



Planning Case
P16-0251 (Revocation or Modification of
Minor Conditional Use Permit P15-0255)

**Community & Economic
Development Department**

City Planning Commission

Item # 4

July 14, 2016

RiversideCa.gov

Background

- The Hideaway Café has been operating with a Type 41 (On-sale Beer and Wine – Eating Place) Alcoholic Beverage Control (ABC) license since May 2013. Prior to the Hideaway, a different restaurant operated with the same license-type since 2010.
- On September 11, 2015, the Zoning Administrator considered and approved Minor Conditional Use Permit P15-0255, to permit entertainment in conjunction with the restaurant.



2

RiversideCa.gov

Background

- On February 24, 2016, City staff from the Planning, Code Enforcement, Building and the Police Department met with the business owner, as required by a Condition of Approval requiring a "six month review". Staff expressed concerns regarding compliance with conditions of approval, as well as a lack of adequate management oversight and security operations at the business resulting in health and safety concerns for patrons and surrounding properties.



3

RiversideCa.gov

Background

- The business owner has been unable to address staff concerns and the business continues to have negative health and safety impacts on the Downtown neighborhood:
 - Excessive calls for service
 - Security staff have routinely used excessive or incorrect force to deal with issues.
 - Security staff have routinely failed to contact RPD regarding security issues.
 - Large number of altercations located at, or in connection with, the Hideaway.
 - Sale of Narcotics to undercover officers.
 - Violations of Conditions of Approval.
 - Violations of Riverside Municipal Code, State, and Federal laws.



4

RiversideCa.gov

REQUEST

- Pursuant to Section 19.730.090 of the Riverside Municipal Code, a Minor Conditional Use permit may be revoked by the Planning Commission if the Planning Commission finds any one, or more, of the following grounds:
 - *That a permit approval was obtained by fraud; or,*
 - *That the permit granted is being or has been exercised contrary to the conditions of such permit or in violation of any applicable licenses, permits, regulations, laws, or ordinances; or,*
 - *That the use for which the permit approval was granted is being or has been exercised as to be detrimental to the public health or safety or so to constitute a nuisance.*



5

RiversideCa.gov

Health and Safety



6

RiversideCa.gov

Health and Safety – Use of Excessive Force



7

RiversideCa.gov

Health and Safety



8

RiversideCa.gov

Health and Safety – Failure to Contact Police



9

RiversideCa.gov

Neighborhood Impacts



10

RiversideCa.gov

Health and Safety - Impacts on Surrounding Properties



11



RiversideCa.gov

FINDINGS

- *That the permit granted is being or has been exercised contrary to the conditions of such permit or in violation of any applicable licenses, permits, regulations, laws, or ordinances.*

12



RiversideCa.gov

FINDINGS

- *That the use for which the permit approval was granted is being or has been exercised as to be detrimental to the public health or safety or so to constitute a nuisance.*



13

RiversideCa.gov

RECOMMENDATION

That the City Planning Commission:

- **REVOKE** Minor Conditional Use Permit P15-0255 based on the following findings:
 - The permit granted is being exercised contrary to the conditions of such permit and in violation of applicable licenses, permits, regulations, laws, and ordinances; and,
 - The use for which the permit approval was granted is being and has been exercised to be detrimental to the public health and safety and so as to constitute a nuisance.
 - Which findings are supported by the facts contained in this staff report and presented at the public hearing.



14

RiversideCa.gov

ALTERNATE RECOMMENDATION

Should the Planning Commission choose not to Revoke Minor Conditional Use Permit P15-0255, staff would recommend:

That the City Planning Commission:

- **MODIFY** Minor Conditional Use Permit P15-0255 Conditions of Approval per Exhibit 5 of the staff report.



15

RiversideCa.gov