed on same statement and operating at same location

Please TYPE or PRINT legibly and firmly in DARK ink (no alterations). See reverse side for filing and publishing instructions. The determination whether or not publication is required by law is ENTIRELY THE RESPONSIBILITY OF THE REGISTRANT. Neither the County Clerk nor his deputies are permitted by law to give legal advice and/or assistance. THE FOLLOWING PERSON(S) IS (ARE) DOING BUSINESS AS:

1	LIST FICTITIOUS BUSINESS NAME BELOW (as shown in the Articles of Inc./Org./Reg.)		County of Principal Place of Business		
	LENWOOD LIQUOR		SAN BERNARDINO		
2	Street Address of Principal Place of Business (P.O. Box or PMB address NOT acceptable)		City	State	Zip Code
	25254 MAIN ST		BARSTOW	CA	92311
	Mailing Address (Optional)		City	State	Zip Code

3	(1) Name of Individual Registrant (First name)	(Middle initial only)	(Last name)			
	SUZETTE	J	SIERRA			
	(1) Name of corporation or limited liability company as shown in the Articles of Inc./Org./Reg.			State of Inc./Org. / Reg.	Inc./Org./Reg. No. (Optional)	
	Residence Street Address/Corporation or LLC Street Address			City	State	Zip Code
2100 DIAMOND AVE			BARSTOW	CA	92311	
	(2) Name of Individual Registrant (First name)	(Middle initial only)	(Last name)			
	(2) Name of corporation or limited liability company as shown in the Articles of Inc./Org./Reg.			State of Inc./Org. / Reg.	Inc./Org./Reg. No. (Optional)	
	Residence Street Address/Corporation or LLC Street Address			City	State	Zip Code

List any additional names on additional form

(CHECK ONE ONLY) This business is/was conducted by:

4	<input checked="" type="checkbox"/> An Individual	<input type="checkbox"/> A Limited Liability Partnership	<input type="checkbox"/> A Married Couple
	<input type="checkbox"/> A General Partnership	<input type="checkbox"/> An Unincorporated Assoc. Other Than a Partnership	<input type="checkbox"/> State or Local Registered Domestic Partners
	<input type="checkbox"/> A Limited Partnership	<input type="checkbox"/> A Corporation	<input type="checkbox"/> A Joint Venture
	<input type="checkbox"/> A Limited Liability Company	<input type="checkbox"/> Copartners	<input type="checkbox"/> A Trust

5 Registrant commenced to transact business under the fictitious business name or names listed above on (do not enter a future date). Feb 11, 2020
 (If registrant has not yet commenced to transact business, insert the statement "Not applicable"). Month, Day, Year

BY SIGNING, I DECLARE THAT ALL INFORMATION IN THIS STATEMENT IS TRUE AND CORRECT. A registrant who declares as true any material matter pursuant to Section 17913 of the Business and Professions Code that the registrant knows to be false is guilty of a misdemeanor punishable by a fine not to exceed one thousand dollars (\$1,000).

6 Signature:

Printed Name of Person Signing: SUZETTE J. SIERRA

Printed Title of Person Signing: OWNER

Date: 02/12/2020

NOTICE--IN ACCORDANCE WITH SUBDIVISION (a) OF SECTION 17920, A FICTITIOUS NAME STATEMENT GENERALLY EXPIRES AT THE END OF FIVE YEARS FROM THE DATE ON WHICH IT WAS FILED IN THE OFFICE OF THE COUNTY CLERK, EXCEPT, AS PROVIDED IN SUBDIVISION (b) OF SECTION 17920, WHERE IT EXPIRES 40 DAYS AFTER ANY CHANGE IN THE FACTS SET FORTH IN THE STATEMENT PURSUANT TO SECTION 17913 OTHER THAN A CHANGE IN THE RESIDENCE ADDRESS OF A REGISTERED OWNER. A NEW FICTITIOUS BUSINESS NAME STATEMENT MUST BE FILED BEFORE THE EXPIRATION. THE FILING OF THIS STATEMENT DOES NOT OF ITSELF AUTHORIZE THE USE IN THIS STATE OF A FICTITIOUS BUSINESS NAME IN VIOLATION OF THE RIGHTS OF ANOTHER UNDER FEDERAL, STATE, OR COMMON LAW (SEE SECTION 14411 ET SEQ., BUSINESS AND PROFESSIONS CODE).

FINANCIALLY RESPONSIBLE PARTY INFORMATION (Part I) AND AGREEMENT (Part II)

The Financially Responsible Party (FRP) is the business entity or individual that: is responsible for all fees and costs associated with the application(s); is responsible for paying for both County of San Bernardino (herein referred to as "County") staff and consultant fees and costs necessary to complete the processing of the application(s) with a trust account; is deemed the owner of funds held in the trust account; and, will receive accounting documents (invoices/ receipts) during the processing of the application.

The following information sheet (Part I) and Agreement (Part II) establishes the business entity or individual to be named as the FRP and states that the business entity or individual agrees to indemnify the County against various claims, actions, lawsuits, etc., including, but not limited to, legal challenges to application approval with a trust account. For business entities, liability of the owner, partners, etc. shall be determined in accordance with the laws of the State of California.

FINANCIALLY RESPONSIBLE PARTY INFORMATION PART I

Select the department in which you request to establish a Trust Account:

Land Use Services Department Department of Public Works

The FRP is a (choose one and complete below): Business Entity Individual

Business Entity
 Business Entity Name: Lenwood Liquor
 Type, i.e. Corporation, LLC, LP, GP, LLP or Sole Proprietorship: Sole Proprietorship
 State Entity Registered In: California Entity Number: _____
 Business Entity Representative Name: Suzette Sierra

If the FRP is a business entity, except for sole proprietorships, the representative must supply adequate proof that he/she may financially encumber that legal entity.

Individual
 FRP Name: Suzette Sierra

Mailing Address: 2100 Diamond Ave
Barstow CA 92311
 City State Zip

Phone: (760) 267 5823 Email: suzettehantash@icloud.com

Does this FRP have an existing trust account(s) with the County? NO If yes, please check department below:
 Land Use Services Department Department of Public Works

If yes, provide FRP name used on existing Trust Account(s): _____

For Office Use Only

Permit Number: _____ Type of Application: _____
 Received By: _____ Date: _____
 Entered By: _____ Date: _____
 Wincams Work Order Number: _____

FINANCIALLY RESPONSIBLE PARTY AGREEMENT PART II

This agreement ("Agreement") is entered into by the County of San Bernardino (herein referred to as "County") and Suzette Sierra ("Financially Responsible Party"; herein referred to as "FRP"). [If the FRP is a business entity, except for sole proprietorship, the representative must supply adequate proof that he/she may financially encumber that legal entity.] This Agreement incorporates by reference the Financially Responsible Party Information (Part I) completed by FRP.

Except as provided in Paragraph 8, "Indemnification," below, this Agreement is limited in scope to Land Use Services Department/Department of Public Works fees and costs associated with the following trust account: _____ . A new trust account shall be established for each new application or applicant and will require a separate FRP agreement.

1. Deposits and Continuation of Work. The FRP will pay the trust account deposit required at the time of submittal of an application with a trust account in an amount established by the County Code or by applicable department policy; will pay invoices immediately upon receipt of invoice, subject to the department stopping work until payment is received; and agrees to be responsible for payment of all fees and costs associated with the application.
2. Consultant Fees. If it is deemed necessary by the applicable department to utilize consultant services, the FRP will pay a deposit to cover consultant fees and costs prior to County's execution of the contract with the consultant, with charges against the consultant's contract to be billed on an hourly basis against the deposit.
3. Ownership. The FRP agrees that all funds deposited in the trust account will be held by the County in an account under the name of the FRP, and that the FRP shall be considered the owner of all funds in said account. The FRP will receive accounting documents (invoices/ /receipts) during the processing of the application(s).
4. Clearance or Issuance. The FRP agrees that the applicable department is not required to issue any clearances or permits without receipt of full payment of fees, unless specifically waived by the County's Board of Supervisors, by Board Action.
5. Subsequent Trust Accounts and Applications. The FRP agrees that if there is an outstanding amount on any other Land Use Services Department/Department of Public Works applications with a trust account for which the FRP is the applicant or permittee, subsequent applications with a trust account will not be accepted until such amounts are paid.
6. Refunds. The FRP agrees that the County may refund any monies remaining in the trust account at the completion of work to the FRP, regardless of the source of monies deposited into the Trust Account. The County will exercise due diligence to locate the FRP based on the contact information on file. If the County is unable to locate the FRP, the County will follow all applicable provisions of the California Government Code regarding escheatment.
7. Designation. The FRP agrees that the person or entity designated as the FRP maintains that designation until the application(s) with a trust account has been approved, disapproved or withdrawn and any and all appeals and/or legal challenges have concluded.
8. Indemnification. Pursuant to County Code section 51.0113 and/or Development Code section 81.01.070, the FRP agrees to indemnify, defend (with counsel reasonably approved by County) and hold harmless the County and its "Indemnitees" (herein collectively the County's elected officials, appointed officials (including Planning Commissioners), officers, and its authorized officers, employees, agents, advisory agencies or committees, appeal boards or legislative body and volunteers) from any and all claims, actions, or proceedings against the County or its Indemnitees to attack, set aside, void, or annul an approval of the County and/or its Indemnitees concerning a map or permit or any other action, losses, damages, and/or liability arising out of this Agreement and the application(s) from any cause whatsoever, including the acts, errors or omissions of any person and

for any costs or expenses incurred by Indemnitees on account of any claim except where such indemnification is prohibited by law.

This indemnification provision shall apply regardless of the existence or degree of fault of Indemnitees. FRP's indemnification obligation applies to Indemnitees' "passive" negligence but does not apply to Indemnitees' "sole" or "active" negligence or "willful misconduct" within the meaning of Civil Code section 2782.

The FRP shall reimburse the County and its Indemnitees for all expenses resulting from such actions, including any court costs and attorney fees, which the County or its Indemnitees may be required by a court to pay as a result of such action.

Although the County may, at its sole discretion, participate at its own expense in the defense of any such action, such participation shall not relieve the FRP of their obligations under this condition to reimburse the County or its Indemnitees for all such expenses. County will act reasonably to promptly notify the FRP of any claim, action, or proceeding and that the County will cooperate fully in the defense.

The FRP agrees that its indemnification obligations under this Agreement remain in effect even though a court may order the County to set aside its approval of the application.

9. Transferability. This Agreement is non-transferable. In the event of a transfer of applicant or property, the FRP shall notify the County within ten (10) working days, in writing. In such event, a new Financially Responsible Party Information (Part I) and Agreement ("FRP Forms") will be required of the new applicant or property owner. Applicant shall be responsible for all costs and expenses incurred by the County through the date County receives the written notice of the transfer from Applicant pursuant to this Agreement. County shall not be responsible for any unnecessary costs or expenses incurred by Applicant due to Applicant's failure to comply with the terms of this Agreement, including the provision of written notice to the County of a transfer.
10. Termination. This Agreement shall terminate upon: a) completion of the underlying County Land Use Services Department/Department of Public Works services or County's receipt of Applicant's notice of a transfer pursuant to Paragraph 9, above; and 2) payment by Applicant of any remaining Land Use Services Department/Department of Public Works fees or refund of any fund balance by the County to Applicant after payment of all Land Use Services Department/Department of Public Works fees. Paragraph 8, "Indemnification," above, shall survive termination of this Agreement.
11. Change of Address. In the event of change of address of the FRP, the County must be notified within ten (10) working days in writing.
12. Notification. Any notification(s) shall be directed to the appropriate department as indicated below:

Land Use Department
Attn: Administration
385 N. Arrowhead Avenue, 1st Floor
San Bernardino, CA 92415-0187
(909) 387-4000

Department of Public Works
Attn: Administrative Services
825 East Third Street
San Bernardino, CA 92415
(909) 387-7910

13. This Agreement shall be governed by and construed according to the laws of the State of California.

Executed on the 17 day of December, 2020

Suzette Sierra
Financially Responsible Party (Please print and sign)

TO :- County of San Bernardino

Feb 1 2020

I'm Ali Abu Hantash the owner of the
property 25254 W. Main St Barstow, CA 92311

I'm Leasing the Building to
Suzette Sierra

Thank you

any question please Call Me
(760) 684-3454

Abu Hantash Enterprises, Inc





County of San Bernardino

Ensen Mason CPA, CFA • Auditor - Controller/Treasurer/Tax Collector

2020 ANNUAL SECURED PROPERTY TAX BILL

FISCAL YEAR JULY 01, 2020 TO JUNE 30, 2021

Mailed to
ABU HANTASH ENTERPRISES INC
2100 DIAMOND AVE
BARSTOW CA 92311

268 West Hospitality Lane, San Bernardino, CA 92415, (909) 387-9308

www.MyTaxCollector.com

CNTL-0149440

1 Parcel Number	2 Bill Number	3 Tax Rate Area	4 Total Tax Rate
0422-023-16-0-000	200362829	0056117	1.084400

5 Owner(s) of Record
AS OF JAN 01, 2020
ABU HANTASH ENTERPRISES INC

6 Property Address
25294 W MAIN ST LNW

9 First Installment Due	10 Second Installment Due	11 Total Taxes Due
11-01-2020	02-01-2021	
\$1,575.73	\$1,575.69	\$3,151.42

7 Legal Description
Make checks payable to SBC Tax Collector
LENWOOD LOTS 7 8 9 10 11 12 AND 13 BLK 24 EX STATE HWY

8 Important Messages

12 Description	ASSESSED VALUES
Land	70818
Improvement Fixtures	185242
Improvement Penalty	
Personal Property	
Personal Property Penalty	
Homeowners Exemption	
Other Exemptions	
Net Value	238060

TAX DISTRIBUTION

13 Service Agency	For Information Call	Amount
GENERAL TAX LEVY		2380.60
*DESERTMT VECTORCONTROL	800-442-2283	2.30
BARSTOW UNIFIED BOND	760-255-6009	199.23
SCHOOL BONDS		.00
SCHOOL STATE REPAIRMENT		.00
*CSA 70 S-7 A.D. 2001-01	909-386-8812	379.79
**MOJAVE WTR BOND DEBT #2	760-946-7000	129.83
#MOJAVE WATER BOND DEBT #1	760-946-7000	79.67

Para información de su factura de impuestos de propiedad en español,
or favor visite www.coledclandelpuestos.com o llame al (909) 387-9308.
KEEP THIS PORTION OF YOUR TAX BILL

EXHIBIT B

Correspondence

From: [Romero, Irene](#)
To: ANDREW.ALLEN200421@GMAIL.COM
Cc: [Romero, Irene](#)
Subject: PABC-2020-00009 - Follow-up
Date: Thursday, January 7, 2021 11:48:40 AM
Importance: High

Hello Andrew,

As a follow-up to my voicemail left on 01/06/21:

Thank you for contacting Land Use Services – Planning. Please send me any comments regarding project PABC-2020-00009. Comments received will be included in the project records.

The address related to PABC-2020-00009 is 25254 W MAIN ST LENWOOD 92311.

Thank you,

Irene Romero

Planner II
Land Use Services Department
Phone: 909-387-8311 or 760-995-8140
385 N. Arrowhead Ave. 1st floor
San Bernardino, CA, 92415

Our job is to create a county in which those who reside and invest can prosper and achieve well-being.

www.SBCounty.gov

County of San Bernardino Confidentiality Notice: This communication contains confidential information sent solely for the use of the intended recipient. If you are not the intended recipient of this communication, you are not authorized to use it in any manner, except to immediately destroy it and notify the sender.

Description of Work: [ABC LETTER OF CONVENIENCE](#)

Parcel No:

0422023160000

Address: [25254 W MAIN ST, LENWOOD, CA 92311](#)

ANDREW ALLEN 360-989-8868

ANDREW.ALLEN200421@GMAIL.COM

HE WANTS TO MAKE SURE THERE ISN'T A LIQUOR STORE ACROSS THE STREET FROM THEIR BUSINESS

WHICH SELLS ALCOHOL ALREADY.

Divines Market and Liquor Store, 25181 Main Street, Barstow. They want to know if they can start a petition at their counter to add to the number of people who do not want to see this go through.

From: [Romero, Irene](#)
To: [Dawna Scott](#)
Cc: [Romero, Irene](#)
Subject: RE: PAPL-2021-00007
Date: Thursday, January 6, 2022 3:58:27 PM
Attachments: [image001.png](#)

Hello Dawna,

This is confirmation that the below email has been received.

Thank you,

Irene Romero
Planner II
Land Use Services Department
Phone: 760-995-8172
Cell: 909-601-4726
385 N. Arrowhead Ave. 1st floor
San Bernardino, CA, 92415



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www.SBCounty.gov

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From: Dawna Scott <darylanddawna@gmail.com>
Sent: Tuesday, January 4, 2022 7:04 AM
To: Romero, Irene <Irene.Romero@lus.sbcounty.gov>
Subject: PAPL-2021-00007

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you can confirm the sender and know the content is safe.

Irene,

I am writing concerning the recent project proposal for a Neighborhood Liquor Store. My family live right down the street from this location and are against this.

There is already several liquor stores/smoke shops in this area. There is Divines, The Smoke Shop, the Lenwood Market and I believe even the new Dollar General sells alcohol. Another liquor store in this vicinity is unwelcome and unnecessary!

Please decline this proposal for yet another liquor store in Lenwood.

Thank you,

Dawna Scott

Lenwood Community Church

25104 West Main Street
Barstow, CA 92311
(760) 253-7431



"A Christ Centered, Family Friendly Place to Grow in the Lord"

30 December 2020

San Bernardino County
Ms. Irene Romero

RE "Project Number PABC-2020-00009" AND "Assessor Parcel NO 0422-023-16".

Dear Ms. Irene:

As a Pastor in a small community, "Lenwood Community", I wanted to share with you that this project will not be the right fit for our community.

We all know that a new business is good to the community, and competition is even better for business, however Alcohol, especially hard Liquor always was and will continue to be a reason for increase in addictive people in our community, and lead to more broken families which could results to more children suffering from lack of cohesiveness in families. This ultimately will increase homelessness as well as crime in this community.

The small community of Lenwood has had two store for the last 50 years; "Lenwood Discount Market" which serves beer and wine, and "Devine's Market & Liquor" which also serves groceries, beer, wine & hard liquor. As a Church we believe that the two liquor stores are more than enough for the little community of Lenwood, and that we would benefit from a restaurant, a day care, and/or laundry service more that we will benefit from another liquor store.

We had a similar request few years ago for the "Shop For Less" store which is located at 25321 Main St, Barstow, CA 92311". At that time, the community stood together against its desire to add a liquor license also, even though the community still enjoys the benefit of having a grocery store in that location to date. "Shop For less" was far enough from the church but too close to the community school; this proposed location "25254 W Main Street" is too close to the church and it is almost "next door".

Communities across the country and Lenwood in particular will always object an expansion of a new liquor license for many reasons, below are just few:

- Harm from alcohol abuse and misuse or associated violence.
- An adverse effect on the health or safety of members of the public.
- An adverse effect on the amenity of the community.
- Proposed Location is too close to the church.

We, as a Church would like to object such expansion to our small community, and although we will be supportive to any business, we would really appreciate your sincere consideration to the above stated explanation of the different ideas of what will serve our community better.

In addition to this letter, I will ask the community to petition such expansion.

Sincerely:

David Carr (Pastor)

Lenwood Community Church

VFW



VETERANS OF FOREIGN WARS OF THE U.S.
AN ORGANIZATION OF VETERANS
WHO HAVE FOUGHT
AMERICA'S FOREIGN WARS
ON LAND AND SEA
AND IN THE AIR



VETERANS OF FOREIGN WARS
OF THE UNITED STATES

RICK OAKLEY
Quartermaster
Post Commander 2000-2001
Barstow Post #2143

25190 West Main Street
Barstow, CA 92311
Oakley_Rick@yahoo.com

Post Telephone:
(760) 253-2610
Cell (760) 590-0431

Irene Romero, Planner San Bernardino County

Subject: Project Number: PABC-2020-00009 and
Assessor Parcel No: 0422-023-16

Dear Ms. Irene

As the Quartermaster of the Foreign Wars of the United States, and as a member of Lenwood Community, we would like to object this project.

I have been in support to the Community Church Pastor (David Carr) and to his Petition to object such expansion, we as well as the Veteran Community, we will do a similar petition to object this idea.

I agree with Pastor David, business is good to the Community and competition is also good to business, though we all know that Alcohol, especially hard liquor always was and will continue to be a reason for increase in addicted people. A reason for more broken and separated families, more children to suffer the lack of good family, and ground for increased homelessness and crime.

We are satisfied that this small community had more than enough access to local convenient stores which serves beer and wine. Divine's Market & Liquor already serves groceries, beer, wine & Hard Liquor as well. We believe as a Community that we will benefit from a restaurant, a Day Care and/or a Laundry Service, way more that it will benefit from another Liquor Store.

We, as a Community, as Veterans of Lenwood, and me personally would like to object such expansion and we will always object any future Alcohol license in our small neighborhood, and we will be supportive to any business idea that would better serve the community better. I will ask the Veteran Community to petition such expansion and get their support on the matter on a separate petition.

Sincerely; *Rick Oakley, Dec 30, 2020*
Rick Oakley Post Quartermaster

VETERANS OF FOREIGN WARS OF THE UNITED STATES

Subject: Project Number: PABC-2020-00009 and
Assessor Parcel No: 0422-023-16

Ms. Irene Romero, Planner San Bernardino County

Dear Ms. Irene

We "Community Of Lenwood" would like to object the above community expansion project.

We do support Church Pastor David Carr "Lenwood Community Church", Mr. Rick Oakley "Veterans Of Foreign Wars Of United States" and their Petition to object such expansion.

As a community, we do object the current and any future attempts to add Alcohol license to our community. Alcohol, especially hard liquor will increase in Alcoholics in our community. This would lead to more broken and separated families, more children to suffer the lack of good family, and ground for increased homelessness and crime.

This Small community is more than satisfied with the two local convenient stores which serves beer, wine, groceries, & Hard Liquor as well. We believe that the community will not benefit from another Liquor Store.

Thank you for consideration to the Community needs and concerns of such project.

Community Members:

Name: PATRICIA COONTS, Email: H.P.# 760-307-5110

Address: 25090 TOWER RD.

Barstow, CA 92311

Name: Patsy Rubiera, Email: 760 253-4052

Address: 25163 Johnson St.

Barstow, CA 92311

Name: Jessica Souza, Email: 760 590 1147

Address: 33473 Paris St #3

Barstow, CA 92311

Subject: Project Number: PABC-2020-00009 and
Assessor Parcel No: 0422-023-16

Name: Nathan Love, Email: nathanlove63@msn.com

Address: 25657 TAMARISK ST

Barstow, CA 92311

Name: JOE SALYER, Email: JOESALYER55@gmail.com

Address: 34849 CEDAR RD #B

Barstow, CA 92311

Name: JOHN PAYNE, Email: JOHNCPAYNE@GMAIL.COM

Address: 24266 JADE RD

Barstow, CA 92311

Name: DONALD BRUYER, Email: 760 242 235 685

Address: 2496 AVE TORODO BARSTOW CA 92311

Barstow, CA 92311

Name: Tony Brooks, Email: 760-590-3477

Address: 34475 CEDAR BARSTOW CA 92311

Barstow, CA 92311

Name: TENAYA ALVAREZ, Email: 9093714797

Address: 340 S. MURILL DR. BARSTOW CA 92311

Barstow, CA 92311

Subject: Project Number: PABC-2020-00009 and
Assessor Parcel No: 0422-023-16

Name: Marcus Alvarez, Email: vovalvarez93@gmail.com
Address: 340 S Muriel Dr.

Barstow, CA 92311

Name: Dan, & Belky, Email: DopestDAN DA Jew@gmail.com
Address: 25342 Birch

Barstow, CA 92311

Name: Amory King, Email: MOTEL - 6-#
Address: _____

Barstow, CA 92311

Name: Quante Vigil, Email: 760-963-3703
Address: 33275 Delaney Rd.

Barstow, CA 92311

Name: Andrews Pandava, Email: 760-253-7777
Address: 34598 Woods Ave

Barstow, CA 92311

Name: Stanley Warren, Email: 760-590-5551
Address: 24811 Community Blvd sp 15 Hinkley CA 92342

Barstow, CA 92311

Subject: Project Number: PABC-2020-00009 and
Assessor Parcel No: 0422-023-16

Name: Joseph Marquez, Email: (760) 590-4479

Address: 1050 Tuatle Barstow CA 92311

Barstow, CA 92311

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Subject: Project Number: PABC-2020-00009 and
Assessor Parcel No: 0422-023-16

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Subject: Project Number: PABC-2020-00009 and
Assessor Parcel No: 0422-023-16

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Subject: Project Number: PABC-2020-00009 and
Assessor Parcel No: 0422-023-16

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Subject: Project Number: PABC-2020-00009 and
Assessor Parcel No: 0422-023-16

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Subject: Project Number: PABC-2020-00009 and
Assessor Parcel No: 0422-023-16

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Subject: Project Number: PABC-2020-00009 and
Assessor Parcel No: 0422-023-16

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Subject: Project Number: PABC-2020-00009 and
Assessor Parcel No: 0422-023-16

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Subject: Project Number: PABC-2020-00009 and
Assessor Parcel No: 0422-023-16

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Assessor Parcel No: 0422-023-16

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Assessor Parcel No: 0422-023-16

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Subject: Project Number: PABC-2020-00009 and
Assessor Parcel No: 0422-023-16

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Subject: Project Number: PABC-2020-00009 and
Assessor Parcel No: 0422-023-16

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Subject: Project Number: PABC-2020-00009 and
Assessor Parcel No: 0422-023-16

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Subject: Project Number: PABC-2020-00009 and
Assessor Parcel No: 0422-023-16

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Subject: Project Number: PABC-2020-00009 and
Assessor Parcel No: 0422-023-16

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Subject: Project Number: PABC-2020-00009 and
Assessor Parcel No: 0422-023-16

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Assessor Parcel No: 0422-023-16

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Subject: Project Number: PABC-2020-00009 and
Assessor Parcel No: 0422-023-16

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Subject: Project Number: PABC-2020-00009 and
Assessor Parcel No: 0422-023-16

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Subject: Project Number: PABC-2020-00009 and
Assessor Parcel No: 0422-023-16

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Subject: Project Number: PABC-2020-00009 and
Assessor Parcel No: 0422-023-16

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Subject: Project Number: PABC-2020-00009 and
Assessor Parcel No: 0422-023-16

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Subject: Project Number: PABC-2020-00009 and
Assessor Parcel No: 0422-023-16

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Subject: Project Number: PABC-2020-00009 and
Assessor Parcel No: 0422-023-16

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Subject: Project Number: PABC-2020-00009 and
Assessor Parcel No: 0422-023-16

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Subject: Project Number: PABC-2020-00009 and
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Subject: Project Number: PABC-2020-00009 and
Assessor Parcel No: 0422-023-16

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Subject: Project Number: PABC-2020-00009 and
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Subject: Project Number: PABC-2020-00009 and
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Address: 35198 BIRCH ROAD BARSTOW CA 92311

Barstow, CA 92311

Subject: Project Number: PABC-2020-00009 and
Assessor Parcel No: 0422-023-16

Name: Dianna Murray, Email: _____

Address: 33211 Delaney rd

Barstow, CA 92311

Name: Victoria Hunter, Email: barstowcitytaxi@gmail.com

Address: 25439 Dayton Ave

Barstow, CA 92311

Name: Jessica Hunter, Email: Jessica@gmail.com

Address: 25439 Dayton Ave

Barstow, CA 92311

Name: Bob Reed, Email: _____

Address: 34109 Bunch rd

Barstow, CA 92311

Name: Robert Joerg, Email: _____

Address: 34267 Birch rd

Barstow, CA 92311

Name: Heater Martin A., Email: _____

Address: 34052 Jasper rd

Barstow, CA 92311

Subject: Project Number: PABC-2020-00009 and
Assessor Parcel No: 0422-023-16

Name: Bryant Anderson, Email: Lenwood420@gmail.com

Address: 35063 Birch Rd

Barstow, CA 92311

Name: José José Ramirez Email: _____

Address: 38064 Lewad Barstow ca

Barstow, CA 92311

Name: Jeremy Fortenberry, Email: _____

Address: 25618 Bejoal Barstow CA

Barstow, CA 92311

Name: Jason Zamora, Email: jasonzamora205261993@gmail.com

Address: 34301 Frank St.

Barstow, CA 92311

Name: Jesse Joenger, Email: JesseJoenger1993@gmail.com

Address: 34267 Birch Rd

Barstow, CA 92311

Name: Kay R., Email: _____

Address: 25676 Bejoal St

Barstow, CA 92311

Subject: Project Number: PABC-2020-00009 and
Assessor Parcel No: 0422-023-16

Name: Maria Margarita Garcia, Email: _____

Address: 35215 Birch RD

Barstow, CA 92311

Name: Guillermo Varala, Email: _____

Address: 35215 Birch RD Barstow, CA 92311

Barstow, CA 92311

Name: Rose Vega, Email: _____

Address: 933 Kelly Dr

Barstow, CA 92311

Name: Brandon Egan, Email: bfecece36@yahoo.com

Address: 35331 Osborne

Barstow, CA 92311

Name: Steve Dennis, Email: Steve Dennis

Address: 3769 Sweeten LN Barstow CA 92311

Barstow, CA 92311

Name: Michael Cordova, Email: Micorlo32@gmail.com

Address: 25473 Eaton St.

Barstow, CA 92311

Subject: Project Number: PABC-2020-00009 and
Assessor Parcel No: 0422-023-16

Name: Virginia D. Fox, Email: _____

Address: 25506 Agate Rd Barstow CA
92311

Barstow, CA 92311

Name: Aaron McMullin, Email: _____

Address: 25641 Bejout St. Barstow, CA 92311

Barstow, CA 92311

Name: Harold Vicks, Email: _____

Address: 2024 Corona Ct

Barstow, CA 92311

Name: Herman L. Cuyler, Email: _____

Address: 54173 Western Dr

Barstow, CA 92311

Name: DONALD SHINLEY JR, Email: DONALDSHINLEY180@gmail.com

Address: 46525 MAGNET LN MCDAN SANCH CA 92311

Barstow, CA 92311

Name: Anna Ramos, Email: aramos@vvgmc.com

Address: 25099 Avenida (Avenida)

Barstow, CA 92311

Subject: Project Number: PABC-2020-00009 and
Assessor Parcel No: 0422-023-16

Name: Kimberly Valenzuela, Email: _____

Address: 25382 Jade RD

Barstow, CA 92311

Name: Paulina Hernandez, Email: Paulina.Hernandez@gmail

Address: 34326 Birch rd

Barstow, CA 92311

Name: Jose Jose. M, Email: _____

Address: 25371 Barstow

Barstow, CA 92311

Name: Winnie Hamerlock, Email: _____

Address: 2116 Perth Ave

Barstow, CA 92311

Name: Ami Smith, Email: _____

Address: 25307 W. Main

Barstow, CA 92311

Name: Chanel Hayden, Email: _____

Address: 35310 western dr

Barstow, CA 92311

Subject: Project Number: PABC-2020-00009 and
Assessor Parcel No: 0422-023-16

Name: Dorothea Montoya, Email: Badchilde564@gmail.com

Address: 38062 Pueblo St Hinkley

Barstow, CA 92311

Name: Diana Soria, Email: jdSoria666@gmail

Address: 820 Flora St Barstow CA 92311

Barstow, CA 92311

Name: CHRIS CALDERA, Email: _____

Address: 25092 CAMINO DEL NORTE. 92311

Barstow, CA 92311

Name: José Soria, Email: JASORIA044@gmail

Address: 821 Flora St

Barstow, CA 92311

Name: Dillon Niemi, Email: _____

Address: _____

Barstow, CA 92311

Name: [Redacted], Email: _____

Address: _____

Barstow, CA 92311

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Subject: Project Number: PABC-2020-00009 and
Assessor Parcel No: 0422-023-16

Name: Joel Ortiz, Email: _____

Address: 34600 Camino Real

Barstow, CA 92311

Name: Victor Ramirez, Email: _____

Address: 25058 West main

Barstow, CA 92311

Name: antonio Gomes, Email: _____

Address: 25058 West main.

Barstow, CA 92311

Name: RICHARD MARTIN, Email: _____

Address: 25661 ASH RD

Barstow, CA 92311

Name: ISAAC GRIEGO, Email: isaacgriego@gmail.com

Address: 442-295-6559 (Didn't know address)

Barstow, CA 92311

Name: Jeff Palmer, Email: _____

Address: 27473 Highview AVE Barstow

Barstow, CA 92311

Subject: Project Number: PABC-2020-00009 and
Assessor Parcel No: 0422-023-16

Name: Scott A. Dyer, Email: sdyer280@gmail.com

Address: 32700 Sylvan Ave
Barstow, CA 92311

Name: Claudia Trujillo, Email: trujilloClaudia.C@gmail
Address: 25076 Avenida haredo Barstow

Barstow, CA 92311

Name: Anthony Yeich, Email: anthonyyeich@gmail.com
Address: 35328 carmel ct

Barstow, CA 92311

Name: FRANCISCO ZANCUTS, Email: ZANCUTS.F.1973@GMAIL.COM
Address: 13661 MARIPOSA RD
Barstow, CA 92311 VICTORVILLE. CA. 92392

Name: Hussam Acher, Email: HussamAcher@yahoo.com
Address: 25181 ...
Barstow, CA 92311

Name: Ray D. Brown, Email: _____
Address: 33275 DICKNEY RD
Barstow, CA 92311

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Subject: Project Number: PABC-2020-00009 and
Assessor Parcel No: 0422-023-16

Name: Andres Gutierrez, Email: Andres.Gutierrez79@yahoo.com

Address: 34229 Woods Ave

Barstow, CA 92311

Name: TKIN NARTOK, Email: TKINJOE@LIVE.COM

Address: 25363 ANDERSON RD

Barstow, CA 92311

Name: Elena Martinez, Email: elenamartinez51@gmail.com

Address: 25007 W MAIN ST

Barstow, CA 92311

Name: Cesar Garcia, Email: cesar.g309@gmail.com

Address: 36710 ~~W~~ HIDDEN HOLLOW RD HUNTER

Barstow, CA 92311

Name: J. Israel, Email: JKW7@yahoo.com

Address: PO BOX 355

Barstow, CA 92311

Name: Elena Sismenos, Email: elenarose2131@gmail.com

Address: 34202 thule st #2

Barstow, CA 92311

Subject: Project Number: PABC-2020-00009 and
Assessor Parcel No: 0422-023-16

Name: Melillo Sabat, Email: melillo.sabat68@gmail

Address: 12352 Walnut final Hwy

Barstow, CA 92311

Name: Valentin Gonzalez, Email: 1720241@gmail.com

Address: 304 Muir Ave

Barstow, CA 92311

Name: George Allen, Email: georgeallen69@gmail.com

Address: 2581 W Main Street

Barstow, CA 92311

Name: Sindi Thomas, Email: sansensan21@hotmail.com

Address: 25743 Johnson Street

Barstow, CA 92311

Name: Ricky Morabito, Email: ralerrick74@yahoo.com

Address: 256210 Agate rd

Barstow, CA 92311

Name: Romulo Vasquez, Email: 1021vasquez@gmail.com

Address: 25042 Camino Del Sol

Barstow, CA 92311

Subject: Project Number: PABC-2020-00009 and
Assessor Parcel No: 0422-023-16

Name: Kolliona Bellis, Email: mbellis639@gmail.com

Address: 3233 Walnut Street

Barstow, CA 92311

Name: TINA SALYER, Email: JOESALYER55@gmail.com

Address: 34849 CEDAR RD #B

Barstow, CA 92311

Name: Ric Ross, Email: _____

Address: 27475 Irborn

Barstow, CA 92311

Name: 6910B Villarreal, Email: _____

Address: 1477 Pioneer

Barstow, CA 92311

Name: Jerilyn Marguen, Email: sterilymarguen5@gmail.com

Address: 25359 Main Street

Barstow, CA 92311

Name: Eddie Rivera, Email: φ

Address: 25263 Johnson St Barstow Calif. 92311

Barstow, CA 92311

Subject: Project Number: PABC-2020-00009 and
Assessor Parcel No: 0422-023-16

Name: Timothy Heald, Email: _____

Address: 26080 Community Blvd

Barstow, CA 92311

Name: DAVID Fritz, Email: _____

Address: 75634 Bernal St

Barstow, CA 92311

Name: Bianca Lopez, Email: _____

Address: 0371 W Main

Barstow, CA 92311

Name: Angie Veliz, Email: _____

Address: 25595 3rd st.

Barstow, CA 92311

Name: Cindy Gust, Email: _____

Address: 34995 Cedar Road

Barstow, CA 92311

Name: Shereen Denbashi, Email: 760 - 253-9892

Address: 25645 Tamarisk St

Barstow, CA 92311

Subject: Project Number: PABC-2020-00009 and
Assessor Parcel No: 0422-023-16

Name: Alex Rodriguez, Email: _____

Address: 35010 Cedar Rd

Barstow, CA 92311

Name: Edgar Trizassy, Email: _____

Address: 35010 Cedar Rd

Barstow, CA 92311

Name: Trisha Janning, Email: byebyeLove83@gmail.com

Address: 25522 Anderson Ave

Barstow, CA 92311

Name: Mark Holloway, Email: M.holloway10a@gmail

Address: 25522 Tamarisk

Barstow, CA 92311

Name: Penny Fields, Email: MsPennymFields290
outlook

Address: 34798 Birch RD

Barstow, CA 92311

Name: Robert Miller, Email: — 760-792-5970

Address: 37241 Sycamore St 92347 ca

Barstow, CA 92311

Subject: Project Number: PABC-2020-00009 and
Assessor Parcel No: 0422-023-16

Name: Willy J. Stevenson, Email: _____

Address: 740 Elm Dr

Barstow, CA 92311

Name: Luella Stevenson, Email: _____

Address: 740 Elm Dr (760) 590-5296

Barstow, CA 92311

Name: VANESSA STEVENSON, Email: Nesscarou@gmail.com

Address: 740 Elm Dr

Barstow, CA 92311

Name: Sabrina Gonzalez, Email: danielcastroita95@gmail.com

Address: 24973 Camino Del Norte

Barstow, CA 92311

Name: JESUS VASQUEZ, Email: 760 590-3023

Address: 35123 Birch Rd.

Barstow, CA 92311

Name: Romo, Daniel, Email: romo1960dupiel@gmail.com

Address: 25669 Bejua l

Barstow, CA 92311

Subject: Project Number: PABC-2020-00009 and
Assessor Parcel No: 0422-023-16

Name: Donald Bryant, Email: _____
Address: 24963 Avenida Laredo Barstow CA 92311
Barstow, CA 92311

Name: Meredith Nonly, Email: meredithnonly@gmail.com
Address: 35265 Birch rd
Barstow, CA 92311

Name: John, Email: _____
Address: 551 Valley Ave
Barstow, CA 92311

Name: Vivian Staud, Email: _____
Address: 730 Karen ct APT 1
Barstow, CA 92311

Name: Jim Piper, Email: _____
Address: 25540 ANDERSON
Barstow, CA 92311

Name: Ed Wilson, Email: edwilson40@yahoo.com
Address: 2737 Apollo Dr
Barstow, CA 92311

Subject: Project Number: PABC-2020-00009 and
Assessor Parcel No: 0422-023-16

Name: Jimmy Estridge, Email: jimmy.estridge.3383@gmail.com

Address: 405 N. 1st AVE #5 Barstow, CA 923

Barstow, CA 92311

Name: Romeo Herrera, Email: (760) 253-2100

Address: 253260 W. main st

Barstow, CA 92311

Name: Marice Winfrey, Email: marice.winfrey@aol.com

Address: 25601 Bejral St. Barstow, Ca. 92311

Barstow, CA 92311

Name: Corina Jepson, Email: rinarella30@gmail.com

Address: 25468's Anderson Ave. Barstow CA. 92311

Barstow, CA 92311

Name: Tony Messa, Email: _____

Address: 3445 Ash rd Barstow CA 92311

Barstow, CA 92311

Name: Bradley Morata, Email: _____

Address: 3445 Ash rd Barstow CA 92311

Barstow, CA 92311

Subject: Project Number: PABC-2020-00009 and
Assessor Parcel No: 0422-023-16

Name: Herman C Chasler, Email: HermanCChasler@gmail.com

Address: 34173 Western Dr
Barstow, CA 92311

Name: Chris Wood, Email: Mickey8289@aol.com

Address: 25578 Chrysler St
Barstow, CA 92311

Name: Robert Joergel, Email: madras450@gmail.com

Address: 36267 Birch Rd
Barstow, CA 92311

Name: Lizbeth Escamilla, Email: esa.liz@yahoo.com

Address: 25122 Tower Rd
Barstow, CA 92311

Name: JAVIER FLORES, Email: JFlores99214@gmail.com

Address: 25076 Avenida Laredo
Barstow, CA 92311

Name: Hodge Michael, Email: mike483@yahoo.com

Address: 25525 bedoal St
Barstow, CA 92311



California Secretary of State
Electronic Filing

FILED

Secretary of State
State of California

Corporation - Statement of Information No Change

Entity Name: ABU HANTASH ENTERPRISES INC.

Entity (File) Number: C2895353

File Date: 09/02/2021

Entity Type: Corporation

Jurisdiction: CALIFORNIA

Document ID: GW27595

There has been no change in any of the information contained in the previous complete Statement of Information filed with the California Secretary of State.

By signing this document, I certify that the information is true and correct and that I am authorized by California law to sign.

Electronic Signature: MARWAN K. SHARIF

Use bizfile.sos.ca.gov for online filings, searches, business records, and resources.

Document ID: GW27595



**State of California
Secretary of State**

S
42
PO

Statement of Information

(Domestic Stock and Agricultural Cooperative Corporations)

FEES (Filing and Disclosure): \$25.00.

If this is an amendment, see instructions.

IMPORTANT - READ INSTRUCTIONS BEFORE COMPLETING THIS FORM

FILED
Secretary of State
State of California

DEC 12 2013

1. CORPORATE NAME

Abu Hantash Enterprises Inc

2. CALIFORNIA CORPORATE NUMBER

C2895353

This Space for Filing Use Only

No Change Statement (Not applicable if agent address of record is a P.O. Box address. See instructions.)

3. If there have been any changes to the information contained in the last Statement of Information filed with the California Secretary of State, or no statement of information has been previously filed, this form must be completed in its entirety.

If there has been no change in any of the information contained in the last Statement of Information filed with the California Secretary of State, check the box and proceed to Item 17.

Complete Addresses for the Following (Do not abbreviate the name of the city. Items 4 and 5 cannot be P.O. Boxes.)

4. STREET ADDRESS OF PRINCIPAL EXECUTIVE OFFICE	CITY	STATE	ZIP CODE
27991 Cochise Ave	Barstow	CA	92311
5. STREET ADDRESS OF PRINCIPAL BUSINESS OFFICE IN CALIFORNIA, IF ANY	CITY	STATE	ZIP CODE
27991 Cochise Ave	Barstow	CA	
6. MAILING ADDRESS OF CORPORATION, IF DIFFERENT THAN ITEM 4	CITY	STATE	ZIP CODE
	Barstow	CA	92311

Names and Complete Addresses of the Following Officers (The corporation must list these three officers. A comparable title for the specific officer may be added; however, the preprinted titles on this form must not be altered.)

7. CHIEF EXECUTIVE OFFICER/	ADDRESS	CITY	STATE	ZIP CODE
Carolynne M. AbuHantash	27991 Cochise Ave	Barstow	CA	92311
8. SECRETARY	ADDRESS	CITY	STATE	ZIP CODE
ALI A. AbuHantash	27991 Cochise Ave	Barstow	CA	92311
9. CHIEF FINANCIAL OFFICER/	ADDRESS	CITY	STATE	ZIP CODE
ALI A. AbuHantash	27991 Cochise Ave	Barstow	CA	92311

Names and Complete Addresses of All Directors, Including Directors Who are Also Officers (The corporation must have at least one director. Attach additional pages, if necessary.)

10. NAME	ADDRESS	CITY	STATE	ZIP CODE
Carolynne M. AbuHantash	27991 Cochise Ave	Barstow	CA	92311
11. NAME	ADDRESS	CITY	STATE	ZIP CODE
12. NAME	ADDRESS	CITY	STATE	ZIP CODE

13. NUMBER OF VACANCIES ON THE BOARD OF DIRECTORS, IF ANY: None

Agent for Service of Process If the agent is an individual, the agent must reside in California and Item 15 must be completed with a California street address, a P.O. Box address is not acceptable. If the agent is another corporation, the agent must have on file with the California Secretary of State a certificate pursuant to California Corporations Code section 1505 and Item 15 must be left blank.

14. NAME OF AGENT FOR SERVICE OF PROCESS	ALI A. AbuHantash			
15. STREET ADDRESS OF AGENT FOR SERVICE OF PROCESS IN CALIFORNIA, IF AN INDIVIDUAL	CITY	STATE	ZIP CODE	
27991 Cochise Ave	Barstow	CA	92311	

Type of Business

16. DESCRIBE THE TYPE OF BUSINESS OF THE CORPORATION Car Dealer

17. BY SUBMITTING THIS STATEMENT OF INFORMATION TO THE CALIFORNIA SECRETARY OF STATE, THE CORPORATION CERTIFIES THE INFORMATION CONTAINED HEREIN, INCLUDING ANY ATTACHMENTS, IS TRUE AND CORRECT.

11-13-13 Ali A. AbuHantash Secretary [Signature]
DATE TYPE/PRINT NAME OF PERSON COMPLETING FORM TITLE SIGNATURE

From: [Echols, Cheri](#)
To: [Romero, Irene](#)
Subject: RE: Letter of Public Convenience or Necessity - Type 21 ABC license - 25254 W. Main St.
Date: Thursday, January 28, 2021 12:14:59 PM
Attachments: [image003.png](#)

We don't have any questions or comments at this time.

Thank you.

Cheri Echols, Secretary
Barstow Sheriff Station
(760) 256-4841
(760) 954-1738 Cell



From: Romero, Irene <Irene.Romero@lus.sbcounty.gov>
Sent: Thursday, January 28, 2021 12:04 PM
To: Echols, Cheri <cechols@sbcasd.org>
Cc: Romero, Irene <irene.romero@lus.sbcounty.gov>
Subject: FW: Letter of Public Convenience or Necessity - Type 21 ABC license - 25254 W. Main St.

Hello Cheri,

I wanted to follow-up on the below email. Please let me know if you have any questions.

Thank you,

Irene Romero
Planner II
Land Use Services Department
Phone: 909-387-8311 or 760-995-8140
385 N. Arrowhead Ave. 1st floor
San Bernardino, CA, 92415



Our job is to create a county in which those who reside and invest can prosper and achieve well-being.

www.SBCounty.gov

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From: Romero, Irene <Irene.Romero@lus.sbcounty.gov>

Sent: Tuesday, January 26, 2021 12:42 PM

To: Echols, Cheri <cechols@sbcasd.org>

Cc: Romero, Irene <Irene.Romero@lus.sbcounty.gov>

Subject: Letter of Public Convenience or Necessity - Type 21 ABC license - 25254 W. Main St.

Good Afternoon,

Thank you for speaking with me today.

A proposed liquor store (Lenwood Liquor) located at 25254 W. Main St. in Barstow, has submitted a Letter of Public Convenience or Necessity application for a type 21 ABC license. The ABC board has asked the applicant to obtain a letter of Public Convenience of Necessity from the Planning Division.

I have attached the project notice and ABC application to this email. Please review and send any comments you may have back to me so that I can include them in to the decision making process.

Please let me know if you have any questions.

Thank you,

Irene Romero

Planner II

Land Use Services Department – Planning

Phone: 909-601-4726

385 N. Arrowhead Ave. 1st floor

San Bernardino, CA, 92415



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www.SBCounty.gov

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EXHIBIT C

Appeal Application

San Bernardino County
Planning Commission
County Government Center
385 N. Arrowhead Avenue, 1st Floor
San Bernardino, CA 92415

Re: Project Number PABC-2020-00009
Assessor Parcel Number 0422-023-16

Brief in support of Appeal

May it please this Commission;

This appeal is being submitted on behalf of the concerned citizens of Lenwood and the constituents located in the affected area. We ask that the San Bernardino County Planning Commission determine that the issuance of a Type-21 Off-Sale General license for 25254 West Main Street, Barstow, CA APN 0422-023-16 (hereinafter the "Premises") would not serve a public convenience or necessity. We ask that the Commission overturn the Notice of Decision and the Staff approval of a variance application made on December 1, 2021.

Procedural Background

The Department of Alcohol Beverage Control (hereinafter the "Department") shall deny an application for a license, or a transfer of a license, if its issuance would result in a law enforcement problem or result in or add to an undue concentration of licenses. Cal. Bus. & Prof. Code § 23958 (West).

Upon the above finding by the Department, Carolyne Abu Hantash as president of Abu Hantash Enterprises, Inc., a California corporation (hereinafter "Applicant"), submitted a variance application for an ABC Letter of "Public Convenience or Necessity" for issuance of an ABC Type-21 Off-Sale General license with the County of San Bernardino in December of 2020. This variance application was required to circumvent the statutory bar provided for in Cal. Bus. Prof. Code § 23958. The exception the Applicant is attempting to use is provided for in Cal. Bus. Prof. Code § 23958.4(b)(2) which states in pertinent part, "*if the local governing body of the area in which the applicant premises are located determines ... that public convenience or necessity would be served by the issuance*" the Department may issue a license.

In the face of large-scale community opposition, County Planner Irene Romero denied the December 2020 application (letters of opposition attached to this appeal as an exhibit).

With disregard for the protections provided the citizens of Lenwood by California law as enforced by Planner Romero's lawful decision to deny the December 2020 application, the Applicant didn't appeal the decision. Rather, the Applicant lie in wait to bring this concerted effort to circumvent the law along with Lenwood Discount Market who brought a variance application to Planning Staff in PABC-2021-00006. Applicant and Lenwood Discount Market preyed on a County Planning Staff less familiar with the Lenwood area demographics and rural

characteristics of the community to attempt to circumvent long standing laws against undue concentration of liquor licenses. The resulting staff approvals cost the concerned citizens of Lynwood over \$2000 in fees to file the appeals.

The Department may rely, and is not required to independently determine, whether issuing a license would serve a public convenience or necessity when a local governing body has already made that determination. Nick v. Dep't of Alcoholic Beverage Control, 233 Cal. App. 4th 194. San Bernardino County Code of Ordinances §85.04.020 adopts the State requirements and definitions regarding alcoholic beverage control and formalizes the State requirement that a local jurisdiction shall make a determination of public convenience or necessity before the ABC will issue a liquor license.

This means that the County of San Bernardino is tasked with seriously weighing the factors for issuing a variance to the law prohibiting the issuance or transfer of a liquor license. The County of San Bernardino is responsible for the protection of the Lenwood citizens from the perils of undue concentration of liquor licenses and the resulting crime that is correlated thereto.

Pursuant to San Bernardino County Code of Ordinances §85.04.030 the Director of the Planning Division of San Bernardino County (hereinafter the "Director") shall review and act upon a request for a letter of public convenience or necessity. Here, the Director took such action and denied the 2020 application. Now, the Director took an opposite action, without appeal by the Applicant, and issued a Notice of Decision on December 1, 2021 that the County of San Bernardino would issue an ABC Letter of Public Convenience or Necessity.

Now, the concerned citizens of Lenwood timely file this appeal pursuant to San Bernardino County Code of Ordinances §86.08.040 and ask the San Bernardino County Planning Commission to overturn the decision of the Planning Division and deny any variance being requested by the Applicant.

The Premises is Not Suitable for a Type-21 Off-Sale General License

Even before considering the Applicant, the Applicant's failure to meet its burden in requesting the ABC Letter of Public Convenience or Necessity and the overwhelming community disapproval of the application renders the Premises not suitable for a Type-21 Off-Sale General license pursuant to state and local laws.

State Law

Pursuant to Cal. Bus. Prof. Code § 23789(a)(b), "*(t)he department is specifically authorized to refuse the issuance ... of any retail license for premises located in the immediate vicinity of churches and hospitals. The department is specifically authorized to refuse the issuance ... of any retail license for premises located within at least 600 feet of schools, public playgrounds or youth facilities.*" Here, the Premises is located proximate to the Lenwood Community Church which also is the site for youth facilities. The Applicant thus must be denied for a premises that is statutorily unsuitable.

The Premises is currently licensed as a Type-20 Off-Sale Beer and Wine license. While no alcohol sales whatsoever would be preferable in a location that is directly proximate to children and faith-based communities, California law makes no limitation on the issuance of a Type-20 Off-Sale Beer and Wine licenses.

Notwithstanding, Cal. Bus. Prof. Code § 23001 states “... *an exercise of the police powers of the State for the protection of the safety, welfare, health, peace, and morals of the people of the State, to eliminate the evils of unlicensed and unlawful ... selling and disposing of alcoholic beverages, and to promote temperance in the use and consumption of alcoholic beverages. It is hereby declared that the subject matter of this division involves in the highest degree the economic, social, and moral well-being and the safety of the State and of all its people. All provisions of this division shall be liberally construed for the accomplishment of these purposes.*”

As a result, the perils of certain types of alcohol sales versus beer and wine only sales are both contemplated in the state law and purposely provided for.

Subjecting the children and faith-based community of Lenwood to alcoholism, abuse, and addicted persons that consume alcohol in public and the unintended consequences of a premises that is licensed with a Type-21 Off-Sale General license is the exact consequence the law aims to prevent.

San Bernardino County

In previous applications for the issuance of a Type-21 Off-Sale General license in the recent past at 25321 Main Street the Director made the determination to not issue an ABC Letter of Public Convenience or Necessity due to the proximity of those locations to Lenwood Elementary School. San Bernardino County Ordinance §84.02.030 provides guidance with respect to adult businesses. In that Ordinance, places of worship, schools, and parks all are treated as equals and are required to be 500 feet from the adult business. Moreover, the fact that the San Bernardino County Ordinance treats places of worship, schools, and parks equally with respect to adult businesses, it stands to reason that those three special designations are equivalent for a Type-21 Off-Sale General license.

The Premises here is located closer to a church than 25321 Main Street was located to Lenwood Elementary School. As a result, the County cannot in good faith show favor to this Applicant by inconsistently issuing an ABC Letter of Public Convenience or Necessity without discriminating against my clients. Frankly, the County cannot in good faith issue the ABC Letter of Public Convenience or Necessity 1 year after turning that very same location down as unsuitable.

While the San Bernardino County Ordinance is silent on distances from a Type-21 Off-Sale General license with respect to places of worship, schools, and parks, the California code is not. As stated earlier, pursuant to Cal. Bus. Prof. Code § 23789(a)(b), a Type-21 Off-Sale General license shall not be issued to a premises in the immediate vicinity of churches and hospitals or located within 600 feet of schools, public playgrounds or youth facilities.

For the aforementioned reasons, the Premises is lawfully unsuitable and cannot be determined as an exception to the Department's statutory bar to the issuance of a Type-21 Off-Sale General license.

As a result, the County of San Bernardino should not contravene established laws and issue an ABC Letter of Public Convenience or Necessity in favor of Applicant.

The Applicant has Failed to Establish a Public Convenience or Necessity for the Premises.

It goes without saying that the Department would not issue the Premises a Type-21 Off-Sale General license on its own authority. As a result, the Applicant finds itself before this Commission asking for a determination of "public convenience or necessity" as an exception to the rule. In this ask, the Applicant bears the burden of proof.

In Project Number PABC-2020-00009, Applicant asks the County of San Bernardino to step in and grant its application for a Type-21 Off-Sale General license on the grounds of a "public convenience or necessity." Unfortunately, the Applicant has failed to demonstrate either a public convenience or necessity for the issuance of such a license.

The Applicant has failed to demonstrate:

- how the proposed use will not be detrimental to the character of development in the immediate neighborhood and will be in harmony with overall objectives of the general plan;
- prove/demonstrate the economic benefit outweighs the negative impacts to the community as whole;
- demonstrate how issuance of license will provide a needed service not currently being met in the community;
- identify the special and unusual circumstance present here to justify a new retail alcohol outlet when there are already similar alcohol uses existing nearby;
- prove they cannot operate profitably without a liquor license;
- demonstrate reasonable efforts to seek community input;
- net employment gain;

In fact, the Applicant has proven nothing with respect to convenience or necessity. While the concerned citizens of Lenwood have alternatively proved how the variance violates the law, the Applicant fails to establish even the most rudimentary basis for providing an exception to the rule.


The Community has Made its Own Determination Regarding the Public Convenience or Necessity of Applicant's Application for a Type-21 Off-Sale General License

The community has spoken out firmly about their disapproval of the Premises being issued a Letter of Public Convenience or Necessity for a Type-21 Off-Sale General License. Attached are the letters from Lenwood Community Church and the Veterans of Foreign Wars of the United States from the December 2020 application. Also attached are a Protest Against Alcoholic

Beverage License Application signed by 165 persons. This community opposition caused the denial of Applicant's December 2020 application.

While the concerned citizens of Lenwood respectfully submit this appeal to the Commission with deference to its powers, we suggest that the community has already spoken on its own behalf as to both public convenience and necessity. In this brief it has been established that 1) the Premises is unsuitable, 2) the Applicant has failed to establish a public convenience or necessity, and 3) the community at large has rendered judgement as to the use of the public convenience and necessity exception as it relates to the issuance of a Type-21 Off-Sale General license.

Submitted this 13th day of December 2021 on behalf of the concerned citizens of Lenwood, I affirm the contents of this brief are true to the best of my knowledge.

By: 
David J. Greiner, Attorney at Law