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April 25, 2019

CITY OF RIVERSIDE, and its City Council, Mayor
and Community & Economic Development Dept.
3900 Main Street
Riverside, California 92522

Subject: Appeal of Planning Commission Determination re: P18-0572 – Modification of Minor Conditional Use Permit for Hideaway Café (Applicant Kenneth Craig Johnston)

Honorable Mayor, Members of the City Council

Applicant, Kenneth Craig Johnston, (sometimes referred to herein as the "Hideaway Café") does hereby appeal the decision of the Planning Commission made on April 18, 2019, relative to the above referenced matter.

Based upon the grounds for appeal set forth below, Applicant respectfully requests that the City Council 1) overturn and/or vacate the decision of the Riverside Planning Commission ("Commission") based upon its overt bias against Applicant; 2) hear Applicant's appeal De Novo (re-hear the matter as if no hearing before the Planning Commission occurred), permitting Applicant's counsel to present his defense against staff's recommendation and, in accordance with due process of law, allow a minimum of thirty minutes for such presentation; 3) grant Applicant's modification of the Minor Conditional Use Permit for the Hideaway Café to convert its Type 41 license to a Type 47 license and 4) reimburse Applicant for fees paid for this appeal.

GROUNDS FOR APPEAL

1. **BIAS**: Potential bias of members of the Planning Commission against Applicant require reversal of the Commission's decision (See *Nasha L.L.C. v. City of Los Angeles et al.* (2004) 125 Cal.App.4th 470, where court reversed Planning Commission decision based upon an "unacceptable probability of actual bias").

A. FACTS SUPPORTING PROBABILITY OF ACTUAL BIAS

*Note: The following instances of conduct and statements attributable to members of the Planning Commission made at the April 18, 2019, Planning Commission meeting are derived from the official video recording provided by the Riverside City Clerk and references to time stamps are in accordance therewith. However, it is unknown if the

time stamps on the video recording accurately correspond to the time stamps of the April 18, 2019, Planning Commission meeting available on the City's official website. Therefore, please utilize the official video recording when reviewing Applicant's appeal.

- Commissioner Rossouw (hereinafter, "Rossouw") makes a sarcastic comment to counsel that "I hope that was a request and not a demand" relative to her statement asking that the Commission vote on Applicant's request for a time extension (See April 18, 2019 Video Recording of Planning Commission Meeting, hereinafter,("VR") at 1:45:35). This despite counsel's previous submission of a document entitled REQUEST FOR A MAJORITY VOTE OF COMMISSION TO GRANT ADDITIONAL TIME TO APPLICANT FOR ITS PRESENTATION and the Commission's very own rules calling for a majority vote.

- In response to a question from Rossouw, Deputy City Attorney Anthony Beaumon (hereinafter, "DCA") advises the Commission not to allow Applicant's counsel to provide a substantive response during discussions concerning the time extension. In fact, he states on the record "It would not be appropriate to make substantive discussions during this vote at the time. If it is your desire to request Applicant make that during her main presentation, I think that would be appropriate" (VR at 1:47:46). In essence, DCA advises the Commission to deny Applicant the right to respond to a Commission's inquiry that may have impacted the vote, and instead advises the Commission that it would be appropriate to allow the information to be presented after the vote occurred, when it was too late. Failing to allow Applicant the opportunity to respond to matters which directly impact the request for a time extension until **after the vote** is a blatant violation of due process (See *Quintero v. City of Santa Ana* (2003) 114 Cal.App.4th 810).

- Commission Sean Mill ("Mill") makes a motion to "just keep to the 15 minutes" which is subsequently voted on and approved by all except one Commissioner, despite no discussion or findings being made relative to Applicant's request for time extension and the denial of Applicant's ability to respond to an inquiry that may have changed the vote. (VR at 1:48:05).

- Mill laughs during Applicant's presentation (VR 1:56:55) and when Applicant's counsel asks "Is something funny Mr. Mill?", Mill responds "your whole presentation" (VR 1:56:57) which taints the entire Commission and the proceeding.

- Beginning at VR 2:11:55, Mill begins a rant disparaging Applicant, his counsel and former Applicants before the Commission (he references Center Street and Frontier Communities - VR at 2:18:14) by accusing them of using race to "get what they want". In fact, Mill specifically targets counsel stating "You know

what's offensive . . . To have some like YOU come down here and use racism as a tool to get what YOU want. I am angry that YOU use that (referring to racism) as a tool to get what you want." Mill made these disparaging and defamatory remarks about counsel after being presented with evidence of racism including polygraph examination results and declarations under penalty of perjury.

- At VR 2:12:24, Applicant's counsel attempts to provide information to Mill regarding a prior statement he made concerning omissions in counsel's argument relative to alleged narcotics transactions at the Hideaway. Counsel advises she has a court transcript from the criminal proceedings regarding the matter that she could share. Counsel further advises that if she had been given additional time as requested, that evidence would have been presented. Mill responded by stating to Rossouw, "You know what, shut off her microphone" (VR at 2:12:43). Rossouw then shut off the microphone while counsel was speaking (VR at 2:12:45). **It is important to point out that in the matter heard just prior to Applicant's matter, a representative of the developer (applicant) stood up without being called to the dais by any Commissioner and without a pending question, and stated "I may be able to shed some light on this". The Commission and Rossouw allowed this representative to speak freely without interruption and at no time shut off his microphone (See VR at 1:07:25). This disparate treatment clearly shows a bias against Applicant.

- At VR 2:13:30, Mill continues his inappropriate rant, interjecting his personal opinion regarding Councilman Gardner, the RPD, and Planning Department and calling evidence presented by Applicant's counsel "offensive" to him personally. Mill states on the record, "It's kind of funny, you know, to call Mike Gardner a racist, you know, it's just utterly offensive, there has been no one kinder to my family than Councilman Gardner . . . It's offensive to hear folks come down here to try and get a CUP so they are going to impute the good men and women of RPD, our Planning Department and council members. . . It's offensive to me (VR at 2:14:01). Mill interjected his personal feelings regarding his relationships with Councilman Gardner, the RPD and Planning staff and showed a preference in favor of those individuals (who actually provided testimony at the hearing) and absolute bias against Applicant for his counsel's presentation of evidence against them. Mills rant was yet another attempt to unduly influence the Commission as a whole.

- At VR 2:23:07, Commissioner Rubio ("Rubio") directs a question to the Applicant while his counsel is at the dais. Counsel advises Rubio that she is Applicant's representative and can answer any questions he has. Rubio refuses to ask the question of Applicant's counsel and at VR 2:23:15 states "I would like to speak to the owner." When counsel again offers to answer Rubio's question, he then inquires of DCA if he cannot speak with Applicant directly. In response, DCA makes perhaps the most inappropriate and biased statement of the entire

hearing when he advises Rubio "You are free to request to speak to the applicant himself, the applicant may decline to do so and the applicant may also elect instead to communicate through his counsel, he has that right, but you also have the right to request to speak to the applicant. ***You can draw any inference you wish from his willingness or unwillingness to do so.***" This advice of counsel from DCA in essence instructs the Commission that they can draw a negative conclusion about Applicant's character and veracity simply because he chose to exercise his right to speak through his counsel. This purported legal advice is contrary to all legal precedents and principals and biased the entire Commission in violation of Applicant's due process rights. (See *Quintero, supra,* 114 Cal.App.4th 810).

- At VR 2:24:22, Rubio states to Applicant's counsel, "Since the Applicant won't come up, you can sit down". Rubio refuses to ask the question of Applicant's counsel, showing unequivocal bias against Applicant for electing to speak through his counsel.

- At VR 2:25:19, Rubio begins with a self-serving statement about his business experience and then directs a question towards Applicant, refusing to look at counsel (see direction of Rubio's head on camera angle) inquiring whether Applicant's employees had received TIPS training (VR at 2:26:23). When counsel answers Rubio's question, advising that all security personnel are licensed through the state (which is the only condition in the MCUP – TIPS is not required) and that she was unaware if it was called TIPS, Rubio advises counsel that she "should know what TIPS training is and it is not through the state." (VR at 2:26:40). Rubio did not want to address the actual conditions in the MCUP, but rather wanted to interject his personal opinion regarding the training he thinks Applicant's employees should receive. His snide comment to counsel is further evidence of his bias. Applicant's counsel later learned that TIPS is training for bartenders and is offered privately and has nothing to do with security.

2. **<u>INABILITY OF POLICE PERSONNEL TO ANSWER QUESTIONS DIRECTLY RELATED TO CALLS FOR SERVICE WHICH PROVIDE BASIS FOR STAFF DETERMINATION</u>**

- At VR 2:21:45, Commissioner Roberts ("Roberts") inquires of the RPD's representative, Sgt. Collopy, who was specifically assigned to the hearing, if he could identify how many of the calls for service (referenced in the police memorandum and staff report and provided by RPD in support of staff's recommendation) resulted in prosecutions. Sgt. Collopy could not provide an answer and had no idea how many of the calls for service resulted in prosecution, despite using those calls for service as a basis for RPD's memoranda that was the impetus for staff's recommendation of denial.

3. **INABILITY OF PLANNING STAFF TO ANSWER QUESTIONS DIRECTLY RELATED TO ABC VIOLATIONS WHICH PROVIDE THE BASIS FOR ITS DETERMINATION**

- At VR 2:27:55, Commissioner Parker ("Parker") inquires of Planning staff whether Applicant's license must remain a beer and wine license (Type 41) during the period of the ABC stay. Planning staff could not provide a definitive answer to Parker's question, despite the alleged violation for which the stay was imposed being specifically listed in the report as a basis for its recommendation of denial. Staff specifically stated on the record "I would have to look at the exact language of the stay – I don't know". Staff's response seems to indicate it was not familiar with the very documents it alleges provide the basis for its recommendation. This, coupled with Sgt. Collopy's inability to answer a question directly related to documents provided by the RPD to bolster Planning staff's recommendation, shows that Planning staff and RPD manufactured a recommendation based upon documents which they never familiarized themselves with and likely never read.

4. **VIOLATION OF THE RALPH M. BROWN ACT FOR FAILURE TO MAKE DOCUMENTS DISTRIBUTED TO THE COMMISSION AVAILABLE TO PUBLIC UPON REQUEST**

- Pursuant to Government Code §54957, copies of all writings distributed to all, or a majority of the Planning Commission, are to be made immediately available to the public for inspection. Furthermore, the writings must be made available at a public office for inspection and the location shall be listed on the Planning Commission agenda. On April 18, 2019, Jason Hunter, a member of the public interested in Applicant's item went to the Planning Division to inspect a copy of all writings distributed to the Commission on Applicant's matter. The Planning Division was identified on the April 18, 2019, Planning Commission agenda as the location where such writings were available for inspection. The agenda further indicated that a binder with the writings was available in the meeting room, however, no such binder was located in the meeting room on April 18, 2019. Upon arriving at the counter of the Planning Division, Hunter asked to inspect a copy of the writings for Applicant's matter being heard by the Planning Commission that day. Hunter was advised by Planning staff that "We don't do that". Staff refused to make the writings available to Hunter despite the Planning Division being identified as the public place for its inspection on the agenda as required by Government Code §54957.

5. **FAILURE TO AFFORD APPLICANT A REASONABLE OPPORTUNITY TO BE HEARD IN VIOLATION OF DUE PROCESS OF LAW IN THE PRESENTATION OF HIS CASE**

Applicant's Exhibits 1- 15 distributed to the Planning Commission and made part of the official record of the Planning Commission hearing on April 18, 2019, as well as all other writings submitted by Applicant regarding Planning Case No. P18-0572, are hereby incorporated by reference as if fully set forth herein and shall be made a part of the official record of Applicant's appeal to the Riverside City Council.

- The Commission's failure to afford Applicant's counsel 5-10 additional minutes for the presentation of his case was "arbitrary and capricious" and an abuse of the Commission's power, particularly in light of its failure to allow Applicant's counsel to respond to a Commission's inquiry and its failure to engage in any meaningful discussion before the vote on the request. Furthermore, the Commission's proven bias, as demonstrated throughout the proceeding, suggests that this action was taken in furtherance of such bias. (See *Nasha L.L.C., supra*, 125 Cal.App.4th 470; *Nightlife Partners LTD, et al. v. City of Beverly Hills* (2003) 108 Cal.App.4th 81).

- Had Applicant been afforded 5-10 minutes of additional time (which is entirely "reasonable" under the law) for the presentation of his case, he would have made the following additional arguments:

  INACURACIES AND MISREPRESENTATIONS IN STAFF REPORT

  CAPTION RECOMMENDATIONS (pg. 2 of report):

  DENY . . . 4) the ongoing Stayed Revocation status imposed by the California Alcohol Beverage Control (ABC) for the sales of narcotics by employees in 2016.

  Argument: This statement is false in that all ABC documents in Planning staff's possession indicate that the stay was not "imposed" by the ABC, but rather was the result of a mutual settlement agreement between Applicant and the ABC in which Applicant made no admission of guilt to the alleged violation. Applicant contends that this misrepresentation was made intentionally to lead the Commission to believe that the ABC actually conducted the appropriate hearing and proved the violation against Applicant and subsequently "imposed" a penalty. It is also important to note, as indicated above, Planning staff admits it has no idea what the ABC stay actually says.

SITE BACKGROUND (pg. 3 of report):

. . . "Because changes were made in the operation, management and security of the facility, the Planning Commission approved Planning Case P-16-0251, subject to the recommendations of approval . . . ."

Argument: This statement is false in that all of the alleged "changes" made by Applicant were already in place before the revocation notice was sent by staff to Applicant (including security and video surveillance). In fact, all of the meetings referenced in this section of the report were had to discuss the disparity and unfairness of conditions imposed upon the Hideaway and not imposed on other establishments. The recommendation changed from revocation to modification only after Applicant's counsel advised the City Attorney, Planning staff and RPD of racial discrimination and ongoing harassment by the RPD.

PROJECT ANALYSIS (pg. 3 of report):

. . . "The Hideaway Café has been identified as a business associated with poor security and management practices, extraordinary calls for service from the RPD, and various criminal incidents summarized within the staff report.

Argument: This is a false and misleading statement in that the Hideaway Café 1) has had far fewer calls for service than other downtown entertainment establishments who have not been subject to any enforcement whatsoever (See Exh. 6); 2) its calls for services have actually declined since 2016; 3) the RPD has complimented the Hideaway's security and noted its improvements (See Exh. 12) and 4) there has only been one incident that has resulted in prosecution and the key witness in that criminal proceeding is an RPD officer who provided false testimony at the preliminary hearing and generated a false police report (See Exh. 8) and is presently the subject of an internal affairs investigation.

PROJECT SUMMARY – EXTRAORDINARY CALLS FOR POLICE SERVICE (pg. 4 of report):

In this section of the report, staff argues that the Hideaway has had extraordinary calls for service. However, staff does not advise the Commission that the Hideaway has had far fewer calls than other downtown establishments who have been provided preferential treatment by RPD and have not been subject to any enforcement whatsoever (See Exh. 6). This, despite people being shot and beat to death by patrons of their establishments (See video footage provided to Lt. Townsend of suspect leaving Mario's who initiated a fight that resulted in the beating death of a good Samaritan (It should be noted that the good Samaritan came out of the Hideaway to help an injured person) and shooting that occurred at Prohibition by their patron).

In the fourth paragraph of this section staff states that "The events show a pattern of intoxicated patrons at Hideaway Café and claims against Security Guards". This argument is nonsensical and clearly establishes that both

Planning staff and RPD are "grasping at straws" to generate a false narrative to mislead the Commission. From one side of its mouth staff and RPD argue that security is "poor", yet from the other side they argue there are claims against security for its performance of the duties mandated by the City and a condition of approval in the MCUP in handling intoxicated and unruly patrons.

PROJECT SUMMARY - SIGNIFICANT INCIDENTS SINCE OCTOBER 2016 (pg. 5 of the report):

In the table identified in this section, staff and RPD note 10 calls for service concerning Hideaway security. Each of those calls involve security performing its duties as specifically required by the Hideaway MCUP. Had security not engaged the patrons and allowed them to continue their unruly behavior, the Hideaway would have been in violation of the conditions of its MCUP. So, Hideaway is placed in an impossible position because of staff's and the RPD's desire to retaliate against it.

By their own admission in the summary section of the chart, staff and RPD prove these are calls for service that were "thrown at the wall" in the hopes that they would "stick" and mislead the Commission into approving the recommendation of denial.

- December 7, 2016: "Neither party desires prosecution".
- March 19, 2017: "No further action was taken".
- July 27, 2017: "Victim did not desire prosecution".
- April 29, 2018: "female subject (not security) was arrested and later issued citation". ***It should be noted that the female made a threat to blow up the Hideaway, yet staff and RPD are saying this call warrants a denial because of Hideaway security's actions. This definitively proves retaliation.***
- July 8, 2018: "No prosecution was desired".
- July 28, 2018: "Officer noted no visible injuries".

It should be noted that security's inability to access video surveillance in these alleged "significant" calls for service is on the advice of counsel due to ongoing harassment and retaliation by the RPD. (See Exh. 15 – Counsel makes herself available any time of the night to make footage available to RPD). RPD opted not to contact counsel, likely because she would see right through their harassing tactics.

Planning staff's use of these calls for service against Applicant not only show a blatant bias against Applicant and a pattern of overt retaliation, they also set a very dangerous precedent that could discourage downtown establishment's security personnel from engaging unruly patrons, thus violating the terms of their MCUPs and endangering the lives of other patrons and employees. It further could create hesitation on the part of security personnel to contact RPD in exigent circumstances (like bomb threats – see above) for fear that reaching out to RPD for help will be used against the establishment in the future.

PROJECT SUMMARY – ALCOHOL BEVERAGE CONTROL ACTIONS (pg. 6 of report)

In this section of the report, staff and RPD reference incidents involving the ABC. Staff again intentionally misleads the Commission by claiming Hideaway was "served a suspension" and "penalized" all while being in possession of the ABC documents which clearly indicate that the terms imposed were the result of a settlement agreement between the parties and nothing was "served" nor was a penalty "imposed". Staff knew full well that these matter did not proceed to hearing where Applicant would have vigorously challenged the allegations against him. Rather, to avoid excessive expense associated with trying these matters, Applicant elected to settle them. Under the terms of the settlement, Applicant made no admission of guilt. In fact, Kerry Winters, attorney for the ABC, specifically advised counsel for the Hideaway that the Vodka incident "was insignificant" and that Applicant should just pay the fine.

PROJECT SUMMARY –INCIDENT REPORTED BY STREETPLUS (pg. 7 of report)

In this section, staff and RPD are again "grasping at straws" to mislead the Commission. This is perhaps one of the most ridiculous incidents to support denial – theft of a phone. I would surmise that hundreds of phones are stolen downtown every day, and many are even stolen from City Hall, yet the theft of one phone supports denial of Applicant's modification of his MCUP. Counsel finds it somewhat odd that RPD alleges the suspect was arrested at the Hideaway when Counsel has e-mails from the investigating officer requesting video footage to try and identify the suspect (See Exh. 15). It should be noted that RPD had sufficient time to investigate a stolen phone because it occurred at the Hideaway. However, it could not respond to calls for a man stripped naked and masturbating in front of a downtown coffee shop causing the female employee, who feared sexual assault, to have to lock the door. (*Id.*)

PROJECT SUMMARY – VIOLATION OF CONDITIONS OF APPROVAL (pg. 7 of report)

In this section, staff and RPD allege violations of the Hideaway Café's MCUP including:

"a. Condition No. 3c . . . VIOLATION: Based upon Riverside Police Department's memorandum . . . the on-site manager failed to release video footage . . . .

Argument: As previously stated, Hideaway employees were advised by counsel not to release video footage to RPD unless it was truly an exigent circumstance and that

counsel was available anytime (day or night) to meet RPD to release the video to them. Counsel communicated this to Deputy City Attorney Neil Okasaki and RPD investigators. Counsel's advice was intended to protect Applicant from the ongoing harassment and retaliation by the RPD. At no time did the City Attorney or any RPD personnel contact counsel. Clearly they did not want counsel participating in the release of the footage.

"b. Condition No. 4: "The sale of alcohol is limited to an ABC Type 41 . . . VIOLATION: . . . during an inspection by the Riverside Police Department and California Department of Alcoholic Beverage Control, a bottle of Vodka was found behind the bar.

Argument: This is a complete misrepresentation of the incident and contrary to ABC documents in both staff and the RPD's possession. No Vodka was found behind the bar. The Vodka was found in the personal effects (handbag) of an employee and was sealed. The officer actually conducted a warrantless search of the employee's handbag to locate the Vodka. The Vodka belonged to the employee by her own admission. This is again an attempt to mislead the Commission into believing Applicant was serving Vodka in violation of his Type 41 license. The intent to mislead is further bolstered by Sgt. Collopy's false testimony before the Commission stating that the Hideaway served the Vodka. Furthermore, this incident was described by counsel for the ABC as "insignificant".

Regarding alleged violation of Conditions No. 5, 9, and 12, RPD provides no evidence whatsoever of alleged postings or flier. It is very simple to screenshot a post or photograph a flier. However, no such evidence was presented. In fact, counsel for Applicant screenshot numerous violations of these same conditions by several downtown establishments who have never been the subject of a single investigation or violation. Clearly, RPD limited its search solely to the Hideaway to continue its pattern of discrimination and retaliation. Furthermore, having a gentleman playing a guitar incidental to the service of food and drinks does not constitute "entertainment" under Title 19 of the Riverside Municipal Code. However, the RPD choses to call it entertainment simply because it is occurring at the Hideaway. It should be noted that finally, after three years, the City Manager (which in his defense, was not the City Manager when these violations were being ignored by the City and RPD) has requested enforcement against the violating establishments noted by Applicant's counsel. Furthermore, conditions which infringe on commercial free speech (no drink specials) and which create unfair competition (cover charge only applicable to some downtown establishment) in violation of anti-trust laws are invalid and unenforceable, regardless of whether Applicant was forced to previously agree to them under fear of loss of his MCUP. Much like antiquated and hateful covenants recorded on property that prohibit minority ownership are illegal, despite buyers agreeing to them by way of title recordation, these too are illegal and unenforceable.

6. **MODIFICATION REQUIRES NO CHANGES IN APPLICANT'S OPERATIONS OR SECURITY PROTOCOL AND STATUTORY AUTHORITY DOES NOT DIFFERNTIATE BETWEEN THE SALE OF BEER AND WINE AS OPPOSED TO MIXED DRINKS FOR ENFORCEMENT PURPOSES – DENIAL IS THEREFORE NOT SUPPORTED BY A GOVERNMENT INTEREST**

If Applicant's modification was approved, it would not result in any change in Applicant's operations, nor his security protocol. If fact, during meetings between Planning staff, RPD and Applicant's counsel, no additional conditions or changed conditions were required, or even suggested for that matter, by City personnel. Unless Planning staff and RPD intended all along to recommend denial, would they not have required such additional conditions if they were necessitated by a modification?

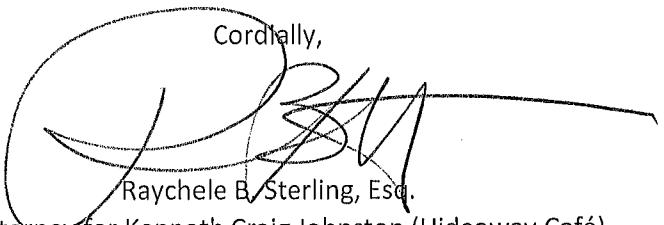
As can been seen in ABC regulations and statutory authority provided in Applicant's Exh. 7, regulation is of "alcoholic beverages". The legislature does not distinguish between beer and wine and mixed drinks once a license for either has been issued. The enforcement and/or penalty imposed on Applicant by the ABC should it ever serve a minor, serve an intoxicated person or mislabel a bottle is no different if the violation occurred serving beer and wine or mixed drinks. The Penal Code similarly does not distinguish between types of alcoholic beverages. If an individual is arrested for DUI they are charged with being under the influence of alcohol. The charges do not read "Under the influence of Pale Ale, Pinot, or a dirty martini." Because there is absolutely no change in Applicant's business practices, nor his security protocol should a modification be granted, there is no government interest to protect by denial of the modification. His business practices and protocol will remain exactly the same either way. Furthermore, Planning staff and RPD clearly agree otherwise they would have required additional conditions in the event the modification was approved by the Commission.

Denial for the sole purpose of punishment, or retaliation, particularly when based upon misleading information presented by Planning staff and RPD, is arbitrary and capricious, and violative of the basic tenets of due process. Having indicated absolutely no government interest furthered by its denial, the Planning Commission's decision must be reversed and Applicant's modification must be granted.

In summary, the Planning Commission clearly showed actual bias in its treatment of Applicant and his counsel sufficient to reverse its approval of staff's recommendation that Applicant be denied a modification to his MCUP (See *Nasha L.L.C., supra*, 125 Cal.App.4th 470). Furthermore, had the Commissions' bias not tainted its vote on Applicant's request for additional time, Applicant would have provided additional evidence showing that staff's recommendation was based ***not*** upon sufficient facts, but rather upon misrepresentations that were in furtherance of continued harassment, racial discrimination and retaliation of Applicant based upon the racial composition of his patronage.

Finally, where there is no compelling state interest in denial, as Applicant's business practices would remain the same whether the modification was granted or not, denial is arbitrary and capricious and violates Applicant's rights under due process of law. In light of the compelling evidence present above, Applicant respectfully requests that the Council overturn the decision of the Riverside Planning Commission, grant his modification to the Hideaway Café's MCUP and reimburse fees paid for this appeal.

Cordially,



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