



Community & Economic Development Department

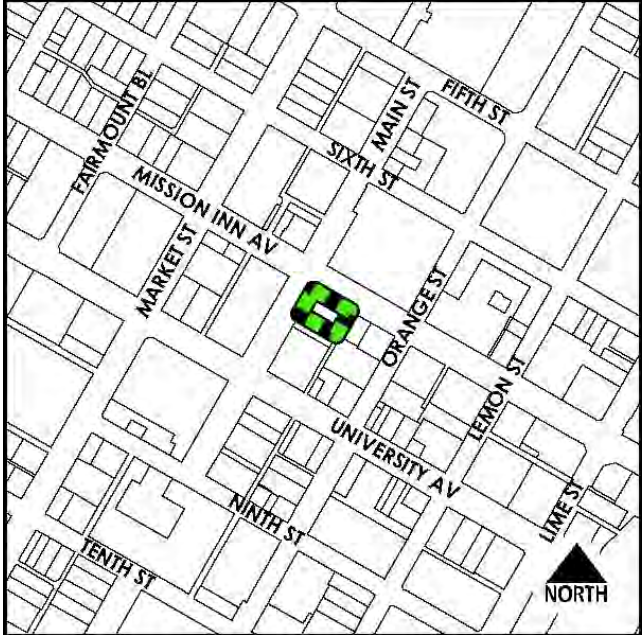
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Planning Division

PLANNING COMMISSION HEARING DATE: APRIL 18, 2019

AGENDA ITEM NO.: 3

PROPOSED PROJECT

Case Numbers	P18-0572 (Modification of Minor Conditional Use Permit)	
Request	Consideration of a modification of Planning Case P16-0251 (Modification of P15-0255 [Minor Conditional Use Permit]) to allow a modification to The Hideaway Café's Alcohol Beverage Control License to upgrade from a Type 41 (On-Sale Beer and Wine License) to a Type 47 (On-Sale General Eating Place) to allow the sale of spirits in addition to beer and wine.	
Applicant	Craig Johnston on behalf of the Hideaway Cafe/Mission Galleria	
Project Location	3700 Main Street	
APN	213-271-001	
Project area	0.34 acres	
Ward	1	
Neighborhood	Downtown	
Specific Plan	Downtown Specific Plan	
General Plan Designation	DSP - Downtown Specific Plan	
Zoning Designation	DSP-RC-SP-CR – Downtown Specific Plan Raincross District and Cultural Resources Overlay Zones	
Staff Planner	David Murray, Principal Planner 951-826-5773 dmurray@riversideca.gov	

RECOMMENDATIONS

Staff recommends that the Planning Commission:

- 1) **DENY** Planning Case P18-0572 (Modification to Minor Conditional Use Permit) based on 1) the inability of staff to make the findings required by the Zoning Code; 2) a consistent pattern of ignoring and violating the Minor Conditional Use Permit (MCUP); 3) the ongoing extraordinary calls for service; and 4) the ongoing Stayed Revocation status imposed by the California Alcohol Beverage Control for the sales of narcotics by employees in 2016.

The Riverside Police Department concurs with this recommendation.

SITE BACKGROUND

The Hideaway Cafe is one of four tenants that operate in the building located at 3700 Main Street. The 0.34 acre site is currently developed with a three-story multi-tenant commercial building (Exhibit 1). The table below lists the surrounding land uses and current hours of operation (Exhibit 2).

	Business	Hours of Operation
Project Site	Hideaway Cafe	Sunday - Saturday: 11:00 AM – 2:00AM Wednesday – Saturday: Entertainment Permitted
	A.D. Jewelry Creations	Sunday - Monday: Closed Tuesday - Friday: 10:00 AM to 5:30 PM Saturday: 10:00 AM- 3:00 PM
	Mission Galleria Antique Shoppe	Sunday: 11:00 AM – 5:30 PM Monday – Thursday: 10:00 AM to 5:30 PM Friday - Saturday: 10:00 AM- 9:00 PM
	Molino's Coffee	Sunday: 7:00 AM – 9:00 PM Monday – Friday: 6:00 AM to 10:00 PM Saturday: 7:00 AM – 10:00 PM
North	The Mission Inn Hotel and Spa	Sunday - Saturday: 24 Hours
East	Mario's Place	Sunday: Closed Monday: 5:30 PM – 9:00 PM Tuesday - Wednesday: 5:30 – 9:30 Thursday – Saturday: 5:30 - 1:00 AM
South	Riverside Art on Main	Sunday: 12:00 PM – 4:00 PM Monday - Tuesday: Closed Wednesday - Saturday: 3:00 PM- 10:00 PM
West	Coffee Bean and Tea Leaf	Sunday: 6:00 AM – 7:00 PM Monday - Thursday: 5:30 AM – 9:00 PM Friday: 5:30 AM – 10:00 PM Saturday: 6:00 AM – 10:00 PM

In 2010, the Galleria Café Wine Gallery restaurant was granted a Type 41 (On-sale Beer and Wine – Eating Place) Alcoholic Beverage Control (ABC) license in the current location of the Hideaway Cafe. In 2013, the Hideaway Cafe opened and took over the Type 41 ABC license. The current ABC License is held by Mr. Craig Johnston, property and business owner.

On September 11, 2015, following numerous Code Enforcement complaints against the Hideaway Café because they had on-premises entertainment (DJ/dance floor) without proper land use permits, the Zoning Administrator considered and approved Minor Conditional Use Permit P15-0255, to permit entertainment in conjunction with the restaurant.

On July 14, 2016, because of Riverside Municipal Code violations, extraordinary calls for service, and suspected illegal activities on the premises, a staff-initiated request for revocation of the Minor Conditional Use Permit P15-0255 was considered by the Planning Commission. The Planning Commission continued this item at the request of staff to allow additional time for staff to meet with the business owner to discuss staff concerns outlined in the July 14, 2016, staff report. The meeting was continued to the September 8, 2016, and then to the October 6, 2016, Planning Commission meetings. Following the July 14, 2016, Planning Commission meeting, staff met with the business owner on August 8, 2016, to discuss a number of changes made by the business owner to the operation of Hideaway. Staff also met with the business owner's representative on September 9, 2016, to discuss modifying the Minor Conditional Use Permit (P15-0255) to allow the business to continue to operate, while providing clear safeguards in the Conditions of Approval. Because changes were made in the operation, management, and security of the facility, on October 2, 2016, the Planning Commission approved Planning Case P-16-0251 (Modification of P15-0255 [Minor Conditional Use Permit]), subject to the recommended conditions of approval (Exhibit 3).

PROPOSAL

The applicant is requesting modifications to the Conditions of Approval related to Planning Case P16-0251 (Modification of P15-0255 [Minor Conditional Use Permit]) to upgrade from a Type 41 (On-Sale Beer and Wine License) to a Type 47 (On-Sale General Eating Place) to allow for the sale of distilled spirits.

PROJECT ANALYSIS

Staff is recommending that the Planning Commission deny the request to modify the Conditions of Approval related to Planning Case P16-0251 (Modification of P15-0255 [Minor Conditional Use Permit]) to upgrade from a Type 41 (On-Sale Beer and Wine License) to a Type 47 (On-Sale General Eating Place) to allow for the sale of spirits. This recommendation is based on a history of violations of the Conditions of Approval of the Minor Conditional Use Permit (MCUP), the Riverside Municipal Code, and State and Federal laws, which have been documented. The Hideaway Café has been identified as a business associated with poor security and management practices, extraordinary calls for service from the Riverside Police Department, and various criminal incidents summarized within this staff report.

COMPLIANCE WITH APPLICABLE DEVELOPMENT STANDARDS

The property complies with the following applicable development standards:

Chapter 19.460 – Alcohol Sales Distance Requirement Standards (Exhibit 4)				
Standard		Proposed	Consistent	Inconsistent
Setback From Residential Zone or Use Excluding Mixed Use Projects Approved with a Conditional Use Permit	100 feet	DSP – RES – Downtown Specific Plan Residential District Zone 920 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Setback From Supportive Housing	1000 feet	No supportive housing facilities within 1,000 feet.	<input checked="" type="checkbox"/>	<input type="checkbox"/>

California Department of Alcoholic Beverage Control Census Tract 303.00 On-Sale Alcohol Licenses (Exhibit 5)						
Standard		Existing Licenses	Proposed Licenses	Total Number of Existing and Proposed Licenses	Consistent	Inconsistent
Maximum Number of Off-sale Licenses	4	43	0	43	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Note: This application is for the modification of an existing license. No new licenses are proposed.						

PROJECT SUMMARY

1) Extraordinary Calls for Police Service:

The Riverside Police Department memorandums relating to the operations of the Hideaway Cafe (Exhibits 6, 7 and 8) summarize the police responses since October 1, 2016, when the CUP was last modified. Each response was examined and data was compiled for only those calls that appeared to be directly related to the Hideaway Cafe. Routine calls, such as alarm calls, parking problems, bar checks, etc., were excluded from the memorandum as they do not directly reflect the business practices.

From October 1, 2016, through February 11, 2019, there were approximately 95 calls for police service related to the Hideaway Cafe where a police report was generated, not including those alarm, parking, bar check, and other routine calls.

According to the Police Department, Hideaway Café management has failed to provide adequate and required security measures which have created an environment that threatens the safety of patrons and those visiting Downtown Riverside.

The following summarizes several of the events that are detailed in Exhibits 6, 7 and 8. The events show a pattern of intoxicated patrons at Hideaway Café and claims against the Security Guards.

2) Significant Incidents since October 2016

Date of Incident	Type of Call	Summary
December 7, 2016	Fight	<ul style="list-style-type: none"> An intoxicated patron was attempting to start fights with other patrons. A Security Guard and the intoxicated patron engaged in physical altercation. Neither party desired prosecution.
March 19, 2017	Battery	<ul style="list-style-type: none"> Subject alleged the Hideaway Cafe Security Guards assaulted her. Security Guards alleged the subject had assaulted one of them. Employees were unable to access the surveillance video. Video was made available the following day. No further action was taken.
May 21, 2017	Assault	<ul style="list-style-type: none"> Subject claimed that Security Guard stated that he had elbowed him. Security Guards placed the subject in a chokehold without applying pressure and escorted subject out of the club. Outside of the club, a Security Guard pushed the subject causing them to fall. Subject had visible injuries and was taken to the hospital for treatment. Employees were unable to access the surveillance video and the incident could not be reviewed.
July 27, 2017	Assault	<ul style="list-style-type: none"> Victim advised another subject assaulted him inside the Hideaway Café. Victim was dragged outside of the bar by security and thrown to the ground. Victim stated the security guards held him down while security began to punch and kick him and believed he was also tased. Victim did not desire prosecution.
August 13, 2017	Assault	<ul style="list-style-type: none"> Subject called Riverside Police Department Dispatch Center claiming she was assaulted by Security Guards. Subject advised the incident occurred a few days ago. Subject advised she would contact the police when she returned to the City.
October 24, 2017	Battery	<ul style="list-style-type: none"> Adult victim claimed he was assaulted by the Hideaway Cafe's Security Guards on October 22, 2017.

Date of Incident	Type of Call	Summary
December 3, 2017	Fight	<ul style="list-style-type: none"> Two subjects were fighting in front of the club. Security broke up the fight by taking one subject to the ground. Subject was arrested for public intoxication. During the arrest the subject's brother began to interfere with the officers and was also arrested for public intoxication. Following the incident the subject called the police to report he was assaulted by the security guards.
April 29, 2018	Fight	<ul style="list-style-type: none"> Female subject made threats to blow up the business after getting into an argument with her girlfriend. Security guard attempting to break up the fight was punched by female. Security guard tackled female subject. Female subject claimed that she was assaulted by security guards. Female subject was arrested and later issued a citation.
July 8, 2018	Assault	<ul style="list-style-type: none"> Security staff escorted adult male victim out of the club for harassing female patrons. Outside Security Guards shoved the victim in the back causing him to stumble. City surveillance video confirmed what occurred. No prosecution was desired.
July 28, 2018	Assault and Robbery	<ul style="list-style-type: none"> Victim inside restroom approached by security guard who placed the victim in a chokehold until he lost consciousness. Victim was able to break free of grip when they regained consciousness. Two additional security guards placed the victim in handcuffs and escorted him to an office. Victim was then told to leave. Officer noted victim had visible injuries. Employees were unable to access the surveillance video at the time of this investigation.

3) Alcohol Beverage Control Actions

The Riverside Police Department November 14, 2018, memorandum (Exhibit 6) identifies enforcement actions that have been taken by the California Department of Alcohol Beverage Control since October 2016.

Date	Incident	Enforcement Action
August 18, 2017	A bottle of Vodka was found inside the Hideaway Café.	<ul style="list-style-type: none"> Hideaway Café was served a five-day suspension from serving alcohol. In lieu of serving the suspension, the Hideaway Cafe paid a fine of approximately \$3,000.
August 23, 2018	Sales of Narcotics by employees between March 24, 2016, and May 11, 2016.	<ul style="list-style-type: none"> Hideaway Café was penalized with a twenty-day suspension from serving alcohol and a period of stayed revocation for one year.

4) Incident reported by Streetsplus (Downtown Safety Ambassador Program)

The Streetsplus memorandum (Exhibit 9) identifies an incident on October 26, 2018, where a female subject's phone was stolen inside the Hideaway Cafe. The phone was recovered and suspect arrested inside the Hideaway Cafe.

5) Violation of Conditions of Approval

The Hideaway Cafe is regulated by a total of 18 Conditions of Approval established by Planning Case P16-0255 (Modification of P15-0255 [Minor Conditional Use Permit]) (Exhibit 3).

Below is a discussion of violations of the Conditions of Approval:

a. Condition No. 3c

"Installation of a security camera surveillance system consisting of high definition video technologies with the minimum requirement of having the ability to save recorded video for a fourteen day period and which shall also be made available to the Riverside Police Department immediately upon request. An on-site manager shall have working knowledge on how to retrieve video when requested by Riverside Police Department."

Violation: Based on the Riverside Police Department's memorandum (Exhibit 6) on March 31, 2017, May 21, 2017, and July 28, 2018, the on-site manager failed to release video footage requested by the Police Department as part of an investigation.

b. Condition No. 4:

"The sale of alcohol is limited to an ABC Type 41, On-Sale Beer and Wine Eating Place. Any changes to the ABC license shall require a revision to the Minor Conditional Use Permit."

Violations: Based on the Riverside Police Department's memorandum (Exhibit 6) on August 18, 2017, during an inspection by the Riverside Police Department and California Department of Alcoholic Beverage Control, a bottle of Vodka was found behind the bar.

c. Condition No. 5:

"Entertainment shall be limited to Wednesday through Saturday. Modifications may be permitted to "switch" a day of the week on a temporary basis if the request is submitted a minimum of 30 days prior to the event and approved by the Planning Division and Police Department."

Violations: Based on the Riverside Police Department's memorandum (Exhibit 6 and 8) the following are examples of violations of this Condition of Approval as no request to "switch days" was received or approved:

August 18, 2017 - during an inspection by the Riverside Police Department and California Department of Alcoholic Beverage Control, signs were identified inside the club advertising entertainment on Sunday, Monday, and Tuesday.

September 4, 2018, and September 30, 2018 - The Riverside Police Department found flyers posted on the Hideaway Cafe Facebook page advertising nightclub events for Sunday, August 19, 2018, and Sunday, September 30, 2018.

March 10, 2019 – The Riverside Police Department found an advertisement posted on the Hideaway Café Instagram page advertising entertainment for later in the evening (Sunday, March 10, 2019). The Riverside Police Department visited the Hideaway Café at approximately 11:51 PM and noted a “DJ” performing.

March 14, 2019, and March 15, 2019 – The Riverside Police Department found two advertisements on the Hideaway Café's Instagram page and one advertisement on the establishment's Facebook page advertising a St. Patrick's Day event to be held on Sunday, March 17, 2019. Officers visited the club on March 17, 2019, at approximately 10:00 PM and noted a guitarist performing. Dancing at 9:00 PM was also advertised, but Riverside Police Department was unable to confirm if this occurred because officers being unable to conduct a bar check during this time.

d. Condition No. 9

“No “happy hour” or other drink specials shall be permitted after 7:00 pm on nights with entertainment.”

Violation: Based on the Riverside Police Department's memorandum (Exhibit 6) on August 18, 2017, during an inspection by the Riverside Police Department and California Department of Alcoholic Beverage Control, drink specials were advertised after 7:00 PM.

e. Condition No. 12

“A minimum \$5 cover charge shall be required for all patrons entering the facility after 9:00 pm on nights with entertainment.”

Violation: Based on the Riverside Police Department's memorandum (Exhibit 6) on August 18, 2017, during an inspection by the Riverside Police Department and California Department of Alcoholic Beverage Control, free entry before 11:00 PM was advertised.

FINDINGS SUMMARY

Pursuant to Chapter 19.730.040 of the Zoning Code, the following required findings must be made by staff in order to approve a modification to an existing Minor Conditional Use Permit:

- A. The proposed use is substantially compatible with other uses in the area, including factors relating to the nature of its location, operation, building design, site design, traffic characteristics and environmental impacts.
- B. The proposed use will not be materially detrimental to the health, safety and general welfare of the public or otherwise injurious to the environment or to the property or improvements within the area.
- C. The proposed use will be consistent with the purposes of the Zoning Code.

- D. The proposed use is in conformance with specific site location, development and operation standards as may be established in the Zoning Code for the particular use.

Based on the record noted above, staff is unable to make the Minor Conditional Use Permit findings as follows:

- A. The proposal to allow the Hideaway Cafe to upgrade their Alcohol Beverage Control License to a Type 47 (On-Sale General Eating Place) to allow the sale of spirits is not substantially compatible with other uses in the area based on the repeated violations of their existing Minor Conditional Use Permit and current operations, including: 1) the presence of spirits on premises; 2) the selling of narcotics on premises by employees; 3) the advertising and holding of special events without Planning Division or Police Department approval; 4) the failure to access and release video surveillance footage to the Riverside Police Department; 5) the advertising of drink specials after 7:00 PM; and 6) the advertising of free entry after 9 PM.
- B. The proposal to allow the Hideaway Cafe to upgrade their Alcohol Beverage Control License to a Type 47 (On-Sale General Eating Place) to allow the sale of spirits will be materially detrimental to the health, safety and general welfare of the public or otherwise injurious to the environment or to the property or improvements within the area based on 1) the ongoing and extraordinary number of calls for service (95 calls from October 1, 2016, through February 11, 2019), including multiple calls related to fights on the premises and assaults of patrons by other patrons and security guards; 2) the selling of narcotics on premises by employees; and 3) the repeated violations of their existing Minor Conditional Use Permit including: 1) the presence of spirits on premises; 2) the advertising and holding of special events without Planning Division or Police Department approval; 3) the failure to access and release video surveillance footage to the Riverside Police Department; 4) the advertising of drink specials after 7:00 PM; and 5) the advertising of free entry after 9 PM.
- C. Pursuant to Chapter 19.730.010 of the Zoning Code, the Minor Conditional Use Permit is required for uses "deemed to possess location, use, building or traffic characteristics of such unique and special form as to make impractical or undesirable, their automatic inclusion as permitted uses." In granting a Minor Conditional Use Permit, the City is granted the authority to require certain conditions to "protect the public health, safety, convenience, and general welfare and to assure that the purposes of the Zoning Code shall be maintained with respect to the location, use, building, traffic and other impacts of the proposed use and its relationship with other existing and proposed uses in the surrounding area." The Hideaway Café has repeatedly violated the conditions of the Minor Condition Use Permit that ensure purposes of the Zoning Code are implemented and to protect the public health, safety, convenience, and general welfare. These violations include: 1) the presence of spirits on premises; 2) the advertising and holding of special events without Planning Division or Riverside Police Department approval; 3) the failure to access and release video

surveillance footage to the Riverside Police Department; 4) the advertising of drink specials after 7:00 PM; and 5) the advertising of free entry after 9 PM. The granting the modification of the Minor Conditional Use Permit to allow the sale of spirits at an establishment that has repeatedly violated its conditions of approval would not be consistent with the purposes of the Zoning Code.

- D. The proposal to allow the Hideaway Cafe to upgrade their Alcohol Beverage Control License to a Type 47 (On-Sale General Eating Place) to allow the sale of spirits would not be consistent with specific operation standards established in the Zoning Code for the particular use because the Hideaway Café has repeatedly violated its conditions of approval related to its operation, including: 1) the ongoing and extraordinary number of calls for service (95 calls from October 1, 2016, through February 11, 2019), including multiple calls related to fights on the premises and assaults of patrons by other patrons and security guards; 2) the presence of spirits on premises, 3) the advertising and holding of special events without Planning Division or Police Department approval; 4) the failure to access and release video surveillance footage to the Riverside Police Department; 5) the advertising of drink specials after 7:00 PM; and 5) the advertising of free entry after 9 PM.

Based on 1) the inability of staff to make the findings required by the Zoning Code; 2) a consistent pattern of ignoring and violating the Minor Conditional Use Permit (MCUP); 3) the ongoing extraordinary calls for service; and 4) the ongoing Stayed Revocation status imposed by the California Alcohol Beverage Control for the sales of narcotics by employees in 2016, staff does not recommend modifications to the MCUP to allow the Alcohol Beverage Control License to upgrade from a Type 41 (On-Sale Beer and Wine License) to a Type 47 (On-Sale General Eating Place) to allow the sale of spirits in addition to beer and wine. The Riverside Police Department concurs with this recommendation.

If the Planning Commission rejects staff's recommendation, the Planning Commission must make all of the findings identified in Section 19.730.040 "Required Findings" of the Riverside Municipal Code, listed below, which must be based upon facts in the record and before the Planning Commission when those findings are made:

- A. The proposed use is substantially compatible with other uses in the area, including factors relating to the nature of its location, operation, building design, site design, traffic characteristics and environmental impacts.
- B. The proposed use will not be materially detrimental to the health, safety and general welfare of the public or otherwise injurious to the environment or to the property or improvements within the area.
- C. The proposed use will be consistent with the purposes of the Zoning Code.
- D. The proposed use is in conformance with specific site location, development and operation standards as may be established in the Zoning Code for the particular use.

If the Planning Commission decides to approve the modification to the MCUP, staff recommends that the Planning Commission continue the item to a date certain to allow staff to prepare conditions of approval based on the Planning Commission's findings.

PUBLIC NOTICE AND COMMENTS

Staff mailed public hearing notices to property owners within 300 feet of the site informing them of the proposed project and inviting them to comment. As of the writing of the staff report, Staff received responses from The Deana Foundation and Neighbors of the Wood Streets in support of the proposed license upgrade (Exhibit 10).

TIME LIMITS ON REAPPLICATION AND APPEAL INFORMATION

No new application for the same or similar request may be applied for or accepted by the City within one year of the date of the action to deny the request to modify the Minor Conditional Use Permit, unless the Community & Economic Development Director, his/her designee as appropriate determines that a new application is warranted due to a substantial change in land use on properties in the vicinity, improved infrastructure in the vicinity, altered traffic patterns, or any such similar change resulting in a changed physical environment.

Actions by the City Planning Commission may be appealed to the City Council within ten calendar days after the decision. Appeal filing and processing information may be obtained from the Community & Economic Development Department, Planning Division, Public Information Section, 3rd Floor, City Hall.

EXHIBITS LIST

1. Location Map
2. Context Map
3. Planning Case P16-0251 (Modification of P15-0255 [Minor Conditional Use Permit])
Conditions of Approval
4. Distance Requirements Map
5. ABC Alcohol License Census Tract Concentration Map
6. Riverside Police Department November 14, 2018, Memorandum
7. Riverside Police Department February 15, 2019, Memorandum
8. Riverside Police Department March 21, 2019, Memorandum
9. Streetplus February 20, 2019 Memorandum
10. Public Comments
 - a. Letter from The Deana Foundation dated September 18, 2018
 - b. Letter from Neighbors of the Wood Streets dated September 18, 2018
11. General Plan Map
12. Specific Plan and Zoning Map
13. Project Plans (Site Plan and *Floor Plan*)
14. Existing Site Photos
15. Application

Prepared by: Veronica Hernandez, Associate Planner
Reviewed by: David Murray, Principal Planner
Approved by: Mary Kopaskie-Brown, City Planner

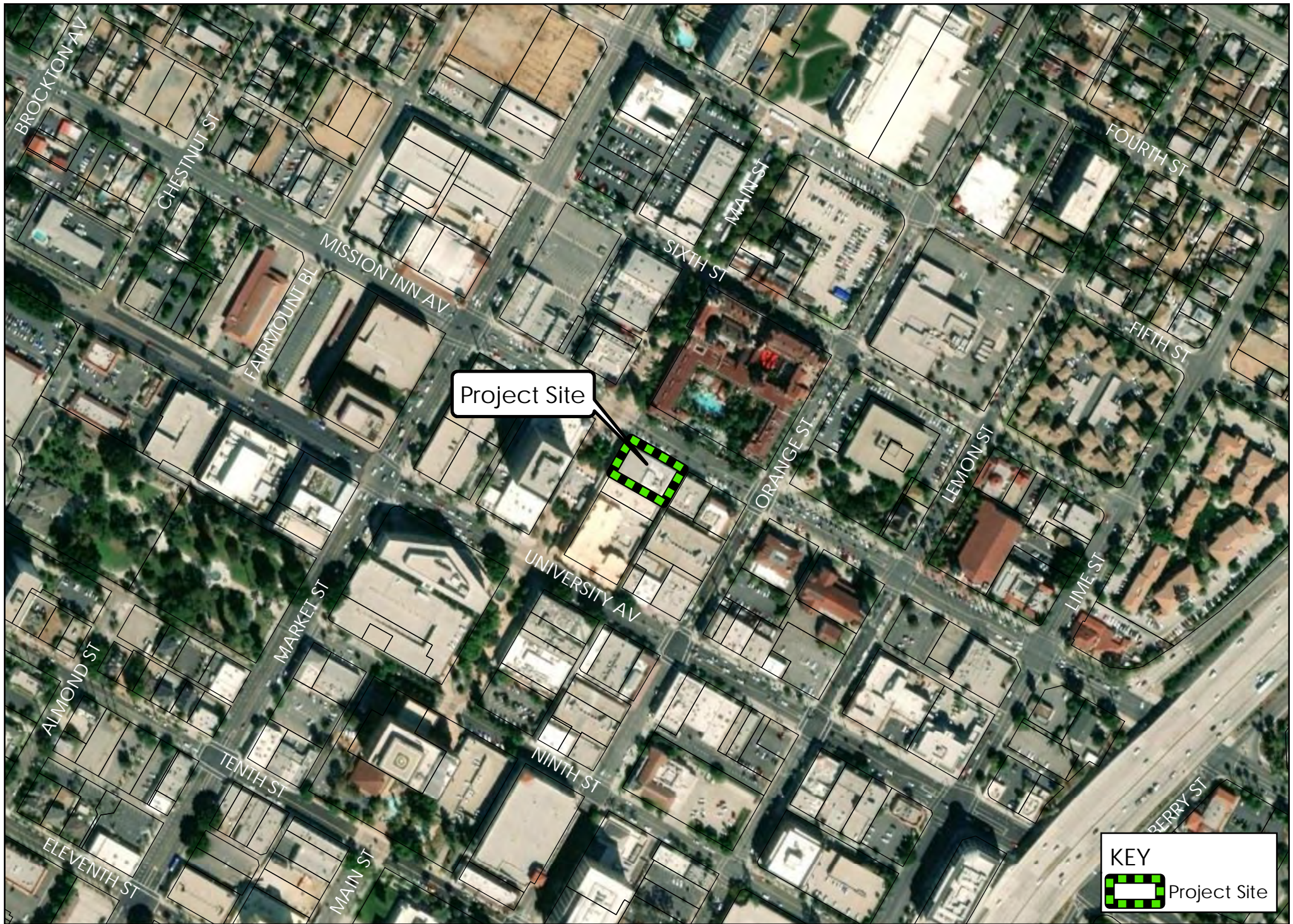


Exhibit 1 - Location Map





Coffee Bean and Tea Leaf

The Mission Inn Hotel and Spa

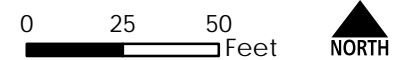
Project Site
Hideaway Cafe

Riverside Art On Main

Mario's Place

KEY
Project Site

Exhibit 2 - Context Map





CITY OF RIVERSIDE

COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT

PLANNING DIVISION

APPROVED CONDITIONS OF APPROVAL

Planning Commission Date: October 6, 2016

PLANNING CASE: P16-0251 (Modification of P15-0255 [Minor Conditional Use Permit])

1. All conditions herein supersede previous conditions of approval for Minor Conditional Use Permit Case P15-0255 as approved on September 11, 2015.

*The following conditions shall be met/satisfied **PRIOR** to any entertainment events/activities:*

2. The premises on which the business is located shall be posted to indicate that it is unlawful for any person to drink or consume any alcoholic beverage in any public place or posted premises in accordance with Section 9.05.020 of the Riverside Municipal Code.
3. At all times, the business shall operate consistent with the written security plan reviewed and approved by the Riverside Police Department including the following items.
 - a. A minimum ratio of 1 licensed proprietary private security officer ("Security Officer") (per §7574.10 California Business and Professions Code) for every 30 patrons shall be on-site one hour prior to the beginning of entertainment to monitor the activity of their patrons inside the facility as well as the existing sidewalk area, and extending a minimum of 30 minutes past closing. Two Security Officers shall be stationed outside all entry and exit doors 1 hour prior to the beginning of entertainment, and shall actively work with management staff to clear the surrounding area of all persons within 30 minutes of closing. Doors designated for "Emergency Exit Only" equipped with audible alarms (minimum 95 dB) do not require dedicated Security Officers.
 - b. The security manager shall coordinate with the Riverside Police Department at least 2 weeks prior to events where bands or other performances are expected to draw large crowds.
 - c. Installation of a security camera surveillance system consisting of high definition video technologies with the minimum requirement of having the ability to save recorded video for a fourteen day period and which shall also be made available to the Riverside Police Department immediately upon request. An on-site manager shall have working knowledge on how to retrieve video when requested by Riverside Police Department.
 - d. PatronScan, or other similar ID scanning system designed to capture data on patrons, shall be approved by the Riverside Police Department and utilized to screen all patrons entering the establishment after 8:00 pm. If the recorded data is stored by and/or under the control of the business then it shall be made available to the Riverside Police Department immediately upon request. If the recorded data is stored off-site by a third party then the business shall make an immediate request to the third party to obtain the recorded data and forward it to the

Riverside Police Department without delay. The recorded data shall be stored for a minimum of 90 days.

- e. Security personnel shall mechanically keep an accurate count of persons during hours of entertainment and make the count available to public safety personnel upon request.
 - f. Any changes to the security plan shall be reviewed and approved by the Riverside Police Department and a copy provided to the Planning Division.
4. The sale of alcohol is limited to an ABC Type 41, On-Sale Beer and Wine Eating Place. Any changes to the ABC license shall require a revision to the Minor Conditional Use Permit.

*The following conditions shall be met **DURING** all entertainment activities or events:*

- 5. Entertainment shall be limited to Wednesday through Saturday. Modifications may be permitted to "switch" a day of the week on a temporary basis if the request is submitted a minimum of 30 days prior to the event and approved by the Planning Division and Police Department.
- 6. Entertainment shall be limited to the basement level of the Hideaway as shown on the submitted floor plans (P15-0255).
- 7. Last call shall be no later than 1:30 or 30 minutes before closing, whichever is earlier on nights with entertainment. No alcohol shall be permitted to be sold after 1:30 am.
- 8. The full menu shall be available until 10:00 p.m. and an appetizer/finger food menu shall be available until 1:30 p.m.
- 9. No "happy hour" or other drink specials shall be permitted after 7:00 pm on nights with entertainment.
- 10. The posting of fliers or other promotional material where visible to the exterior of the building is prohibited.
- 11. Commercial handbills (i.e. fliers) inconsistent with Chapter 9.16 shall be prohibited.
- 12. A minimum \$5 cover charge shall be required for all patrons entering the facility after 9:00 pm on nights with entertainment.
- 13. All patrons must be over 21 after 9:00 pm on nights with entertainment.
- 14. Operation of the business, including entertainment, shall be in compliance with Title 7 (Noise) of the Municipal Code. All exterior doors shall remain closed while entertainment activities are occurring to minimize noise impacts.
- 15. This Minor Conditional Use Permit shall be terminated if the operation is no longer maintained as a "Bona Fide Public Eating Place" as defined by the California Department of Alcoholic Beverage Control Act Section 23038 or as it may be amended and further as required by these conditions of approval.

16. No alcoholic beverages are to be sold or dispensed for consumption beyond the premises.
17. The sale of food shall constitute more than 50% of the total revenues generated by the establishment as required by the California Department of Alcoholic Beverage Control.
18. This Minor Conditional Use Permit shall be subject to a 12 month review before the Planning Commission which may result in further modification to the conditions of approval.

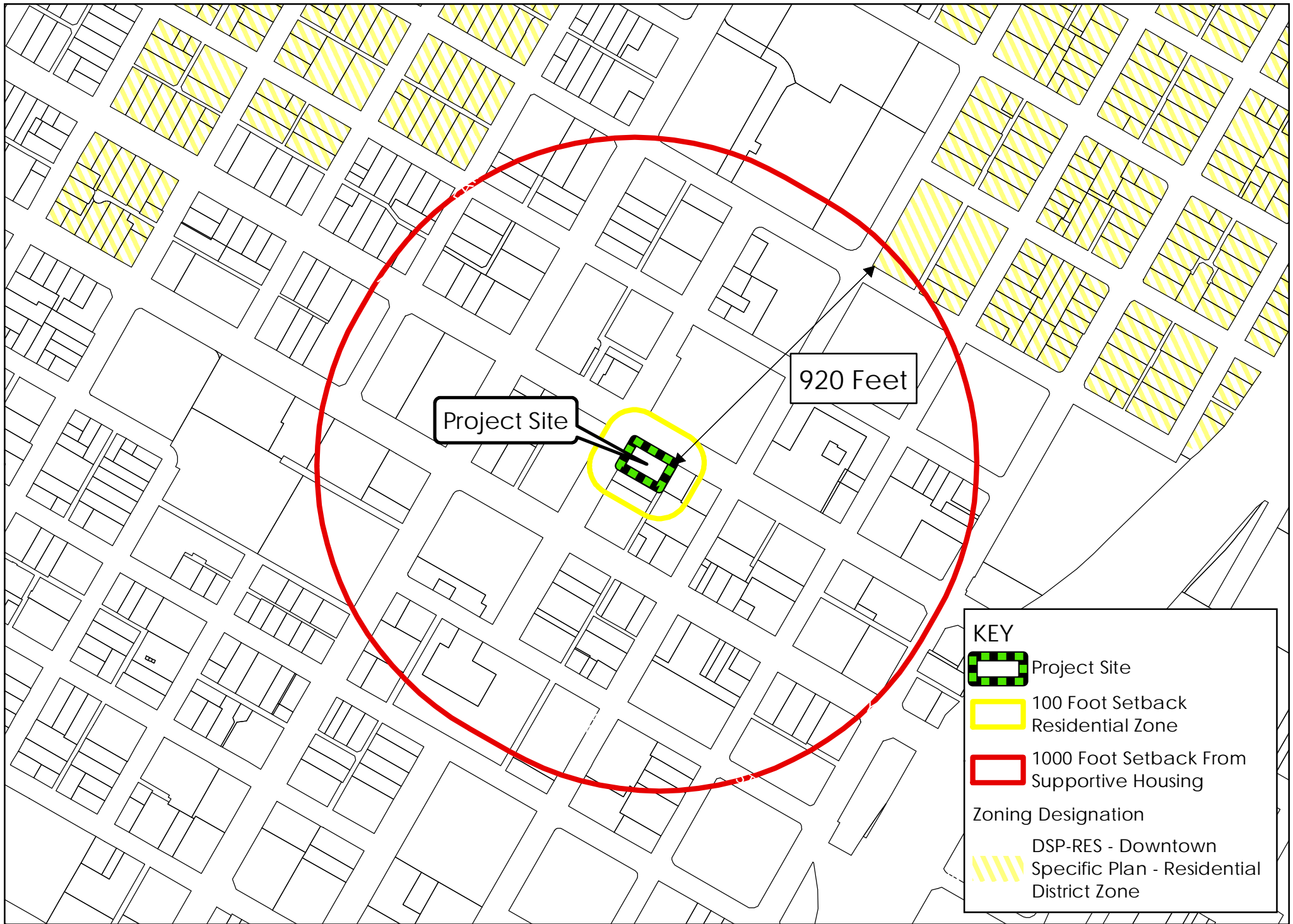


Exhibit 4 - Distance Requirements Map



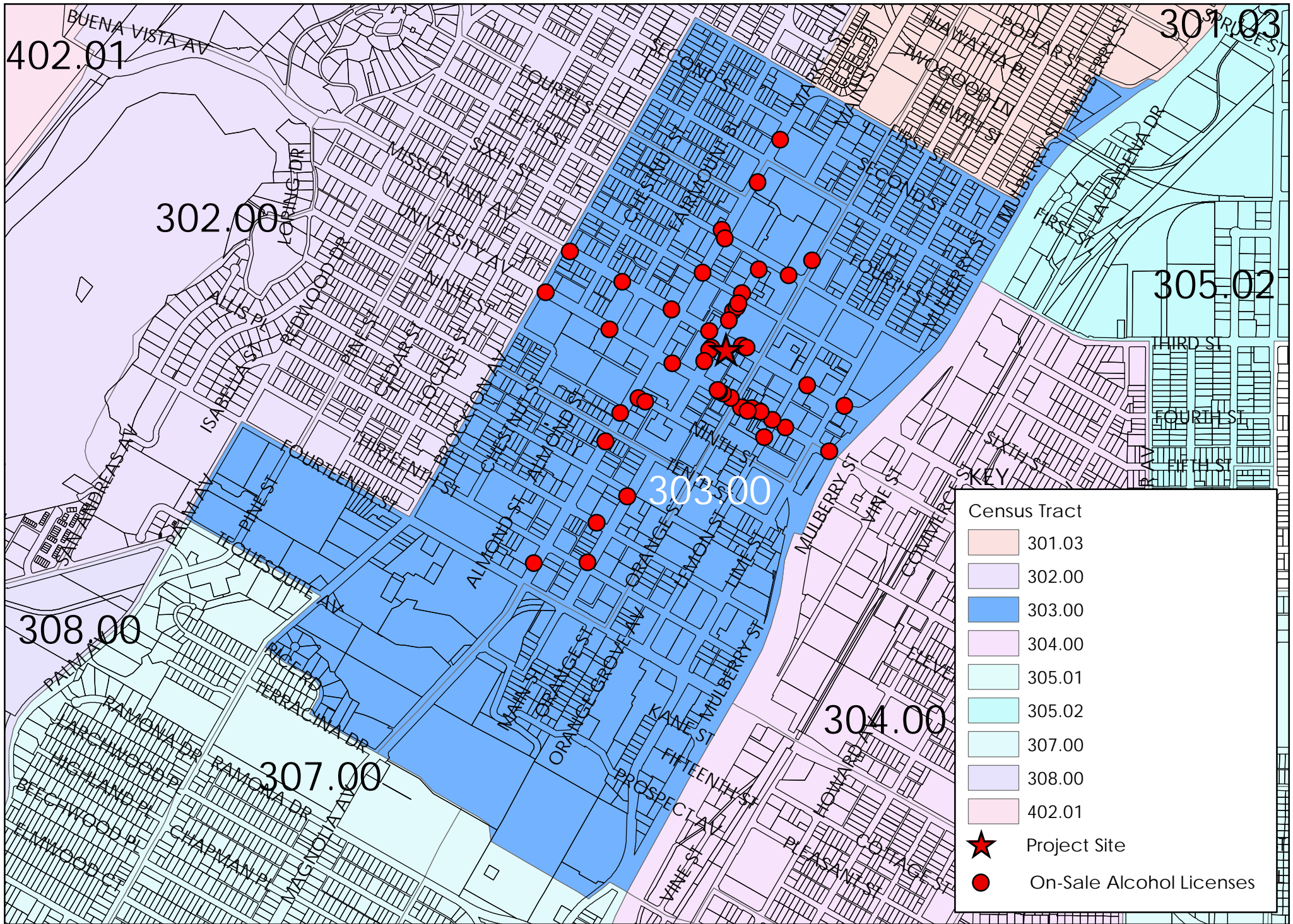
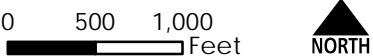


Exhibit 5 - ABC Alcohol License Census Tract Concentration Map






MEMO

Police Department

DATE: November 14, 2018

TO: David Murray
Principal Planner

FROM: Jeffrey L. Greer 
Deputy Chief, Operations

RE: Planning Case P18-0572
Minor Conditional Use Permit

3700 Main Street

North NPC

Summary:

The Riverside Police Department (RPD) is submitting this memorandum to the City of Riverside Planning Department regarding the modification to the Hideaway Café's Minor Conditional Use Permit (MCUP) operation located at 3700 Main Street in the city and county of Riverside.

Recommendation:

It is the Riverside Police Department's opinion that the Hideaway Café has generated an extraordinary amount of calls for police services. The failure of management to provide competent security measures at the location has created an environment that threatens the safety of patrons and tourists visiting Riverside's Downtown Entertainment District. As a result of the continuous problems at the facility, the Police Department recommends the application for modification to the Hideaway Café's MCUP, in order to serve full liquor (type 47 license), be denied based on the below listed incidents and the fact their license is currently in a period of stayed revocation for one-year (Alcohol Beverage Control (ABC) Probation).

Rationale:

All police responses to the location were compiled for a 23-month period. Each response was then examined and data that appeared to be directly related to the Hideaway Café and its' patrons was compiled. Routine calls that do not directly reflect the business practices at the Hideaway Café, such as alarm calls, parking problems, etc. were excluded. Since October 1, 2016, through September 16, 2018, there have been approximately 79 calls for police service related to the nightclub activities at the Hideaway Café. The below listed incidents outline some of the notable calls for service that police have handled related to the Hideaway Café.

CALLS FOR SERVICE

On December 7, 2016, RPD officers were dispatched to the Hideaway Café regarding a subject refusing to leave the nightclub. Officers learned that a patron was intoxicated and trying to fight other subjects. When a security guard went to contact the patron, the patron became uncooperative. Both subjects eventually fell to the ground. When the patron began hitting the security guard, the security guard punched the patron in the face. Neither party desired prosecution. The incident was documented under RPD report #P16-224769.

On March 19, 2017, RPD officers were dispatched to contact a subject wanting to report a battery that had occurred at the Hideaway Café. The officers' investigation revealed the subject alleged the Hideaway Café security guards assaulted her. The security guards alleged the subject had assaulted one of them. Employees were unable to access the surveillance video and could not be reviewed. The video was not made available until the following day. No further action was taken. The incident was documented under RPD report #P17-049110.

On May 21, 2017, RPD officers contacted a subject who wanted to report a past battery that occurred at the Hideaway Café. The subject stated he was on the dance floor when a security guard claimed the subject elbowed him. Additional security guards arrived and one of the guards placed the subject in a chokehold without applying pressure. The security guards escorted him out of the club. Once outside of the club, security pushed the subject outside causing the subject to fall to the ground. The subject had visible injuries and was later taken to the hospital for treatment. Employees were unable to access the surveillance video and the incident could not be reviewed. The incident was documented under RPD report #P17-090665.

On July 18, 2017, RPD officers were dispatched to the Hideaway Café regarding a security guard who wanted to report a past battery. The security guard stated he was assaulted by an unknown patron on July 10, 2017, during nightclub activities. The incident was documented under RPD report #P17-129297.

On July 27, 2017, an RPD officer was dispatched to the Magnolia Station regarding a past battery report. The victim advised another subject assaulted him inside the Hideaway Café. Security guards grabbed both subjects to break up the fight. The victim was dragged outside of the bar by security and thrown to the ground. The victim stated the security guards held him down while security began to punch and kick him. The victim said he believes he may have been tased also. The victim did not desire prosecution. The incident was documented under RPD report #P17-134776.

On August 13, 2017, RPD's dispatch center received a call from a subject claiming she had been assaulted by the Hideaway Café security guards. The subject advised the incident occurred a few days ago and that she was currently in Moreno Valley. The subject advised she would contact the police when she returned to the city. The incident was documented under incident #P17-146370.

On August 19, 2017, RPD officers were dispatched to the Hideaway Café regarding a battery report. The officer contacted a security guard who stated a patron had assaulted him. The security guard did not desire prosecution. The incident was documented under RPD report #P17-150476.

On October 24, 2017, RPD officers were dispatched to a past battery call at the Orange Station. The adult victim claimed he was assaulted by the Hideaway Café's security guards on October 22, 2017. The incident was documented under RPD report #P17-192321.

On November 5, 2017, RPD officers contacted a subject who stated he had been assaulted while at the Hideaway Café. The subject stated he got into an argument with another patron in the bar when he was punched. The subject fell to the ground when additional subjects began punching and kicking him. When he got up, he realized some of his personal items had been taken. The incident was documented under RPD report #P17-199892.

On November 11, 2017, an RPD officer was dispatched to the Hideaway Café regarding a battery report. The officer learned that a security guard had been assaulted by a patron. The patron was arrested and issued a citation. The incident was documented under RPD report #P17-204511.

On December 3, 2017, an RPD officer was conducting extra patrol near the Hideaway Café due to the bar closing. While in the area, the officer observed two subjects get into a fight in front of the club. Security broke up the fight by taking one subject to the ground. The subject was arrested for public intoxication. While the subject was being taken into custody, the subject's brother began to interfere with the officers. The brother was also arrested for public intoxication. Later in the day, the subject called the police to report he was assaulted by the security guards. The incidents were documented under RPD reports #P17-217387 and #P17-217547.

On January 27, 2018, RPD officers contacted a subject stating he had been robbed while leaving the Hideaway Café. The subject stated while he was leaving, he was confronted by three subjects who asked where he was from. The subjects then assaulted the subject and stole some of his personal belongings. The incident was documented under RPD report #P18-01155.

On April 29, 2018, RPD officers responded to the Hideaway Café regarding a subject making threats to blow up the business after an argument. The officer discovered that a female subject got into an argument with her girlfriend. Security attempted to break up the fight but when they did, the female subject punched the security guard. The security guard tackled the female subject who was later taken into custody. The female subject claimed that security guards had assaulted her. The female subject was arrested and later issued a citation. The incident was documented under RPD report #P18-078316.

On July 8, 2018, RPD officers assigned to the Downtown Entertainment District were dispatched to the Hideaway Café regarding a battery incident. During the investigation, the officers learned that the adult male victim had been escorted out of the club by security guards for harassing female patrons. The security guards directed the victim to

walk across the street. While the victim was standing between two parked vehicles, one of the security guards shoved the victim in the back causing him to stumble. This incident was confirmed by the officer who reviewed the city's surveillance video. No prosecution was desired. The incident was documented under RPD report #P18-126894.

On July 14, 2018, RPD officers were dispatched to the Hideaway Café regarding a subject who hit a security guard. The officers learned that the security guard was checking ID cards when he came across a subject he believed was possibly attempting to use a counterfeit ID card. The subject then punched the security guard. The security guard exchanged punches with the subject and they both ended up falling to the ground. While the security guard was on the ground, the subject believed his friends began kicking the security guard. Additional security guards came and took the subject into custody. The subject was arrested and later issued a citation. The incident was documented under RPD report #P18-130793.

On July 15, 2018, RPD officers were flagged down at the Hideaway Café regarding a security guard who had been hit. The officers learned that a patron became extremely intoxicated and was asked to leave. The patron assaulted the security guard and was detained. The subject was arrested for battery and public intoxication and later booked into the county jail. The incident was documented under RPD report #P18-131507.

On July 28, 2018, an RPD officer was dispatched to a residence to contact a subject who wanted to report a robbery that occurred at the Hideaway Café. The victim stated he was inside the restroom at the Hideaway Café when a named security guard approached. The security guard placed the victim in a chokehold for a few minutes until he lost consciousness. When the victim regained consciousness, he was able to break free from the security guard's grip. Two additional security guards came into the restroom, placed the victim in handcuffs and escorted him to an office. The victim was then told to leave. The officer noted that the victim had visible injuries. Employees were unable to access the surveillance video at the time of this investigation. The incident was documented under RPD report #P18-140594.

VIOLATIONS OF THE MCUP

On February 5, 2016, the Vice Unit was notified by Lieutenant Blomdahl that he had located approximately 50 – 70 flyers on the sidewalk and adjacent businesses in the area of Mission Inn Ave and Orange Street. The flyers were from the Hideaway Café advertising drink specials. This was a violation of section #29 and #67 of the Hideaway Café's Minor Conditional Use Permit (P15-0255). The incident was documented under RPD report #P16-019281.

On February 12, 2016, members of the Riverside Police Department's Vice Unit were conducting patrol in the Downtown Entertainment District. During this time, they located a subject standing to the front of the parking garage at 3743 Orange Street. The detectives contacted her and found out that she was handing out drink special tickets for the Hideaway Café. This was a violation of section #56 of the Hideaway Café's Minor Conditional Use Permit (P15-0255). The incident was documented under RPD report #P16-022743.

On March 31, 2017, an RPD officer took a report of a past theft of a cell phone that occurred at the Hideaway Café. Detective Fishell attempted to conduct follow-up on a later date in an attempt to retrieve surveillance video from the business. At the time, there were no employees who could operate the surveillance equipment. Detective Fishell later received a telephone call from the Hideaway Café's Attorney, Raychele Sterling, questioning why he was investigating a stolen cell phone when he should be investigating other crimes. Attorney Sterling then sent an email to city officials questioning the reason for the cell phone investigation. Ms. Sterling advised the video would only be released if City Attorney Okazaki made the request. The surveillance video was never provided to the Riverside Police Department. The incident was documented under RPD report #P17-056668.

The above listed incident is a violation of section #3c of the MCUP for the Hideaway Café. Section #3c states, "Installation of a security camera surveillance system consisting of high definition video technologies with the minimum requirement of having the ability to save recorded video for a thirty day period and which shall also be made available to the Riverside Police Department immediately upon request. An on-site manager shall have working knowledge on how to retrieve video when requested by the Riverside Police Department."

On August 18, 2017, members of the Riverside Police Department's Vice Unit conducted IMPACT inspections of the bars and restaurants in the downtown area. During the inspection, they located signs inside the club advertising there was free entry before 11:00 pm. Sergeant Crawford noted that this was in violation of condition 12 of the Hideaway Cafe's Conditional Use Permit (P15-0255). Also during this time, ABC Agent Hydar located a bottle of vodka behind the bar. The Hideaway Café is prohibited from having distilled spirits. ABC Agent Hydar conducted a separate ABC investigation.

During the same inspection, Detective Barrette noted that the Hideaway Café had signs inside the club advertising entertainment and drink specials on Sunday, Monday and Tuesday. Detective Barrette documented that this was a violation of section #5 and #9 of their MCUP. Section #5 states, "Entertainment shall be limited to Wednesday through Saturday. Modifications may be permitted to "switch" a day of the week on a temporary basis if the request is submitted a minimum of 30 days prior to the event and approved by the Planning Division and Police Department." Section #9 states, "No happy hour or other drink specials shall be permitted after 7:00 pm on nights with entertainment." This incident was documented under RPD reports #P17-151891 and #P17-157103.

On September 4, 2018, Sergeant Collopy noticed a flyer posted on the Hideaway Café's Facebook site. The flyer was posted by the Hideaway Café on August 19, 2018, (Sunday) advertising a nightclub event called "Sunday Night Service Industry" at 3660 Mission Inn Ave. Sergeant Collopy located an additional five posts on the Hideaway Café's Facebook site advertising the same event being held on Sundays. This was in violation of section 5 of their MCUP (P16-0251). The incident was documented under RPD report #P18-166946.

On September 30, 2018, Sergeant Collopy noticed a flyer posted on the Hideaway Café's Facebook site. The flyer was posted by the Hideaway Café on September 30, 2018, (Sunday) advertising a nightclub event called "Sunday Night Service Industry" at 3660

Mission Inn Ave. Sergeant Collopy drove to the Hideaway Café and noticed the club was open and a security guard was standing outside of the club. This was in violation of section 5 of their MCUP (P16-0251). The incident was documented under RPD report #P18-166946.

NARCOTICS' INVESTIGATION

On March 24, 2016, an undercover operation was conducted inside the Hideaway Café. An informant asked an employee if he had any methamphetamine to sell. The employee advised he did not have any, but could arrange for another subject to sell the methamphetamine to the informant. The employee and informant went upstairs where he was introduced to a subject. The informant and the subject agreed on a deal. The informant would purchase 3.5 grams of methamphetamine for \$70. The transaction was completed in the restroom of the Hideaway Café. The investigation was documented under RPD report #P16-047847.

On April 7, 2016, an undercover operation was conducted inside the Hideaway Café. The informant contacted the same employee who helped facilitate the narcotics transaction on March 24, 2016. The informant said he wanted to buy some more methamphetamine. The employee made a phone call. The same subject from the previous narcotics transaction arrived and a deal was agreed upon by both parties to purchase 3.5 grams of methamphetamine for \$75. The transaction was completed. The investigation was documented under RPD report #P16-057446.

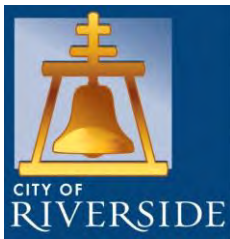
On May 11, 2016, an undercover operation was conducted inside the Hideaway Café. The employee who assisted in facilitating the previous transactions was not working at the time. The informant then contacted a subject, who was working as the DJ that night, and was able to purchase 1 gram of marijuana for \$20. The investigation was documented under RPD report #P16-081612.

On May 11, 2016, after the completion of the marijuana transaction, the same employee who facilitated the methamphetamine transactions arrived. The informant told the employee he wanted to purchase more methamphetamine. The employee made a phone call and a short time later, the subject who had previously sold the informant methamphetamine arrived. The informant and the subject went to the upstairs patio and a deal was made to purchase 3.5 grams of methamphetamine for \$70. The transaction was completed. The investigation was documented under RPD report #P16-081708.

ALCOHOL BEVERAGE CONTROL (ABC) INVESTIGATIONS

As part of the August 18, 2017 IMPACT inspection, the Hideaway Café was penalized with a five-day suspension from serving alcohol. In lieu of serving the suspension, the Hideaway Café paid a fine of approximately \$3,000.00. The ABC investigation and finding was documented under ABC file #18086282.

As a result of the above-mentioned narcotics' investigations, the Hideaway Café was penalized with a twenty-day suspension from serving alcohol and period of stayed revocation for one year. The Hideaway Café began serving the suspension on August 23, 2018. This was documented under ABC file #17085417.



MEMO

Police Department

DATE: February 15, 2019

TO: David Murray
Principal Planner

FROM: Jeffrey L. Greer
Deputy Chief, Operations

RE: Planning Case P18-0572
Minor Conditional Use Permit

3700 Main Street

North NPC

The Riverside Police Department (RPD) is submitting this supplemental memorandum to the City of Riverside's Planning Department regarding the modification to the Hideaway Café's Minor Conditional Use Permit (MCUP) operation located at 3700 Main Street in the city and county of Riverside.

The purpose of this memorandum is to update the Planning Department regarding incidents associated to the nightclub activities at the Hideaway Café. There were a total of 16 calls for service at the Hideaway Café nightclub from November 1, 2018 to February 11, 2019. Out of the 16 calls for service, three incidents were assault related and were documented with a police report.

Calls for Service

On January 26, 2019, an RPD Officer was dispatched to a local hospital to contact a victim who was assaulted inside the Hideaway Café nightclub. The officer contacted the victim, who had minor visible injuries and was displaying symptoms of being intoxicated. The victim was unable to provide much detail but advised he was assaulted inside the club. The incident was documented under Riverside Police report #190002872.

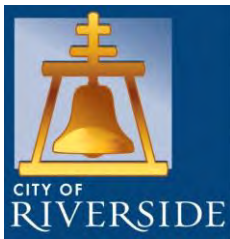
On November 24, 2018, RPD Officers were on patrol near the Hideaway Café when they observed subjects fighting to the front of the club. Officers contacted multiple subjects including security staff. The officers learned during their investigation, that security staff observed a subject get into a verbal altercation with an unknown subject in the restroom. While security began to walk the subject out of the club, family members began to physically strike and slap the security guard, who sustained minor injuries. The same subject was interviewed by officers who stated he was asked to leave for no reason. A security guard then placed an arm around the subject's neck and began to "choke him." The subject was unable to breathe and began to fight

back in self-defense. The subject said he was pushed out of the club and was struck by numerous members of the security staff.

Another security guard advised he and other security attempted to escort two subjects outside the club because they were too intoxicated and bothering customers. The subjects were uncooperative and began fighting with security. A security guard then placed his arm around one of the subject's neck and escorted him out of the club. The subject attempted to re-gain entry and while doing so punched the guard in the face. The subject was then held on the ground until police arrived. The subject stated he observed his family members fighting with subjects inside the club. When he went to help his family, someone placed him in a chokehold. While he was in the chokehold, someone punched him in the face two to three times. The subject was unsure exactly who punched him, but believes it may have been the security guard. A total of three subjects were arrested. The manager advised the surveillance video would be provided the following week. The incident is documented under Riverside Police report #P18-222629.

On November 16, 2018, Downtown Entertainment District Officers were flagged down by Hideaway Café security regarding several female subjects fighting in front of the club. All subjects were moved along and no further action was taken. The incident was documented under Riverside Police report #P18-217111.

JLG: cc



MEMO

Police Department

DATE: March 21, 2019

TO: David Murray
Principal Planner

FROM: Jeffrey L. Greer
Deputy Chief, Operations

RE: Planning Case P18-0572
Minor Conditional Use Permit

3700 Main Street

North NPC

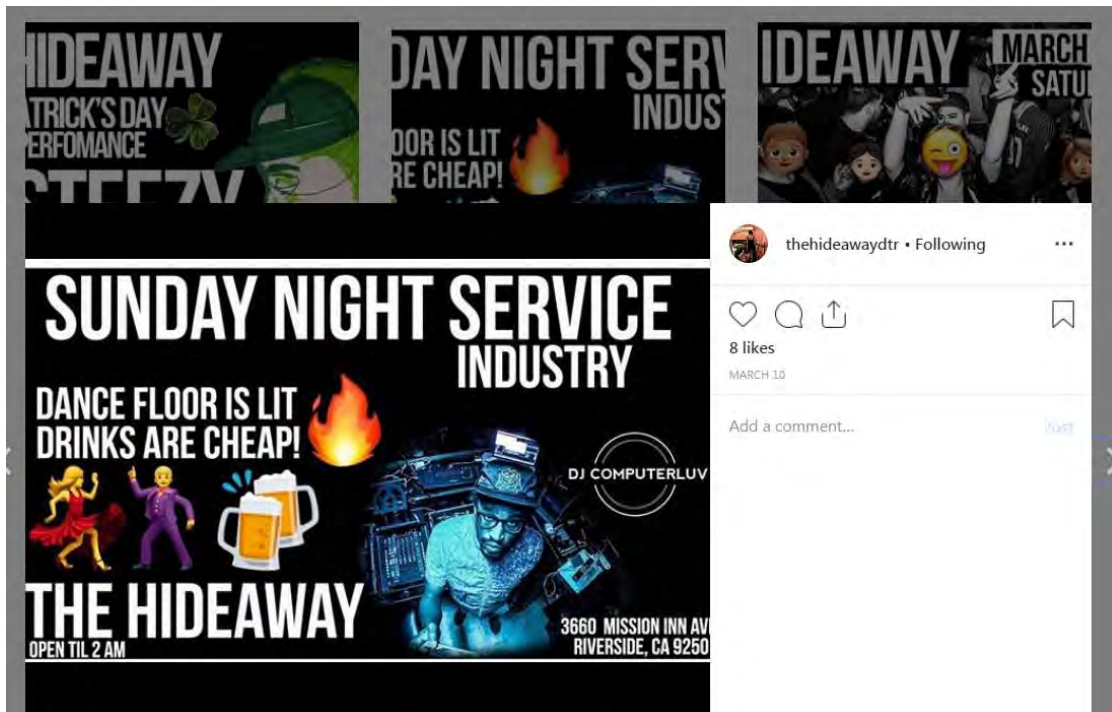
The Riverside Police Department (RPD) is submitting this supplemental memorandum to the City of Riverside's Planning Department regarding the modification to the Hideaway Café's Minor Conditional Use Permit (MCUP) operation located at 3700 Main Street in the City and County of Riverside.

The purpose of this memorandum is to update the Planning Department regarding activities at the Hideaway Café. In the Hideaway Café's current MCUP (P16-0251), one of their conditions states the following:

"Entertainment shall be limited to Wednesday through Saturday. Modifications may be permitted to "switch" a day of the week on a temporary basis if the request is submitted a minimum of 30 days prior to the event and approved by the Planning Division and Police Department."

Entertainment Activities

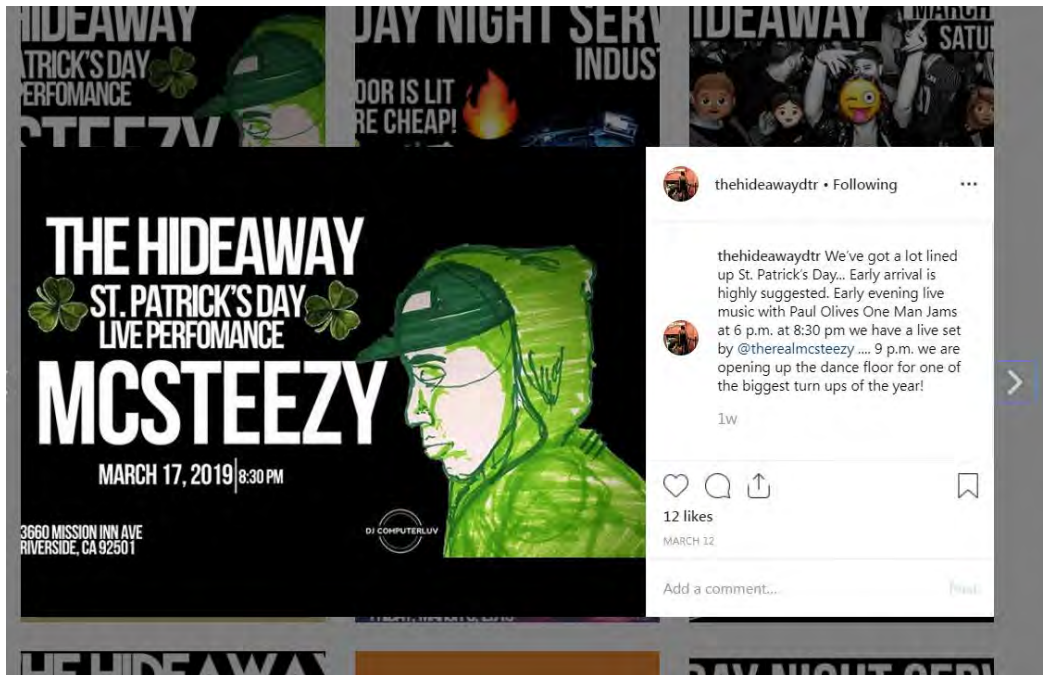
On Sunday, March 10, 2019, Sergeant Chad Collopy noticed that Hideaway Café had posted an advertisement on their Instagram account, advertising entertainment for later in the evening. The advertisement is included below. Sergeant Collopy contacted Sergeant Bill Zackowski, who was working patrol, to see if he could conduct a bar check to confirm whether or not the Hideaway Café was having entertainment as advertised. At approximately 2351 hours, Sergeant Zackowski conducted a walk-through of the establishment. Sergeant Zackowski noted there were approximately 10 patrons inside the establishment, with a "DJ" performing. RPD and the Planning Department never received a request from Hideaway Café to have entertainment activities on this date. The incident was documented under RPD report #190007861.



<https://www.instagram.com/p/Bu2aRpyl5Zt/>

On Friday, March 15, 2019, Sergeant Collopy noticed that Hideaway Café had posted two advertisements on their Instagram account advertising entertainment for March 17, 2019. The advertisements are included below. Sergeant Collopy contacted Sergeant Andrew Leyva, who was working patrol, to see if officers could conduct a bar check on March 17, 2019 to confirm whether or not the Hideaway Café was having entertainment as advertised. At approximately 2000 hours, Sergeant Leyva and officers conducted a walk-through of the establishment. Sergeant Leyva later reported that there were approximately 20 patrons inside the establishment, with a guitarist performing.

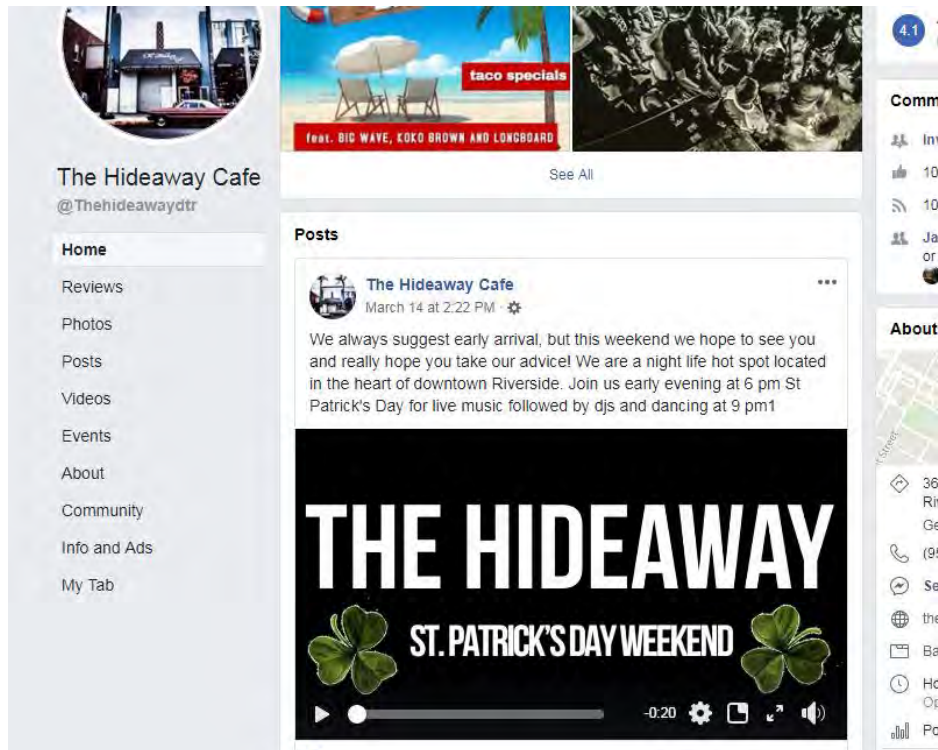
On March 19, 2019, Sergeant Collopy noticed that Hideaway Café had posted the Facebook advertisements included below, dated on March 14, 2019, advertising entertainment for March 17, 2019. The advertisement and posting states, "Join us early evening at 6 pm St Patrick's Day for live music followed by djs and dancing at 9 pm1." Sergeant Collopy was unable to confirm whether the entertainment activities at "9pm" occurred due to officers being unable to conduct a bar check during this time. The Police and Planning Department never received a request from the Hideaway Café to have entertainment activities on March 17. The incident was documented under RPD report #190008711.



<https://www.instagram.com/p/Bu68ZNvliqb/>



<https://www.instagram.com/p/BuzkemuFoUE/>



<https://www.facebook.com/Thehideawaydtr/>

JLG: cc



TO: Nathan Freeman
FROM: Alex Duran
RE: Summary of Incident at The Hideaway Café
DATE: February 20, 2019

Per your request, I have completed a review via our GeoPal program of all incidents for the past three years involving The Hideaway Café. Please note that there were no significant incidents during 2017, four incidents in 2018 and none year to date in 2019.

Here are the details of the 2018 entries:

April 26, 2018, 11:46 pm: A homeless male attacked Chris, the Bouncer at the Hideaway Café. Streetplus Patrol Officers observed the suspect slamming Chris's head into the sidewalk. RPD and RFD were called and treated Chris.

October 26, 2018, 6:07 pm: Streetplus Patrol Officers were waved down by a female subject who stated that her phone was stolen. The female stated that her phone was linked to her watch and our team was able to find the suspect who was inside The Hideaway Café. The suspect returned the phone when RPD arrived. The suspect was arrested.

November 18, 2018, 5:26 pm: Streetplus Patrol Officers observed a female homeless subject being loud and causing a disturbance in front of The Hideaway Café. The subject was asked to leave and complied.

December 15, 2018 12:57 am: Streetplus Patrol Officers observed a male subject screaming "I am going to kill you Bitch." In the alley next to The Hideaway Café. The subject fled when he saw the officers.

This concludes the summary of incidents involving The Hideaway Café. Please let me know if you have any questions or if any additional information is needed.



September 18, 2018

ATTN: Danielle Harper-Scott, Planning Technician
City of Riverside
3900 Main St
Riverside, CA 92506

Dear Ms. Harper-Scott,

The DEANA Foundation is a local 501(c)3, non-profit group formed in 2015 to provide financial relief for caregiving to middle class families affected by dementia. Since our inception only a few years ago, we have given out 5 grants totaling \$8,000 - we believe alleviating some of the often-times crippling financial, and accompanying emotional, burden this disease places on families caring for their loved one. We could not achieve these goals without significant fundraising efforts and generous corporate sponsors.

For the last two years The Hideaway Café has been a platinum sponsor for several of our largest fundraising events, including our annual gala held at Grier Pavilion in July (where a good-spirited Mayor Bailey not only attended, but gave a heart-warming acapella rendition of a song he wrote for his mother, who recently passed from complications related to the disease). The Hideaway also provides critical support beyond money: non-monetary gifts, free use of their facilities, and staff time. In short, we could not have a better partner.

Just recently, we learned of the modifications they have requested to their Conditional Use Permit for their operation on Mission Inn Avenue. The DEANA Foundation has seen firsthand how vested the ownership and management of The Hideaway Café have been in supporting local charities such as ours - indeed making our vision theirs, and in the process, making all of Riverside County a little bit better place to live, work, and play. We support the changes they seek, and hope the City will as well.

Sincerely,

Cassandra Jones
DEANA Foundation President
www.thedeanafoundation.org

Cc: Al Zelinka, City Manager
Lea Deesing, Assistant City Manager
Rafael Guzman, Assistant City Manager



September 18, 2018

ATTN: Danielle Harper-Scott, Planning Technician
City of Riverside
3900 Main St
Riverside, CA 92516

Dear Ms. Harper-Scott,

Founded in 2010 to ensure that our neighborhood continues to be a safe, thriving, attractive, and united community for all who live, work, and play here, *Neighbors of the Wood Streets* (NOWS) is a 501(c)3, non-profit group organized and led by volunteers who live in the Wood Streets neighborhood of Riverside, California.

One of our signature events is our annual National Night Out block party, held in August. This totally free, family-friendly outing is done in conjuncture with the Riverside Police Department and Riverside Fire Department, with the purpose of strengthening community ties, which leads to safer neighborhoods.

The Hideaway Café was a sponsor of NOWS National Night Out this year, and we found them to be a gracious community partner with like-minded civic goals. Recently, we were made aware of the changes they have requested to their Conditional Use Permit for their operation on Mission Inn Avenue. NOWS recognizes the efforts that the ownership and management of the Hideaway Café have made over the last few years towards positive community engagement; and we hereby heartily endorse the changes they seek, and hopes the City will as well.

Sincerely,

A handwritten signature in black ink, appearing to read "Anna Marie Soto", is written over a horizontal line.

Anna Marie Soto
Neighbors of the Wood Street - Chair

Cc: Al Zelinka, City Manager
Lea Deesing, Assistant City Manager
Rafael Guzman, Assistant City Manager



Project Site
General Plan – Downtown Specific Plan

KEY

 Project Site

General Plan 2025

 C - Commercial

 DSP - Downtown Specific Plan

Exhibit 11 - General Plan Map



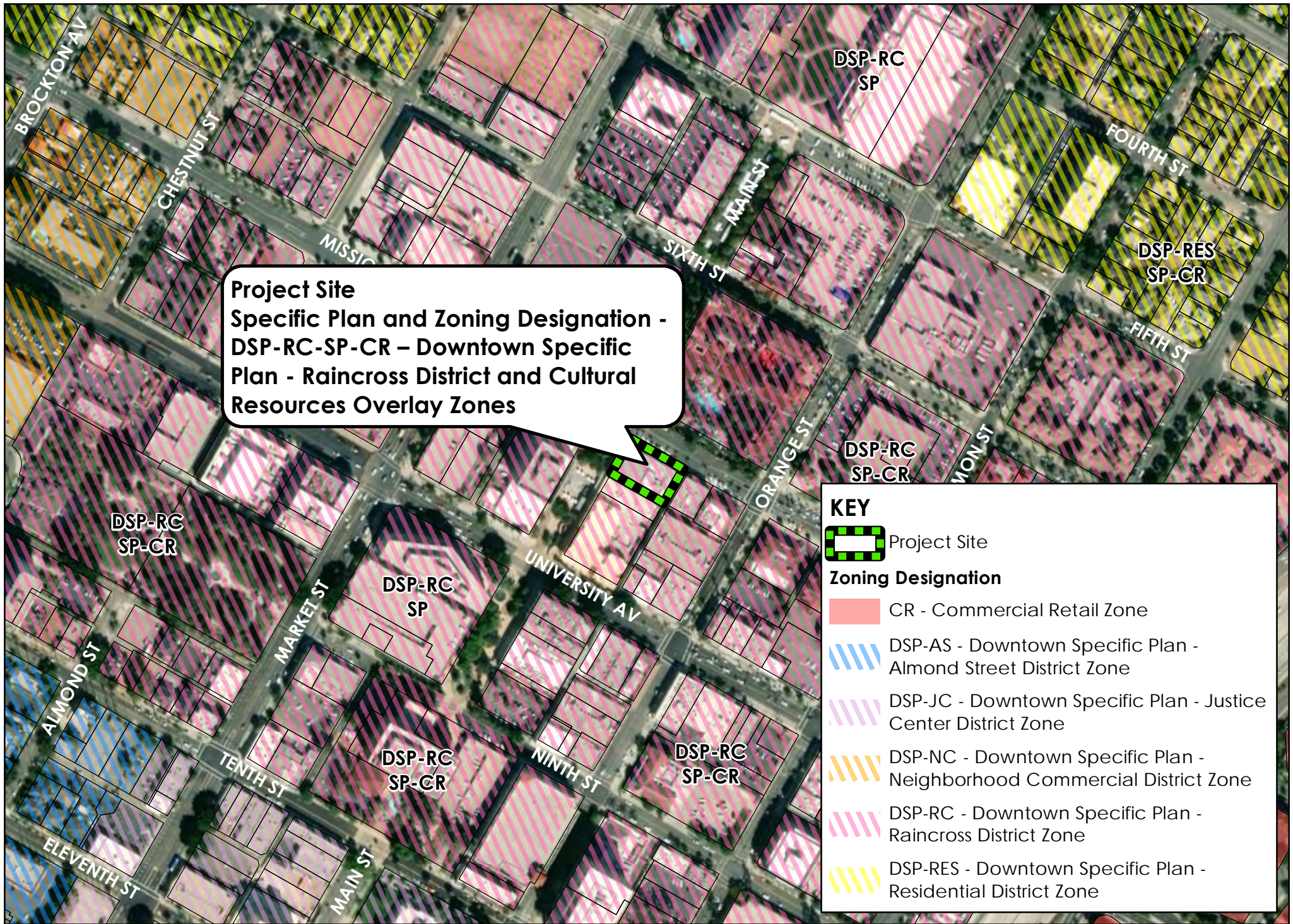


Exhibit 12 - Specific Plan and Zoning Map

0 50 100 200 300 Feet



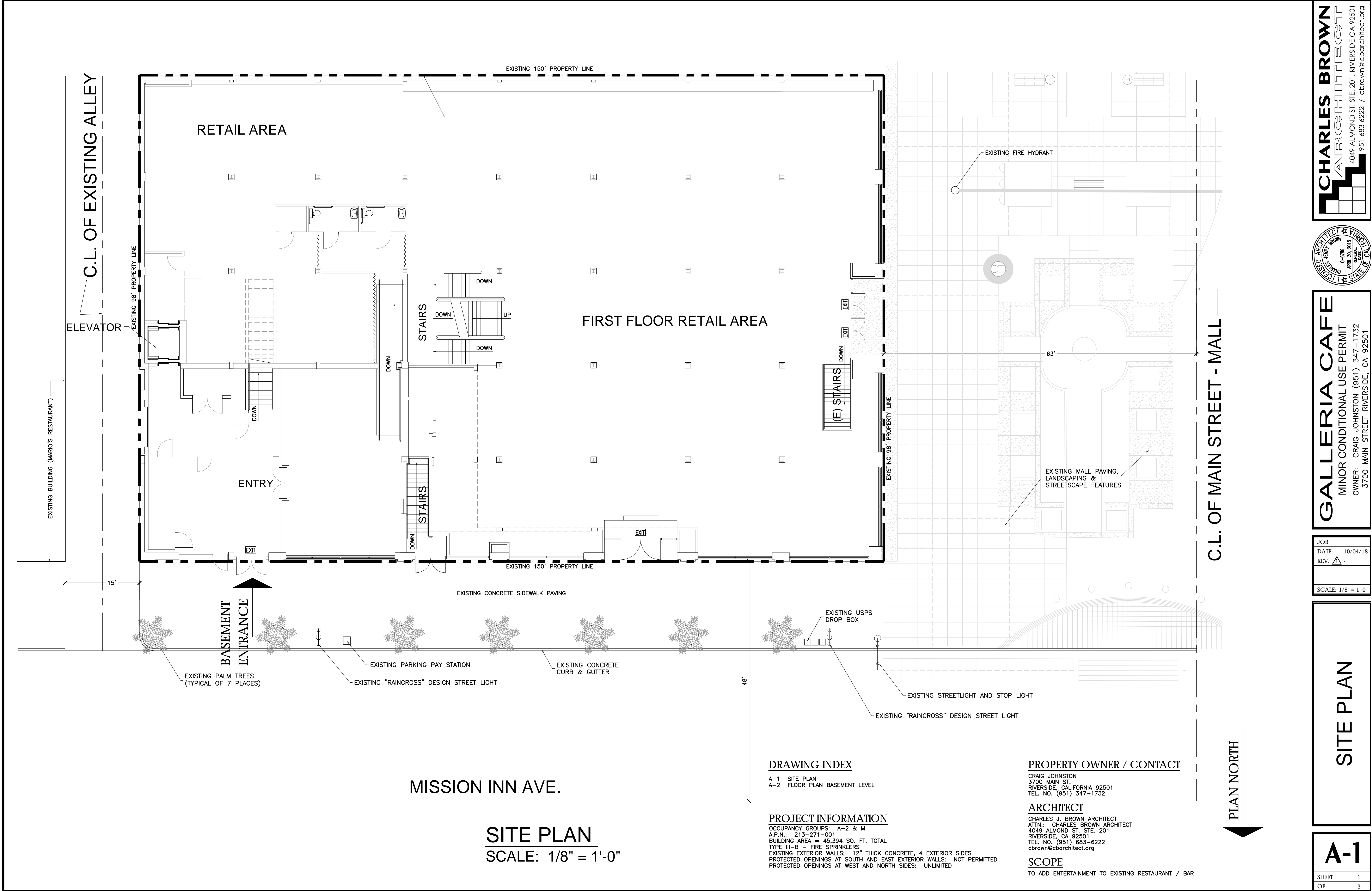
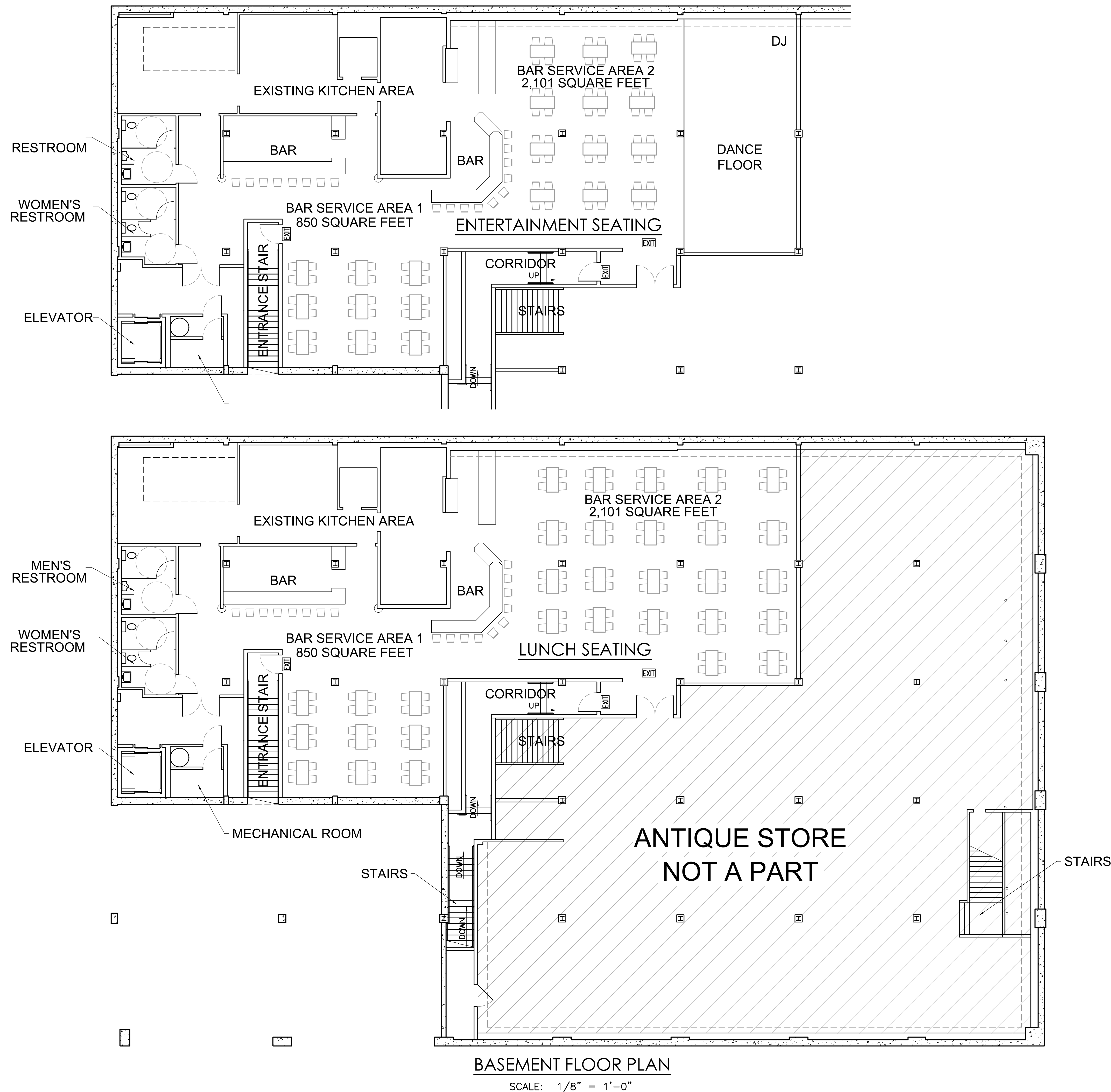


Exhibit 13 - Project Plans



EXIT ANALYSIS:
 NUMBER OF EXITS:
 BAR / RESTAURANT OCCUPANT LOAD = 197
 ANTIQUE STORE OCCUPANT LOAD = 199
 TOTAL OCCUPANT LOAD = 396
 STAIR WIDTH REQUIREMENT: $388 \times .3 = 118.8"$ OF REQUIRED STAIR WIDTH
 TWO 5' WIDE ACCESSIBLE STAIRS PROVIDED = 120"
 $118.8" < 120"$

RESTROOM ANALYSIS:
 A-2 OCCUPANCY RESTROOM REQUIREMENTS:
 BAR / RESTAURANT: 2,951 S.F. / 30 = 98
 $98/2 = 49$
 $49/50 = 0.98$
 2 W.C. FOR FEMALES
 1 W.C. FOR & 1 URINAL FOR MALES

BAR / RESTAURANT AREA = 2,951 S.F.
 OCCUPANT LOAD: 2,951/15 = 197

ANTIQUE STORE AREA = 5,968 S.F.
 OCCUPANT LOAD: 5,968/30 = 199

BASEMENT FLOOR PLAN
 SCALE: 1/8" = 1'-0"



Taken from Main Street looking northeast.



Taken from the intersection of Main Street and Mission Inn Avenue looking southeast.



Taken from the north side of Mission Inn Avenue looking southwest.



APPLICATION CHECKLIST

ADMINISTRATIVE CASES

- | | |
|--|--|
| <input type="checkbox"/> Certificate of Appropriateness | <input type="checkbox"/> Lot Line Adjustment |
| <input type="checkbox"/> Design Review – _____ | <input checked="" type="checkbox"/> Minor Conditional Use Permit |
| <input type="checkbox"/> Design Review – Landscape & Irrigation | <input type="checkbox"/> Parcel Map |
| <input type="checkbox"/> Design Review – Sign Review | <input type="checkbox"/> Summary Vacation |
| <input type="checkbox"/> Design Review – Single Family Residential | <input type="checkbox"/> Time Extension |
| <input type="checkbox"/> Environmental Initial Study | <input type="checkbox"/> Variance |
| <input type="checkbox"/> Certificate of Compliance | <input type="checkbox"/> Lot Merger/Unmerger |
| <input type="checkbox"/> Day Care | <input type="checkbox"/> Parcel Map Waivers |
| <input type="checkbox"/> Interpretation of the Zoning Code (text) | <input type="checkbox"/> Recycling Center Permit |
| <input type="checkbox"/> Lot Consolidations | <input type="checkbox"/> Reasonable Accommodations |

BOARD CASES – CITY PLANNING COMMISSION/CITY COUNCIL/CHB

- | | |
|--|---|
| <input type="checkbox"/> Certificate of Appropriateness | <input type="checkbox"/> Site Plan Review |
| <input type="checkbox"/> Conditional Use Permit | <input type="checkbox"/> Specific Plan Amendments |
| <input type="checkbox"/> Condominium Conversion | <input type="checkbox"/> Street Name Change |
| <input type="checkbox"/> Condominium Map | <input type="checkbox"/> Street Vacations |
| <input type="checkbox"/> Design Review | <input type="checkbox"/> Tract Map |
| <input type="checkbox"/> Development Agreement | <input type="checkbox"/> Traffic Pattern Modification |
| <input type="checkbox"/> Environmental Initial Study | <input type="checkbox"/> Variance |
| <input type="checkbox"/> General Plan Text/Map Amendment | <input type="checkbox"/> Vesting Map |
| <input type="checkbox"/> Planned Residential Development (PRD) | <input type="checkbox"/> Zoning Code Text/Map Amendment |

- | |
|--|
| <input type="checkbox"/> Completed and Signed Application |
| <input type="checkbox"/> Environmental Information Form (CEQA) |
| <input type="checkbox"/> Payment of Required Fees |
| <input type="checkbox"/> Required Sets of Plans (Clear, Legible, and Drawn to Scale) |
| <input type="checkbox"/> Title Report |

- | |
|---|
| <input type="checkbox"/> PROJECT MANAGEMENT |
| <input type="checkbox"/> STRATEGIC INITIATIVES |
| <input type="checkbox"/> NEIGHBORHOODS AND HISTORIC |

WARD _____

FILING DEADLINE _____

HEARING DATE _____

FILING FEE _____

Y N

- | |
|---|
| <input type="checkbox"/> Adjacent Property Owner Signatures (if applicable) |
| <input type="checkbox"/> ALUC Review (if applicable) |
| <input type="checkbox"/> Environmental Information Form |
| <input type="checkbox"/> FAA Part 77 Review (if applicable) |
| <input type="checkbox"/> Grading Plan/Exception Form (if applicable) |
| <input type="checkbox"/> Lane and Striping Study (if applicable) |
| <input type="checkbox"/> Military Notification – SB 1462 (if applicable) |
| <input type="checkbox"/> Tribal Consultation – SB 18 (GPA/SPA only) |
| <input type="checkbox"/> Variance Justification Form (if applicable) |
| <input type="checkbox"/> WQMP (if applicable) |

CASE NUMBER

COUNTER PLANNER'S INITIALS

SUBMITTAL DATE

P10-0572
DHS
8/28/10



GENERAL APPLICATION FORM

Completing this application in full is important in order to communicate the information necessary for determining completeness consistent with the Permit Streamlining Act and to ensure efficient processing (i.e., without delay). All applications are considered submitted on the "submittal deadline" listed on the Planning Case Review Schedule (See counter staff for a copy). Thank you for your investment in the City of Riverside.

Site Address: 3700 Main St. Riverside, (A. 92501)

Cross Streets: Mission Inn / Orange

Assessor's Parcel Number(s): 213-271-001

PROJECT DESCRIPTION

Your project description should include the maximum amount of detail regarding the scope of your proposal, including but not limited to: intended use(s); site size; building square footage(s); parking provided; total landscape area; hours of operation; anticipated number of employees, patrons or residents; number of dwelling or commercial units; etc. Attach additional sheets as necessary. Refer to Page 7 for examples:

~~We are looking to~~ Modify Modification of current MCUP to
provide for a type 47 ABC License / on sale general / eating place from
a type 41 ABC License / on sale Beer & wine.

CONTACT INFORMATION

APPLICANT INFORMATION (PRIMARY CONTACT)

Firm/Company Name: Hidexmark cube / Mission Collection
Contact Name: Cory Johnston
Address: 3700 Ave St.
City: Riviera State: CA Zip: 92501
Daytime Telephone: (951) 347-1732 Facsimile: ()
E-Mail Address: mission3700@Yuttoo.com

PROJECT ENGINEER/PLANNER/ARCHITECT (SECONDARY CONTACT)

Firm/Company Name: Raychele Sterling
Contact Name: Raychele Sterling
Address: _____
City: _____ State: _____ Zip: _____
Daytime Telephone: (951) 316-8772 Facsimile: ()
E-Mail Address: RBsterlinglaw@gmail.com

OTHER (ADDITIONAL CONTACT)

Firm/Company Name: _____
Contact Name: _____
Address: _____
City: _____ State: _____ Zip: _____
Daytime Telephone: () Facsimile: ()
E-Mail Address: _____

☐ If other person should be notified regarding this processing of this request, attach the name, address, and telephone number on an additional sheet and check this box.

PROJECT QUESTIONNAIRE

1. Site Size (sq. ft. and acres): SAME
2. Existing and proposed building square footage: SAME
3. Existing and proposed building height: SAME
4. Number of existing or proposed residential or commercial units (for maps, number of lots): _____
5. Number of existing and proposed parking spaces: _____
6. Indicate whether and what type of Federal funding will be used:

7. Describe in general the existing land uses to the:
North: _____
South: _____
East: _____
West: _____
8. Number of new Full Time Employees: _____ Part Time: _____
9. Number of retained Full Time Employees: _____ Part Time: _____
10. Number of Construction Related Jobs: _____
11. Target Opening Date: _____
12. List the primary land use(s) envisioned for the project, using the Permitted Use Table (Table A) A in Section 19.150 of the Zoning Code:
<http://www.riversideca.gov/municode/pdf/19/article-5/19-150.pdf>

13. List any incidental or accessory land uses envisioned for the project, using the Incidental Uses Table (Table B) in Section 19.150 of the Zoning Code:
<http://www.riversideca.gov/municode/pdf/19/article-5/19-150.pdf>

ADDITIONAL REQUIREMENTS

Contact the following departments prior to submittal to verify additional requirements specific to your proposal. Preliminary project plans will be expected. An appointment may be required.

PUBLIC WORKS (951) 826-5341

☐ Right-of-Way Dedication:

☐ Water Quality Management Plan:

☐ Grading Permit:

☐ Traffic Impact Analysis:

☐ Driveway Location(s):

☐ Sewer Service:

☐ Stormwater Management:

BUILDING AND SAFETY (951-826-5697)

☐ ADA Accessibility:

☐ Change of Occupancy:

PUBLIC UTILITIES WATER (951-826-5285)

☐ Water Service:

☐ Equipment Location:

☐ Easements:

PUBLIC UTILITIES ELECTRIC (951-826-5421)

☐ Electric Service:

☐ Equipment Location:

☐ Easements:

FIRE PREVENTION (951-826-5737)

☐ Fire Access:

☐ Turnaround Design:

INDEMNIFICATION AGREEMENT (PROPERTY OWNER & APPLICANT)

Applicant and legal owner of the property, hereby agree to defend, indemnify and hold harmless the City and its agents, officers, attorneys and employees from any claim, action, or proceeding (collectively referred to as "proceeding") brought against the City or its agents, officers, attorneys or employees to attack, set aside, void, or annul the City's decision to approve any tentative map (tract or parcel) development, land use permit, license, master plans, precise plans, preliminary plans, design review, variances, use permits, general and specific plan amendments, zoning amendments, and approvals and certifications under CEQA. This indemnification shall include, but not limited to, damages, fees and/or costs awarded against the City, if any, and cost of suit, attorney's fees and other costs, liabilities and expenses incurred in connection with such proceeding whether incurred by applicant, the City, and/or the parties initiating or bringing such proceeding.

Heather Cuy Johnson 8/20/18
Property Owner Signature Date

Heather Cuy Johnson 8-20-18
Applicant Signature Date

HAZARDOUS SITE REVIEW CERTIFICATION

Subsection 65962.5(e) of the California Government Code requires that no application for a development project be accepted as complete unless accompanied by a signed statement by the applicant that the Hazardous Waste and Substances Sites List has been consulted to determine whether or not the proposed development site is on the list. The sites list is prepared and annually updated by the Governor's Office of Planning and Research. A copy of the current list for the City of Riverside may be viewed or obtained at the Riverside Community Development Department, Planning Division, 3900 Main Street, Riverside, California, 92522.

CERTIFICATION – The Hazardous Waste and Substances Sites List on file with the City of Riverside Planning Division has been consulted and the above identified development project site has been found (check appropriate box below)

☐ to fall within an identified hazardous site.

☐ not to fall within an identified hazardous site.

Applicant Signature Heather Cuy Johnson Date 8/28/18

PROPERTY OWNER CERTIFICATION

I hereby certify that I am (we are) the record owner(s) [for property tax assessment purposes] of the property encompassed by this application. I further acknowledge and understand on behalf of myself and my representatives and agents that if the project is subject to an Environmental Impact Report, ALUC Review and approval, Military Consultation or Tribal Consultation, the time lines prescribed in the Riverside Municipal Code are stayed until such time as said review and/or consultation is complete. I also understand and agree that the submittal date of my application will be the filing deadline following receipt of my request.

Signature: [Signature] Date: June 1, 2016

Property Owner of Record (PRINT NAME): Craig Johnston

Site Address: 3700 Main St. Riverside, CA, 92501

Mailing Address: "

City: Riverside State: CA Zip: 92501

Daytime Telephone: (951) 347-1732 Facsimile: ()

E-Mail Address: Mission3700@yahoo.com

I have provided one of the following items:

- ☐ Notarized Property Owner Certification.
- ☐ Grant Deed indicating that I am the property owner.
- ☐ Title Report indicating that I am the property owner.

PROJECT DESCRIPTION EXAMPLES:

Conditional Use Permit for Alcohol Sales:

A Conditional Use permit to allow _____ (on-sale or off-sale) of alcoholic beverages in conjunction with a _____ square foot (size of establishment) _____ (restaurant, convenience store, grocery store, etc.) which requires a type _____ (20, 21, 40, 41, etc.) ABC license. A variance is being requested to allow alcohol sales within _____ (100 feet, 600 feet, 1000 feet, etc.) of _____ (residential, school, park, etc.).

Conditional Use Permit for Entertainment:

A Conditional Use Permit to allow Entertainment in conjunction with a _____ square foot (size of establishment) _____ (restaurant, night club, bar, etc.) between the hours of _____ and _____, _____ (day of week) through _____ (day of week).

Design Review:

Design Review of plot plan and elevations for the construction of a _____ (size of building) square foot, _____ (single tenant, multiple tenant, etc.) _____ (type of building: commercial retail, restaurant, industrial wireless telecommunication facility, etc.) building and associated _____ (area of landscaping) square feet of landscaping and _____ (number of parking spaces) parking spaces.

Hideaway Security Plan

This security plan conforms to the City of Riverside (“City”) Minor Conditional Use Permit (hereinafter “MCUP”) requirements for Planning Case No. P16-0251. This security plan does not address all matters covered by the MCUP, but rather addresses the most prominent security points discussed with the City and law enforcement personnel. Furthermore, this security plan provides the basic general security operational guidelines for the Hideaway and should not be considered a complete security policy and procedures manual.

Security Staffing

Per the MCUP, the Hideaway will supply a minimum security guard ratio of one (1) guard per forty (40) patrons for the listed capacity of the licensed premises. Additionally, on nights when entertainment is provided, the Hideaway will supply a minimum of two (2) security guards for each listed entrance and exit after 9 p.m.

All security guards will be currently licensed through the State of California Department of Consumer Affairs Bureau of Investigative Services (“Bureau”). The Hideaway will only employ security guards that provide proof of either (1) a valid Security Guard registration or (2) a hard copy printout of the Bureau's approval obtained from the Bureau's website. The Hideaway will maintain copies of all security guard cards or Board approvals and upon request will make them immediately available for inspection by authorized law enforcement personnel.

Security Guard Duties

While on duty, all security personnel are required to wear security uniforms clearly identifying them as Hideaway security and have their state issued registration card on their person. An internet printout evidencing approval from the Bureau shall be sufficient to satisfy this requirement for any security personnel awaiting receipt of their registration card (See Business & Professions Code §7583.17).

Security guards are responsible for the following duties:

1. Monitor guests for legal age and screen identification to ensure guests are over the age of 21.

2. Monitor guests to prevent entry of any individual who is obviously intoxicated.
3. Monitor guests for dress code in accordance with posted requirements at Hideaway entrance (See Exh. A). Security guards may exercise discretion in the enforcement of the dress code and make limited exceptions when deemed appropriate. Any such exceptions shall be applied in a non-discriminate manner.
4. Monitor guests who might attempt to enter or leave with alcohol.
5. Monitor guests who are in the patio area, standing on the sidewalk adjacent to Hideaway or in the entrance line.
6. Maintain a clean environment in front of the licensed premises.
7. Monitor capacity using handheld electronic or manual “clickers”.
8. Maintain radio communication with other security guards and management.

Deck Area / Patio

Monitor and address guest behavior related to the following:

- A. Accidents
- B. Injuries
- C. Intoxication
- D. Passing or receiving of objects from non-screened guests
- E. Arguments
- F. Altercations
- G. Narcotics

Downstairs

Monitor and address guest behavior related to the following:

- A. Accidents
- B. Injuries
- C. Intoxications
- D. Arguments
- E. Altercations
- F. Narcotics

Admittance to the Hideaway

The liquor license of the Hideaway provides that patrons of all ages may enter the licensed premises during normal operating hours. However per the MCUP, after 10 p.m. all entering guests must be over 21 years of age. Security guards working the doors will make every attempt to identify and refuse entry to any guest who is obviously intoxicated or under age. On nights with heavy activity or special events, the Hideaway will utilize an ID scanner, if available.

Hideaway Ejections

There are many reasons that a guest may be asked to leave or be forcibly removed, including:

1. Over-intoxication
2. Vandalizing or destroying property*
3. Being physically assaultive or fighting*
4. Narcotics Usage and/or sales*
5. Weapons*
6. Gambling*

(* May require law enforcement contact)

In nearly all cases when a guest is being asked to leave or forcibly removed, security guards are required to advise management and obtain their assistance.

Under certain circumstances, a guest may first receive a warning prior to being asked to leave or forcibly removed. Examples include:

1. Taking alcoholic drinks into the restroom or attempting to take them outside the licensed premises.
2. Being verbally assaultive or argumentative
3. Loud, rude or vulgar language and/or actions

Ejection of a Guest

For the safety of its staff and guests, the Hideaway cannot employ a “no-hands-on policy”, however the use of force to remove a guest should be exercised only when reasonably necessary. First, diffusion and discussion should be attempted, however if that fails or the incident involves an active altercation or other dangerous situation, security guards should be ready to go “hands on” immediately.

When it is determined a guest requires removal, Hideaway staff shall utilize only the reasonable amount of force necessary to safely remove the guest and prevent injury to Hideaway personnel or other guests. If staff determines that the guest cannot be removed safely, they shall immediately alert management, who will determine whether a 911 call is appropriate under the circumstances.

When possible, security guard(s) should first try to notify other security guards and managers before undertaking the removal of a guest. However, there may be certain dangerous or fast-moving situations which will require security guard(s) to exercise the discretion to act first and notify other security guards and managers thereafter.

If the incident giving rise to the removal of guest(s) involved two or more separate parties, every attempt should be made to remove them from opposite doors and at different times. This helps to ensure the problem does not continue outside.

Occasionally, the ejection of a guest may be based on the commission of a minor and/or serious criminal offense. Depending on the nature of the offense, a private person detention (“PPD”) may be required until law enforcement can be summoned. In cases where a PPD is employed, management shall be immediately notified and shall serve as the contact person for all communications with law enforcement.

Video Surveillance

The Hideaway maintains a comprehensive video surveillance system which is depicted in the schematic attached hereto (See Exh. B). A Hideaway employee trained in the operation of the surveillance system will be available on site during the Hideaway’s hours of operation.

Miscellaneous

For purposes of this Security Plan and licensure with the California Department of Alcoholic Beverage Control, the Hideaway’s physical address shall be advertised as 3700 Main Street, Riverside, California 92501.

EXHIBIT A

DRESS CODE **STRICTLY** **ENFORCED**

ZERO TOLERANCE **FOR BAD ATTITUDES**

We reserve the right to refuse service / entry to ANYONE and EVERYONE if desired.
Dress Code & Entry is on a individual basis and up to THE STAFFS discretion.
Below is a list of standard rules for dress codes that we can enforce.

NO BAGGY OR OVERSIZED CLOTHING
NO BEANIES, BANDANAS
NO WAVE CAPS OR DU RAGS
NO JERSEYS, OR SPORTS ATTIRE
NO SOLID COLOR T-SHIRTS
NO PREDOMINANTLY COLORED SHOES
NO EXPOSED GOLD CHAINS / NO TANK TOPS
NO SAGGING PANTS

*There will be no warnings. If you approach our facility and have your pants sagging at a offensive level or have to physically hold up your pants from falling off, you will not be let in.

OUR DRESS CODE APPLIES TO EVERYONE REGARDLESS OF RACE, ETHNICITY, CULTURE, SEXUAL ORIENTATION, RELIGION OR ANYTHING ELSE THAT SOMEONE COULD ATTEMPT TO MISCONSTRUE AS "DISCRIMINATION".

* NO KNIVES, WEAPONS, MACE, PEPPER SPRAY, OR ANY OTHER OBJECTS DEEMED AS POSSIBLY HARMFUL OR INAPPROPRIATE

EXHIBIT B

