



City of Arts & Innovation

COMMUNITY DEVELOPMENT DEPARTMENT

Planning Division

Conditional Use Permit

AGENDA ITEM NO.: 5

WARD NO: 3
NEIGHBORHOOD: MAGNOLIA CENTER

PLANNING COMMISSION HEARING DATE: May 9, 2013

I. CASE NUMBER(S): P13-0140 (Conditional Use Permit)

II. PROJECT SUMMARY:

- 1) Proposal:** To consider a Conditional Use Permit to allow entertainment activities, such as live bands, DJ's and dancing, located at an existing restaurant (Mazz Bar and Grill), at 3555 Riverside Plaza Drive, within the Riverside Plaza Shopping Center, situated northerly of Central Avenue, southerly of Merrill Avenue, westerly of Riverside Avenue and easterly of De Anza Avenue in the CR-SP - Commercial Retail and Specific Plan (Magnolia Avenue) Overlay Zones.
- 2) Applicant:** Raymond Garcia Jr., Mazz Bar & Grill
- 3) Case Planner:** Kyle Smith, Associate Planner
(951) 826-5220 kjsmith@riversideca.gov

III. RECOMMENDATION:

That the City Planning Commission:

1. **RECOMMEND** that the City Council **DETERMINE** that Planning Case **P13-0140** (Conditional Use Permit) constitutes a minor use alteration to an existing facility and therefore is categorically exempt from the provisions of the California Environmental Quality Act per Section 15301 of the CEQA Guidelines; and
2. **RECOMMEND APPROVAL** of Planning Case **P13-0140** (Conditional Use Permit) based on the findings outlined in the staff report and summarized in the following and subject to the recommended conditions attached:
 - a. The entertainment use is substantially compatible with other existing and proposed 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 entertainment 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 entertainment use will be consistent with the purposes of the Zoning Code and the application of any required development standards is in the furtherance of a compelling governmental interest and is the least restrictive means of furthering that compelling governmental interest;
- d. The proposal is in compliance with all Site Location, Development and Operational Standards for entertainment uses, as required by Section 19.250.030 of the Zoning Code;
- e. The Riverside Police Department has no objection to the proposed entertainment use, subject to the recommended conditions of approval; and
- f. The proposed entertainment will contribute to Riverside's diverse economy, furthering the objectives of Seizing Our Destiny, Strategic Route 1: Strong Innovative Economy that Builds Community.

IV. BACKGROUND/HISTORY:

Mazz Bar and Grill is a family owned and operated business that opened in December 2011 within an approximately 5,013 square-foot tenant space located on the northerly side of the "Main Street" area of the approximately 35 acre Riverside Plaza. On May 4, 2012, a Temporary Use Permit (TUP) was issued to allow Mazz to conduct entertainment activities (salsa dancing on Friday and Saturday evenings from 9:00 p.m. to 2:00 a.m.) on a 30 day trial basis, subject to conditions, with the intent that Mazz would file a Conditional Use Permit (CUP) shortly thereafter if entertainment was deemed a worthwhile venture by the applicant. Concurrent with the submittal of this CUP, an extension of the TUP was approved to permit entertainment from March 1, 2013 to the present time.

Mazz Bar and Grill operates a Type 47 Alcoholic Beverage License (On-sale General Eating Place) issued by the California Department of Alcoholic Beverage Control (ABC).

V. DETAILED PROJECT DESCRIPTION:

The applicant is requesting approval of a CUP to allow entertainment activities in conjunction with the existing Mazz Bar and Grill. As shown on the submitted entertainment plan (Exhibit 5), entertainment is proposed to occur on Thursday, Friday and Saturday nights from 9:00 p.m. to 1:30 a.m. Specific entertainment would vary from night to night, but would include karaoke, live bands and DJ's and a dance floor would be provided for salsa dancing. A \$5-10 cover charge would be required after 9:00 p.m. and wrist bands will be required to enter the restaurant after 9:00 p.m. for customers who are 21 years of age and older to identify those without wristbands as being under 21 years of age. Any customers under the age of 21 will be required to leave the premises before 9:00 p.m. on evenings where entertainment is scheduled. A dress code would be enforced after 9:00 p.m. The bar and kitchen would remain open to serve drinks and appetizers only until 1:00 a.m.

The floor plan submitted with the application (Exhibit 5) shows a full service restaurant with a kitchen, bar, restrooms, eating areas, outdoor patio, and four areas with moveable tables and chairs to create a DJ or band area and a dance floor. Three dance floors are proposed inside the restaurant while one is proposed outside on the patio area (note that Staff is recommending no entertainment activities outside in the patio area).

The applicant indicates that three security guards will be on site during evenings with entertainment, with one security guard for approximately 40 people. One security guard would be positioned at one of the dance floors or bar area, another would be positioned outside the front door, and the third would be positioned in the patio area. Should more than 125 customers be at a specific entertainment event, a fourth security guard would be needed. The applicant indicates that maximum allowable occupancy for entertainment events is 200 persons. In addition to security guards, Mazz Bar and Grill proposed to utilize video surveillance cameras to monitor hall ways and common areas. Video footage would be retained for 30 days. No exterior improvements are proposed in conjunction with this request.

VI. LOCATION/SURROUNDING LAND USES:

	Existing Land Use	General Plan Designation	Zoning Designation
Project Site	Commercial/Retail – Riverside Plaza	CRC – Commercial Regional Center	CR-SP - Commercial Retail and Specific Plan (Magnolia Avenue) Overlay Zones
North (across Merrill Ave)	Commercial & Vacant Land	C – Commercial	CG-SP – Commercial General and Specific Plan (Magnolia Avenue) Overlay Zones
East (across Riverside Ave)	Single Family Residential, school and a church	O – Office, PF- Public Facilities	PF-Public Facilities, R-1-7000 – Single Family Residential, O-Office
South (across Central Ave)	Commercial/Retail	C – Commercial	CR-SP - Commercial Retail and Specific Plan (Magnolia Avenue) Overlay Zones, R-1-7000-SP – Single Family Residential and Specific Plan (Magnolia Avenue) Overlay Zones
West (across De Anza Ave.)	Commercial/Retail	MU-V – Mixed Use-Village	CG-SP – Commercial General and Specific Plan (Magnolia Avenue) Overlay Zones

VII. PROJECT ANALYSIS:

- **General Plan/Zoning/Specific Plan Conformance**

	Existing	Proposed
General Plan	CRC – Commercial Regional Center	No Change
Specific Plan	Magnolia Avenue Specific Plan –Magnolia Center District	
Zoning	CR-SP - Commercial Retail and Specific Plan (Magnolia Avenue) Overlay Zones	

The General Plan designation for the property is CRC – Commercial Regional Center and the Zoning of the property is CR – Commercial Retail. Entertainment activities, which are defined as “live entertainment, dancing, disc-jockey-hosted music, karaoke sing-alongs, night clubs, comedy clubs and entertainment clubs” are permitted in the CR Zone subject to the granting of a Conditional Use Permit and compliance with a Site Location, Development and Operational Standards (Section 19.250.030).

In addition, the proposed project will serve to fulfill the objectives of the General Plan, the *Seizing Our Destiny* initiative, and the Magnolia Avenue Specific Plan which seek to promote Riverside as a destination for entertainment activities.

- **Standards for Entertainment Use**

This proposal has been evaluated for consistency with all applicable standards related to entertainment activities and the proposal complies with all applicable standards as conditioned.

Site Location

Mazz Bar and Grill is located within a retail tenant space, surrounded by commercial and retail uses, within the fully improved, approximately 35 acre Riverside Plaza Shopping Complex. Riverside Plaza contains adequate landscaping, parking, pedestrian and vehicular access, customer queuing, security lighting and screen walls. Mazz Bar and Grill is located the appropriate distances away from any hospitals, schools, churches, parks, motels, hotels, residential care facilities or residential dwellings as required per the zoning Code.

Operational Standards and Neighborhood Compatibility

While the applicant is proposing to have entertainment three nights a week (Thursday, Friday and Saturday nights from 9:00 p.m. to 1:30 a.m.) at this time, staff would support entertainment four nights a week for establishments at Riverside Plaza for consistency with other establishments within the Plaza, should the applicant desire to add a fourth night in the future and should the applicant operate the entertainment venue in compliance with the final approved conditions. As recommended in the attached conditions, the applicant would submit a written request for Zoning Administrator consideration to allow a fourth night of entertainment in the future if desired. The Zoning Administrator would evaluate the operation against the final approved conditions before making a determination to approve or deny a fourth night of entertainment per week. In addition, up to four proposals to “trade” allowable entertainment nights for special event nights may be considered and granted by the Zoning Administrator per calendar year.

The proposal to have an outdoor dance floor and live music or DJ on the patio area cannot be supported. During the trial entertainment period, staff was informed that complaints were received from area residents relative to loud outdoor music at Mazz Bar and Grill. Therefore, a condition is recommended prohibiting any entertainment activities in the patio area, as noise emitting from outdoor entertainment activities could again be detrimental residential areas around Riverside Plaza. Additionally, to further ensure compatibility with surrounding businesses, an acoustical analysis will be required for City staff review and approval.

A security plan has been submitted and conditions have been incorporated into the recommended conditions of approval to insure implementation of a security plan in a manner acceptable to the Police Department. Staff supports the proposed cover charge to enter the restaurant after 9:00 p.m. during all evenings of live entertainment be a minimum of \$5.00 to minimize the chances for a violation of the facilities maximum occupancy and concurrently reduce the potential calls for police service.

Based on the above and compliance with the recommended conditions of approval, the proposed entertainment use will be compatible with the immediately surrounding neighborhood.

- **Conformance with the Department of Alcoholic Beverage Control**

Mazz Bar and Grill currently operates a Type 47 License (On-sale General Eating Place) issued by the California Department of Alcoholic Beverage Control (ABC). According to California Code of Regulations, which regulates alcoholic beverages, bona-fide eating places that operate a Type 47 License are not required to serve food during all hours of operation so long as more than fifty percent of revenues are generated through the sale of food. As such, Mazz Bar and Grill will not be required to offer a full service menu during all hours of operation to comply with California Code of Regulations. However, staff recommends that a full service menu be offered until 10:00 p.m. consistent with other recent similar requests for entertainment within bona fide eating establishments, with an appetizer menu offered until at least 1:00 a.m. on nights of entertainment.

VIII. PUBLIC NOTICE AND COMMENTS:

Public notices were mailed to property owners and occupants within 300 feet of or adjacent to the site. No responses have been received by staff as of this writing of this staff report.

IX. EXHIBITS:

1. Location/Zoning Map
2. General Plan Map
3. Aerial Photograph
4. Site Plan
5. Applicant's Security / Entertainment Plan
6. Police Department Memorandum

RECOMMENDED CONDITIONS & GENERAL INFORMATION NOTES

Case Number: P13-0140 (CUP)

Meeting Date: May 9, 2013

The applicant is advised that the business or use for which this conditional use permit is granted cannot be legally conducted on the subject property until all conditions of approval have been met to the approval of the Planning Department.

Case Specific

• Planning

1. ***Advisory:*** Signs shall be permitted in accordance with Chapter 19.620 of the Zoning Code. All signs shall be subject to separate review and assessment, including any required variances. A separate sign application, including fees and additional sets of plans, it necessary prior to any sign permit issuance.
2. ***Advisory:*** Any future exterior modifications to the existing building and/or site shall be subject to the review and approval of the Design Review staff.

Prior commencement of entertainment:

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 9.04.020 of the Riverside Municipal Code.
3. An acoustical analysis shall be prepared by a qualified acoustical engineer and be subject to review and approval by the Planning Division and Building and Safety Division. Soundproofing shall be provided sufficient to prevent noise and vibrations from penetrating into surrounding properties or building lease spaces.
4. A site plan shall be submitted to planning staff demonstrating adequate accommodations for the queuing of patrons so as not to obstruct walkways, driveways or parking areas and so as not to create noise related disturbances to adjacent properties.
5. A detailed written security plan shall be provided for review and approval of the Police Department and Planning Division staff, demonstrating and committing to the provision of adequate on-site security. A minimum of one security personnel for every 50 customers shall be provided during evenings of entertainment. The security manager shall work directly with the Riverside Police Department whenever bands or other live performances are expected to draw large crowds. The management staff shall conduct all background checks, drug screening, and training for all security personnel.

Operational Conditions

6. Entertainment (Including DJs) as defined in the City's Municipal Code, shall be limited to Thursday, Friday and Saturday nights from 9:00 p.m. to 1:30 a.m.

7. Up to four (4) proposals to “trade” allowable entertainment nights for special event nights, hosted by Mazz Bar & Grill, may be considered and granted by the Zoning Administrator per calendar year.
8. Should a fourth night of entertainment be proposed in the future, a revised entertainment plan and schedule shall be submitted to the Zoning Administrator for approval. Entertainment activities may not exceed four nights per week.
9. Music shall be played indoors only and shall not be projected onto the outdoor areas, including the patio areas and/or surrounding public spaces. All doors shall remain closed while entertainment activities are occurring to minimize noise impacts. No entertainment activities shall be permitted outdoors or on a patio.
10. The facility shall be limited to persons 21 years of age or older after 9:00 p.m. during evenings of entertainment. Wrist bands shall be required for all customers during these times. All customers under 21 years of age shall not remain within the facility after 9:00 p.m.
11. There shall be a minimum door cover charge of no less than \$5.00 per person to enter the restaurant after 9:00 p.m. during evenings of live entertainment.
12. The full restaurant menu shall be available until 10:00 p.m. and an appetizer menu shall be available until 1:00 a.m.
13. No alcohol sales shall be allowed after 1:00 a.m.
14. A security guard shall be stationed outside all entry and exit doors at all times of entertainment activities in the facility, including the exit doors to the outdoor patio/smoking area on the westerly side of the building.
15. Operations shall be in compliance with Title 7 (Noise Control) of the Municipal Code.
16. The maximum seating capacity and/or occupancy shall not exceed that which is established by the City Fire Marshall. More than one violation of this condition shall constitute a material violation of this permit.
17. Lighting, as certified by a qualified lighting engineer, shall be provided at a level no less than one foot candle of lighting throughout the off-street parking area and access areas serving the business.
18. This 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. Such automatic termination shall be effective no later than ten (10) days following such change in operation, unless an application for revision of this permit has been submitted to the City Planning Division and has not been denied.
19. The sale of food shall constitute more than fifty percent of the total revenues generated by the establishment as required by the California Department of Alcoholic Beverage Control to maintain a Type 47 liquor license.

20. No alcoholic beverages are to be sold or dispensed for consumption beyond the premises.
21. The posting of flyers and other propaganda within the outdoor areas of the project site and/or adjacent public and private property, including vehicles, shall be strictly prohibited.
22. A copy of the Conditional Use Permit and the final Conditions of Approval shall be available at the site and presented to City staff, including the Police Department and Code Enforcement, upon request. Failure to have the latest approved conditions available upon request will be grounds for revocation.
23. The applicant shall notify Planning Division staff upon a future change of ownership of the subject property and/or vacancy of the subject restaurant building.
24. The owner and/or occupant shall be liable for the cost of excessive police service or response in accordance with Chapter 9.60 of the Riverside Municipal Code. Should there be three or more verified complaints or service calls related to the operations of the entertainment use within any six month period, the use shall be automatically scheduled for a revocation hearing before the City Planning Commission.

Standard Conditions

- **Planning**

25. There shall be a two-year time limit in which to commence entertainment, beginning the day following approval by the Planning Commission unless a public hearing is held by City Council; in that event the time limit begins the day following City Council approval.
26. Within 30 days of approval of this case by the City, the developer shall execute an agreement approved by the City Attorney's Office to defend, indemnify, including reimbursement, and hold harmless the City of Riverside, its agents, officers and employees from any claim, action, or proceeding against the City of Riverside, its agents, officers, or employees to attack, set aside, void, or annul, an approval by the City's advisory agency, appeal board, or legislative body concerning this approval, which action is brought within the time period provided for in Section 66499.37 of the Government Code. The City will promptly notify the developer of any such claim, action or proceeding and the City will cooperate in the defense of the proceeding.
27. This project shall fully and continually comply with all applicable conditions of approval, State, Federal and local laws in effect at the time the permit is approved and exercised and which may become effective and applicable thereafter, and in accordance with the terms contained within the staff report and all testimony regarding this case. Failure to do so will be grounds for Code Enforcement action, revocation or further legal action.
28. This use permit may be modified or revoked by the City Planning Commission or the City Council should they determine that the proposed uses or conditions under which it is being operated or maintained is detrimental to the public health, welfare or materially injurious to public safety, property or improvements in the vicinity or if the property is operated or maintained so as to constitute a public nuisance.

29. The applicant shall comply with all federal, state and local laws and shall cooperate with the Riverside Police Department (RPD) in the enforcement of all laws relating to this permit. Material violation of any laws in connection with this use or failure to cooperate with RPD will be cause for revocation of this permit.
30. This permit is issued based upon the business operations plan and information submitted by the applicant, which has been used as the basis for evaluation of the proposed use in this staff report and for the conditions of approval herein. Permittee shall notify the Planning Division of any change in operations and such change may require a revision to this permit. Failure to notify the City of any change in operations is material grounds for revocation of this conditional use permit.
31. The applicant herein of the business subject to this conditional use permit acknowledges all of the conditions imposed and accepts this permit subject to those conditions and with the full awareness of the provisions of Title 19 of the Riverside Municipal Code. The applicant shall inform all its employees and future operators of the business subject to this permit of the restrictions and conditions of this permit as they apply to the business operations.
32. Failure to abide by all conditions of this permit shall be cause for revocation.
33. The subject property shall be operated substantially as described in the text of this report and as shown on the plan on file with this case except for any specific modifications that may be required by these conditions of approval.
34. The plans shall be submitted for plan check review to assure that all required conditions have been met prior to the issuance of building permits and/or occupancy.
35. The applicant shall continually comply with all applicable rules and regulations in effect at the time permit is approved and exercised and which may become effective and applicable thereafter.
36. The granting of this request shall in no way exclude or excuse compliance with all other applicable rules and regulations in effect at the time this permit is exercised.

- **Police Department**

37. The licensee/employees shall attend a three-hour LEAD (License, Education, Alcohol and Drugs) class presented by the Riverside Office of the Alcoholic Beverage Control within 90 days of obtaining an ABC sales license.
38. The conditional use permit shall be subject to a mandatory six-month review following the date of issuance of the conditional use permit. This review shall be conducted by the Planning Division in consultation with other agencies, including the State ABC, City Police Department and the City Code Enforcement Division. If problems are resulting from operation of this entertainment use, the Zoning Administrator shall set the matter for public hearing before the City Council to consider revocation of the conditional use permit. Should there be three or more verified complaints within any 12-month period received and varied by the Riverside Police Department regarding disturbances caused at the site by patrons or staff, this shall automatically be grounds for revocation proceedings before the City Council.

39. No loitering shall be permitted on any property adjacent to the licensee's premises and under control of the licensee.
40. The licensee shall be responsible for maintaining free of graffiti the area adjacent to the premises over which they have control.
41. The parking lot of the premises shall be equipped with lighting of sufficient power to illuminate and make easily discernible the appearance and conduct of all persons on or about the parking lot.
42. The owner shall participate in a Crime Prevention through Environmental Design (CPTED) inspection and implement suggested enhancements prior to the start of serving alcohol.
43. No alcoholic beverages shall be permitted on the property adjacent to the licensed premises under the control of the licensee.
44. Happy Hour in the restaurant shall not continue past 7:00 p.m.
45. No alcohol specials, i.e. \$1 drink nights (or other reduced price drinks) or events allowing patrons under 21.
46. Utilize a licensed and bonded security firm or screen and hire their own security personnel to monitor the activity of their patrons inside the facility as well as their parking lot. The firm or personnel providing security for the facility shall be subject to review and approval of the Police Department.
47. Based on previous activity in this area for this type of business a ratio of up to 1 licensed and bonded security guard per 50 customers shall be required during evenings of entertainment. However, subject to the written approval of the Chief of Police, this may be reduced to a minimum of 1 licensed security guard per 75 patrons.
48. A security camera surveillance system shall be provided for constant recording subject to the approval of the Police Department.
49. A hand held camera recorder shall be kept on the premises at all times and used to record all enforcement incidents by security personnel within the restaurant as well as the adjacent public spaces.
50. Security personnel shall mechanically keep an accurate count of people in the restaurant and make the count available to public safety personnel upon request.

- **Fire Department**

CONTACT MARGARET ALBANESE AT 951-826-5825 FOR QUESTIONS REGARDING FIRE CONDITIONS OR CORRECTIONS.

THE FOLLOWING FIRE CONDITIONS ARE PROVIDED FOR YOUR INFORMATION AND MUST BE COMPLETED PRIOR TO SCHEDULING YOUR FINAL FIRE INSPECTION. NO REVISIONS TO YOUR PLANS ARE REQUIRED.

51. Requirements for occupancy and occupant load shall follow the currently adopted California Building Code and California Fire Code with City of Riverside amendments.
52. Shall contact the Fire Department for inspection for an occupant load prior to opening for entertainment.

- **Public Works**

53. No conditions.

- **Public Utilities**

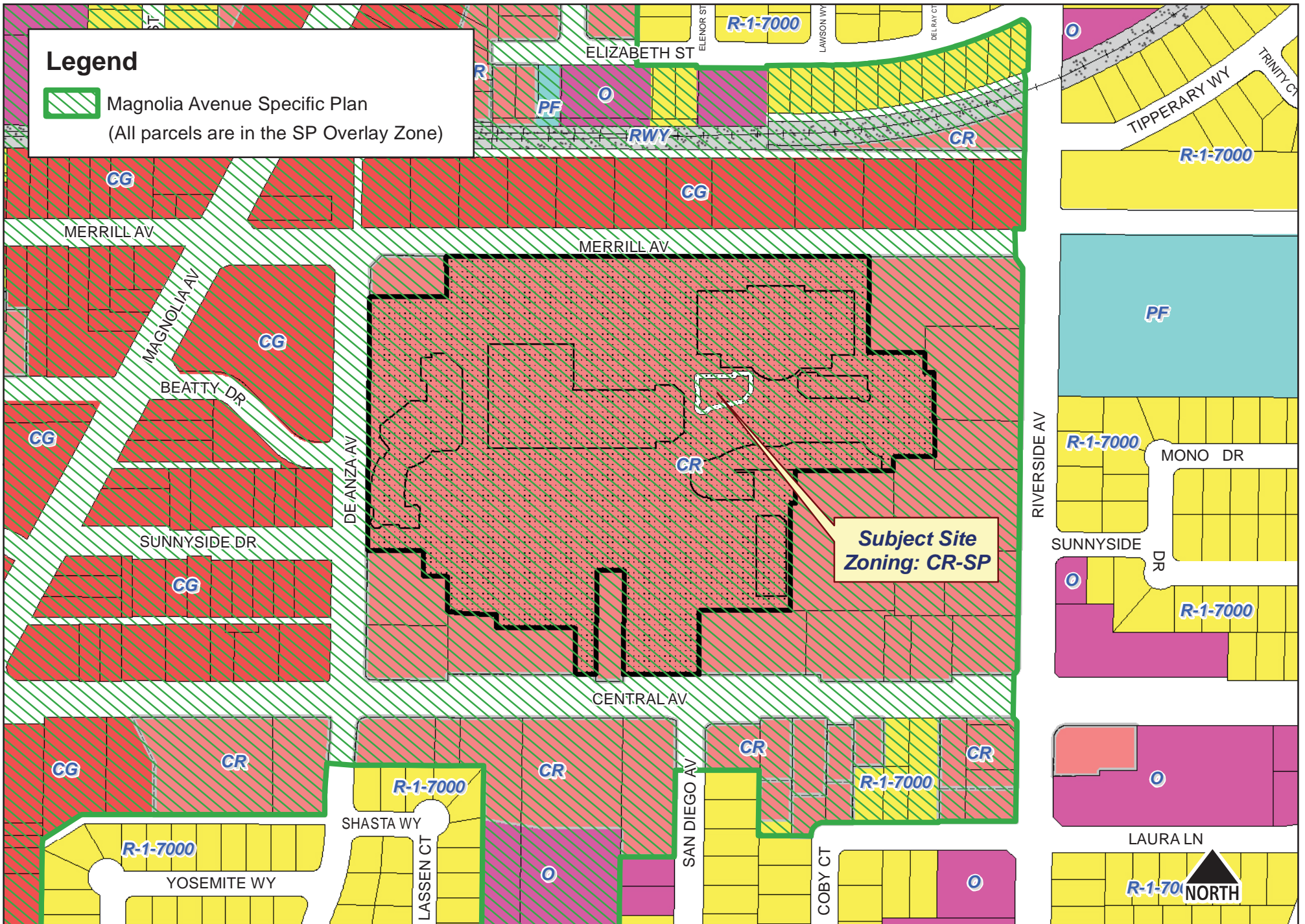
54. No conditions.

- **Parks and Recreation**

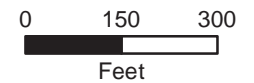
55. No conditions.

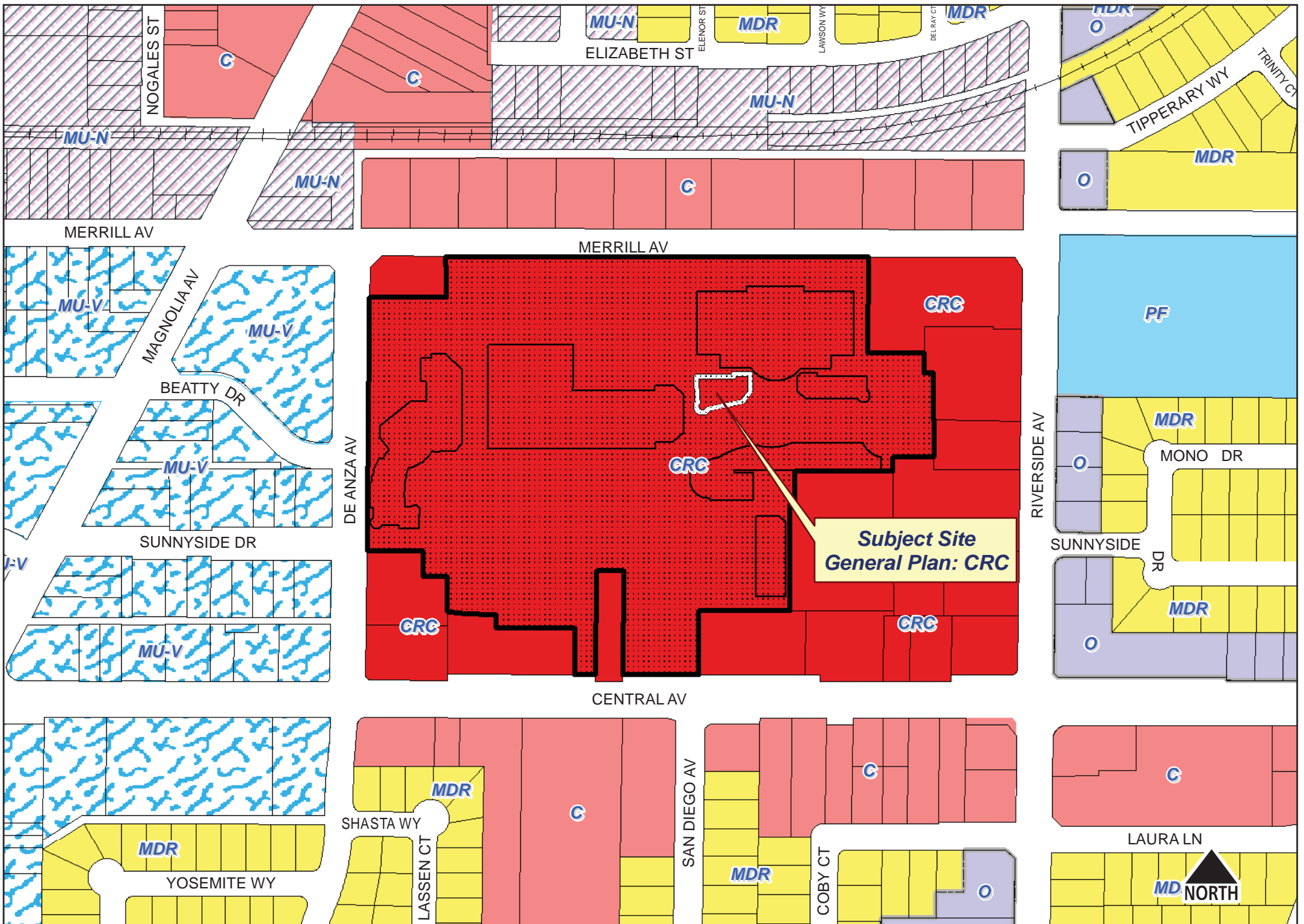
GENERAL INFORMATION NOTES

1. Appeal Information
 - a. Actions by the City Planning Commission, including any environmental finding, may be appealed to the City Council within ten calendar days after the decision.
 - b. Appeal filing and processing information may be obtained from the Community Development Department, Planning Division, Public Information Section, 3rd Floor, City Hall.

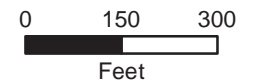


P13-0140, Exhibit 1 - Zoning



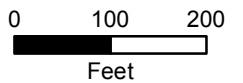


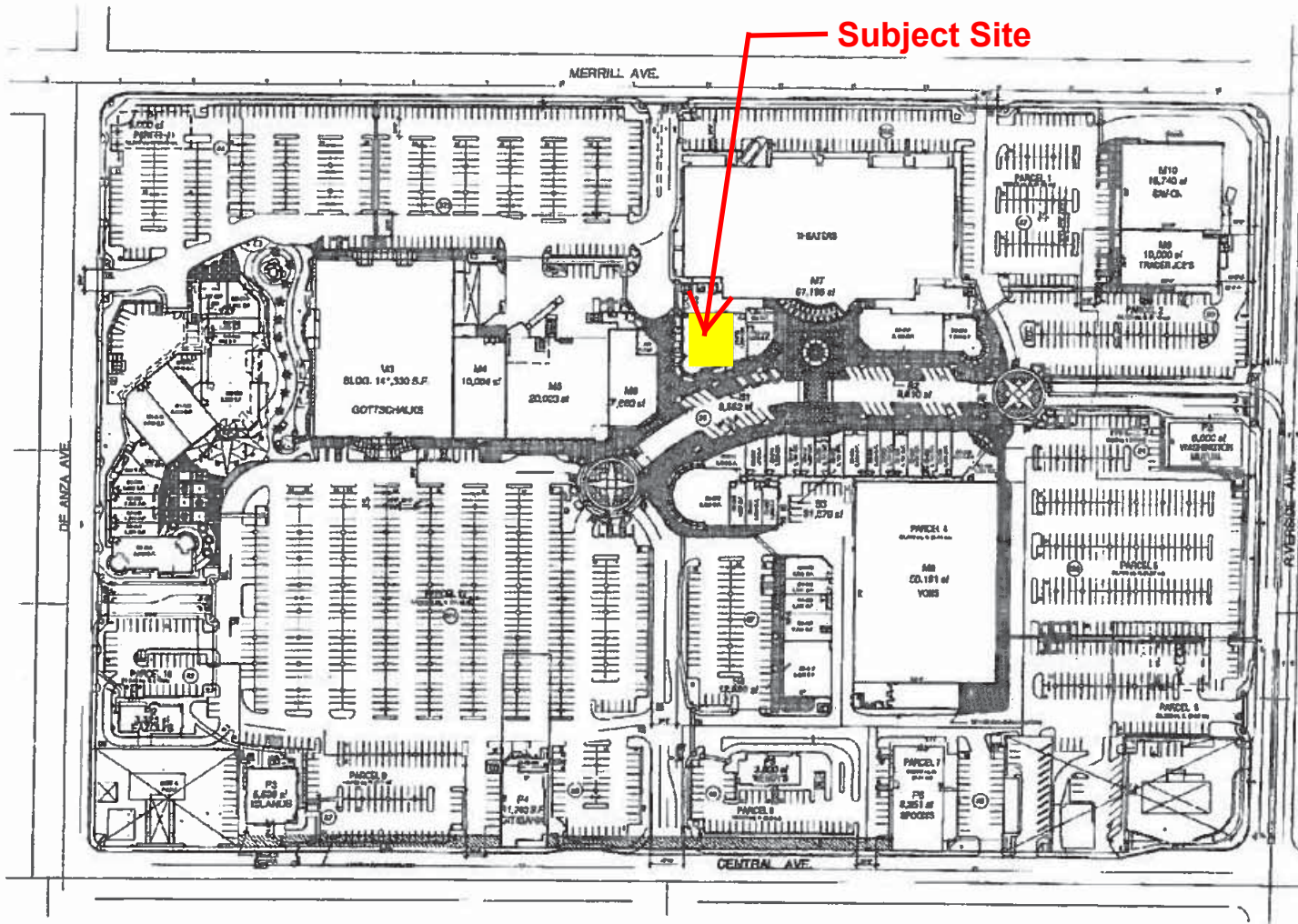
P13-0140, Exhibit 2 - General Plan





P13-0140, Exhibit 3 - 2012 Aerial Photo





Subject Site

SUMMARY

Total Site Area:	1,533,688 SF (35.21 AC)
Total Gross Building Area:	483,480 SF TOTAL
Total Gross Leasing Area:	478,238 SF TOTAL
Total Gross Common Site Area:	1,152,682 SF (26.4 AC)
Total Parking Provided:	2,774 Spaces (4.50 per 1,000 S.F. GBA)
Handicap Spaces Req'd:	83 spaces
Handicap Spaces Provided:	80 spaces

RIVERSIDE PLAZA

RIVERSIDE PLAZA, LLC

P13-0140, Exhibit 4 - Site Plan

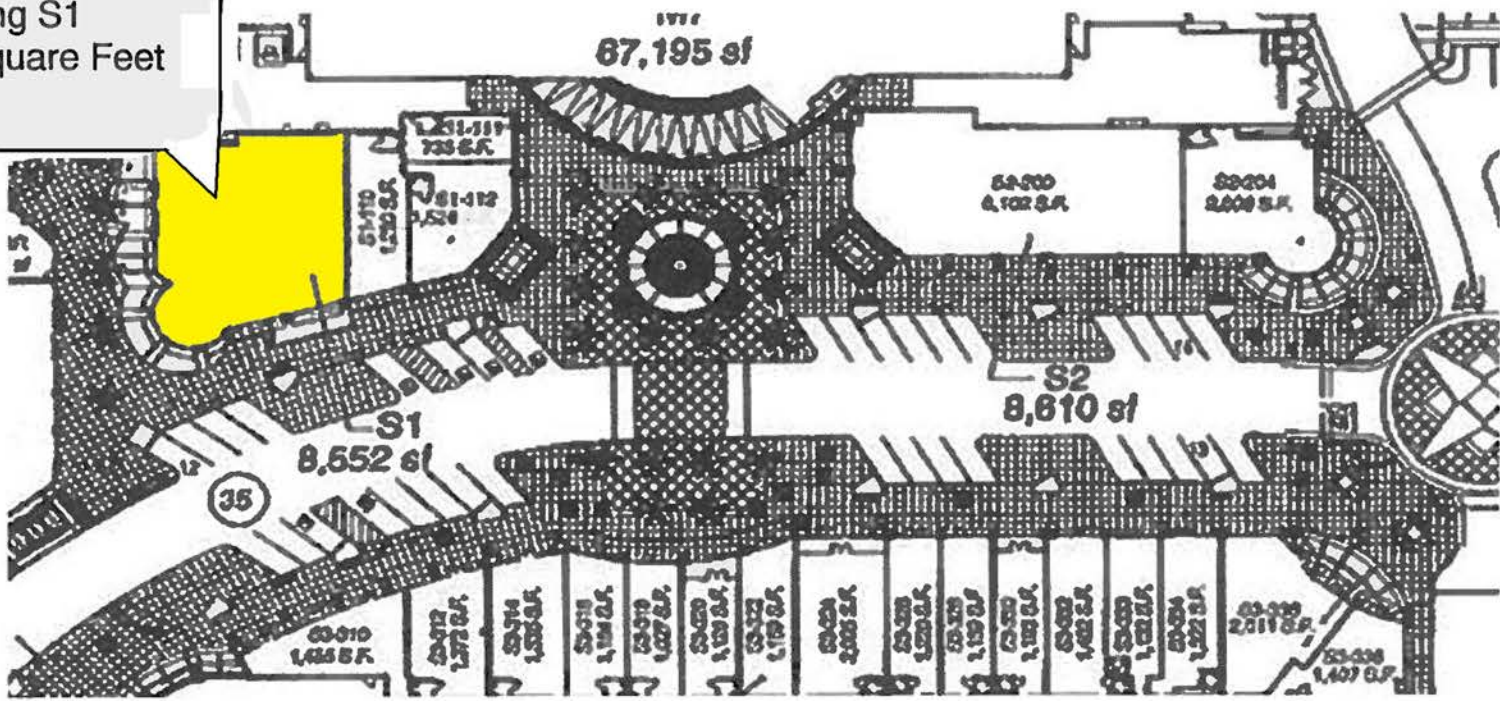
SITE PLAN 24

ARCHITECTS ORANGE

144 N. ORANGE STREET, ORANGE, CA 92668 (714) 939-8800



Suite #102
in Building S1
5,013 Square Feet



P13-0140, Exhibit 4 - Site Plan

Mazz Bar & Grill LLC.

Mazz Bar & Grill at 3555 Riverside Plaza Dr., Suite 100 Riverside, CA 92506

**Business
Plan**

Objective:

To offer our existing customers entertainment and to assist in generating sales volume for business.

Plan of Operations

1. The proposed live entertainment area will serve a full Bar Appetizer Menu until 1:00 am or closing time.
2. Specific Entertainment (Karaoke, Live Band, DJ, and Music Video)
3. Fifty (50) percent of all sales will be food.
4. The proposed live entertainment hours of operation will be limited between the hours of 9:00 pm and 1:30 a.m. on Thursday, Friday, or Saturday.
5. A dress code will be in effect at all times for the live entertainment business. See enclosed copy of Dress Code Standards banner subject to your approval.
6. The proposed dance floor area will be located in both dining rooms as well as the back portion of our patio. (See enclosed floor plan.)
7. There will be a cover charge \$5-\$10 after 9:00 p.m.
8. The music to be played at the proposed live entertainment area will be salsa, merengue and the like together with Top 40, and Jazz. (Possible Live Band Occasional) No obscene language.
9. Plastic service-ware will be used for all alcoholic beverages after 9:00 p.m. (including any major holiday or special security).
10. All rooms will be available for inspection by enforcement agency personnel.
11. No tournaments of any type will be permitted in connection with the business.
12. Pools, billiard or any other sports exhibitions will not be performed in connection with the business.
13. Patrons will not be allowed on the premises during closing hours.
14. The use of pornographic visual material in the form of video, slides, magazines, or pictures will not be allowed within the business establishment.
15. No interior doors that enclose rooms open to the public will be equipped with locking devices.
16. Three (3) security guards will be positioned as follows:

One (1) security guard will be positioned at the entrance of dance floor or the bar area.

One (1) security guard will be positioned at the front door.

One (1) security guard will be positioned at the back gate in patio.

In the event that more than 125 patrons are present in the proposed area, Mazz Bar & Grill will have (1) additional security guard for every 25 patrons to the portion thereof without exceeding maximum occupancy for the bar/dining area.

At no time, will the maximum occupancy of 200 be exceeded. Security staff will use "guest counters" devices in order to prevent overcrowding.

17. The Police Department will be provided with both Ray Garcia Sr. and Ray Garcia Jr.(Owners) direct telephone numbers. Phone number of head or lead security will also be provided. Phone will be answered no matter what time of day or night.
18. The business surrounding areas will be kept free of litter by having business employees pickup and properly dispose of all litter on a daily basis.
19. Mazz Bar & Grill will maintain video surveillance cameras, with a recorder, to monitor hallways and common areas (including lobby, and restaurant areas) at all times when the business is open. All said equipment will be maintained for a minimum of thirty (30) days and will be available for inspection by any law enforcement agency in the event of a law enforcement issue at the location.
20. Warning devices and/or any action by employees that could serve to alert patrons or employees to the presence of law enforcement or other inspectors will not occur.
21. Mazz Bar & Grill owners and manager (s) will be responsible for compliance with each and every condition that may be granted to the establishment.
22. Neither display, nor posting, nor airing via closed circuit television of any gambling odds will occur.
23. No one under the age of 21 will be allowed inside the bar area after 9:00 p.m. Please refer to the same attachments as for numbers 3 and 4- copy of Dress Code Standards banner. (Wrist bands will be provided to determine age)

Proposed Bar Appetizer Menu

- Spinach Artichoke Dip \$9.49
- Fried Calamari Strips \$10.49
- Buffalo Wings \$8.99
- Boneless Chicken Tenders \$8.99
- Nachos (Chicken, Steak, or Carnitas) \$8.99

Quesadillas & Tacos \$5.00

- Cheese
- Grilled Chicken
- Grilled Steak
- Carnitas

Note: All proposed food offerings are listed as part of our regular menu. These are served 7 days a week at the same price.

NO PERSON UNDER

21 ALLOWED IN

THE BAR

DRESS CODE AS FOLLOWS:

No Gang Attire (To be determined by security)

No T-Shirts – No Tank Tops

No Tennis Shoes – No Sandals

No Torn or Ripped Jeans – No Ball Caps or Hats

No Baggy Clothing

Shirts must be tucked in with Collar

ID POLICY

Driver's License – State ID

Passport – Military ID

Must include: Name, Date of Birth,

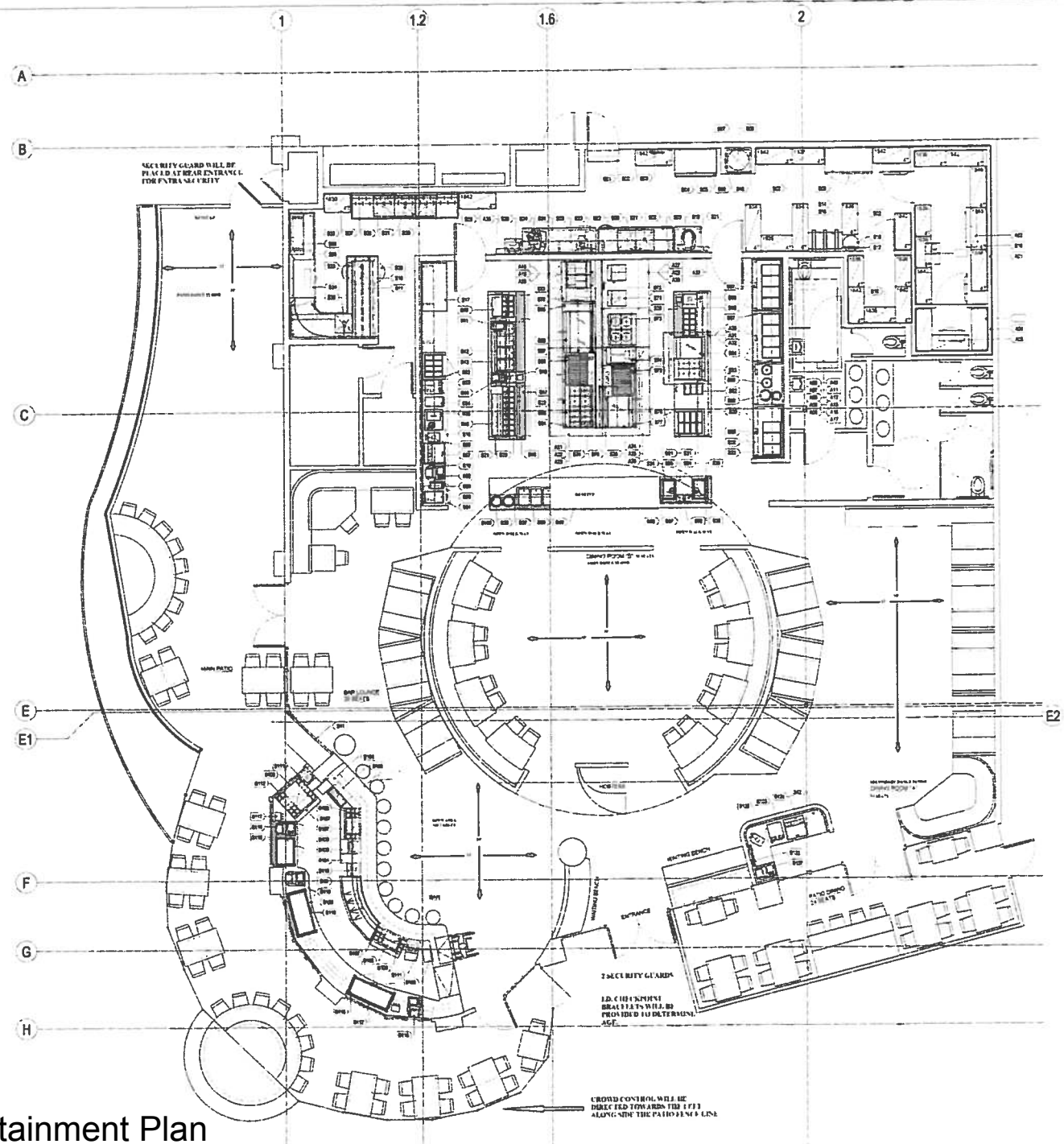
Physical Description, Photo, Valid Expiration Date

RE-ADMITTANCE POLICY

NO Re-Admittance Once You Exit

No Refunds

**WE RESERVE THE RIGHT
TO REFUSE SERVICE TO ANYONE**



P13-0140, Exhibit 5
 Applicant's Security/Entertainment Plan

SYMBOLS / DEFINITIONS

<p>4 AL /CHLINE</p>	<p>DELTA NORTH ARROW CENTERLINE</p>	<p>EQUIP. BELOW CNTR EQUIP. WALL HUNG EQUIP. CLO. HUNG</p>	<p>EQUIP. DOOR SWING EQUIP. DRAWER FACE BUILDING DOOR SWING</p>	<p>CSR DOOR SWING</p>
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NO.	DATE	DESCRIPTION	NO.	DATE	DESCRIPTION	NO.	DATE	DESCRIPTION

NOTE TO ALL:

STATIONER GROUP CO SHALL PROVIDE ALL SECURITY EQUIPMENT LISTED ON THE SPECIFICATIONS. ALL SECURITY EQUIPMENT SHALL BE INSTALLED AND OPERATIONAL BY THE DATE OF COMMENCEMENT OF CONSTRUCTION.

THE DRAWING IS FOR THE SOLE PROPERTY OF THE CLIENT AND IS NOT TO BE REPRODUCED OR COPIED IN ANY MANNER WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECT.

DATE: 08/11/11
 DRAWN: JAC
 SCALE: 1/8" = 1'-0"

FLOOR PLAN FOR FRIDAY NIGHT SALSA DANCING

SECURITY AT
BACK GATE EXIT

DJ SETUP

11'

PATIO
DANCE
FLOOR

20'

MAIN KITCHEN
OPEN FOR
APPETIZERS

RESTROOMS →

DJ Setup

18'

MAIN DANCE
FLOOR

18'

SECONDARY
DANCE
FLOOR

12'

18'

EXTRA
DANCE FLOOR

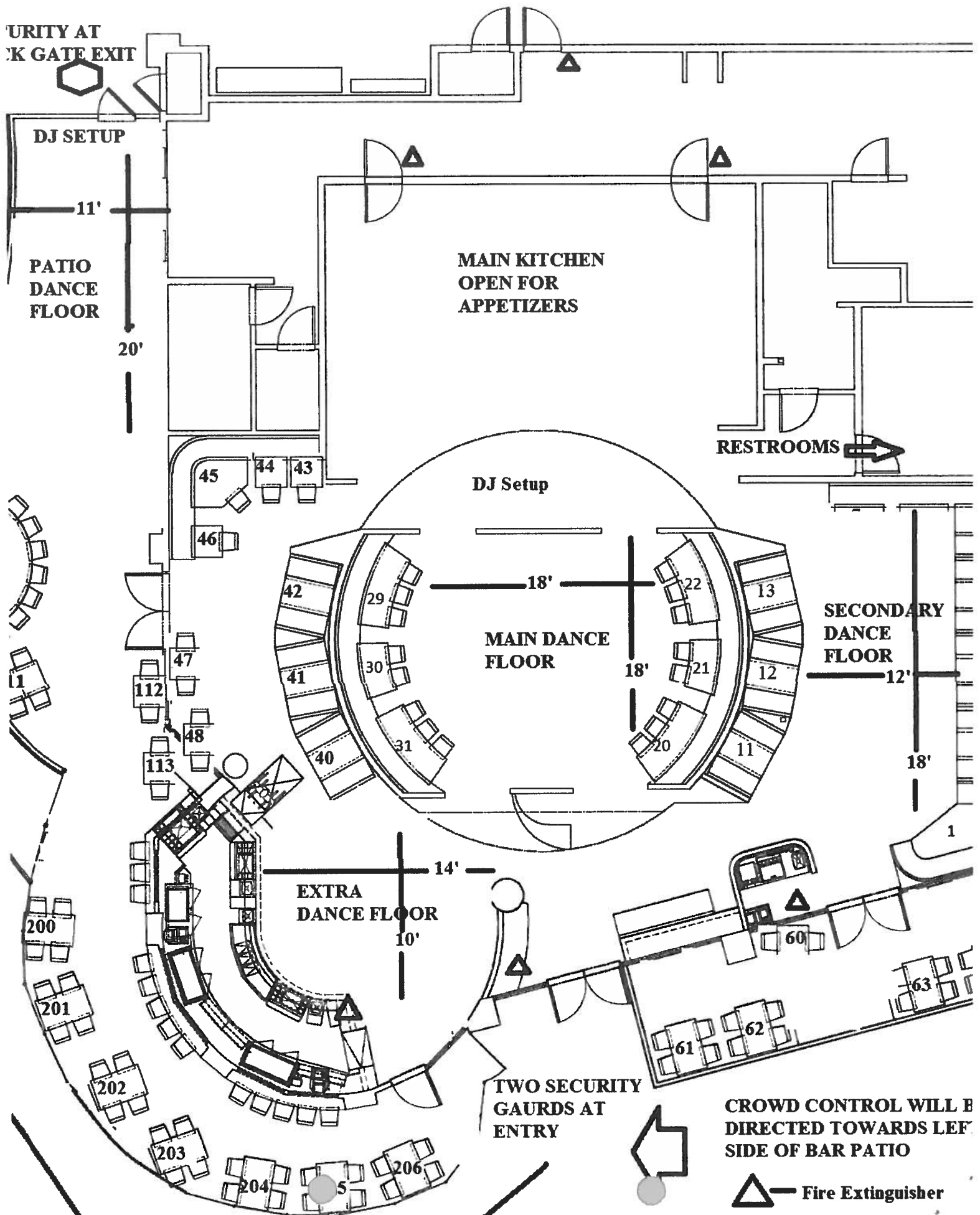
14'

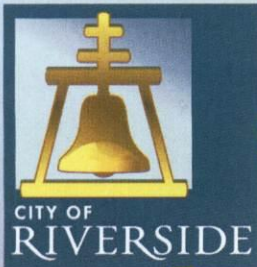
10'

TWO SECURITY
GUARDS AT
ENTRY

CROWD CONTROL WILL BE
DIRECTED TOWARDS LEFT
SIDE OF BAR PATIO

▲ — Fire Extinguisher





MEMORANDUM

Police Department

Office of the Chief



DATE: April 4, 2013

TO: Kyle Smith
Associate Planner

FROM: Jeffrey L. Greer
Deputy Chief, Operations

RE: Planning Case P13-0140
3555 Riverside Plaza Drive

Conditional Use Permit
North NPC

This letter is pursuant to your correspondence dated March 14, 2013. The Riverside Police Department conducted a thorough review of the proposed Conditional Use Permit. Based on that review, the Riverside Police Department has no objections pertaining to the pending application.

However, should this Conditional Use Permit be granted by the Planning Commission or City Council, the Riverside Police Department would require the following conditions be applied in addition to any requirements made by the Planning Division:

- 1. The licensee/employees shall attend a three-hour LEAD (License, Education, Alcohol and Drugs) class presented by the Riverside Office of the Alcoholic Beverage Control within 90 days of obtaining an ABC sales license.*
- 2. The conditional use permit shall be subject to a mandatory six-month review following the date of issuance of the conditional use permit. This review shall be conducted by the Planning Division in consultation with other agencies, including the State ABC, City Police Department and the City Code Enforcement Division. If problems are resulting from operation of this entertainment use, the Zoning Administrator shall set the matter for public hearing before the City Council to consider revocation of the conditional use permit. Should there be three or more complaints within any 12-month period received and varied by the Riverside Police Department regarding disturbances caused at the site by patrons or staff, this shall automatically be grounds for revocation proceedings before the City Council.*
- 3. No loitering shall be permitted on any property adjacent to the licensee's premises and under control of the licensee.*
- 4. The licensee shall be responsible for maintaining free of graffiti the area adjacent to the premises over which they have control.*

P13-0140, Exhibit 6

5. *The licensee shall be responsible for maintaining free of litter the area adjacent to the premises over which they have control.*
6. *The parking lot of the premises shall be equipped with lighting of sufficient power to illuminate and make easily discernable the appearance and conduct of all persons on or about the parking lot.*
7. *The owner shall participate in a Crime Prevention Through Environmental Design (CPTED) inspection and implement suggested enhancements prior to the start of serving alcohol.*
8. *No alcoholic beverages shall be permitted on the property adjacent to the licensed premises under the control of the licensee.*
9. *Happy Hour in the restaurant shall not continue past 7:00 p.m.*
10. *No alcohol specials, i.e. \$1 drink nights (or other reduced price drinks) or events allowing patrons under 21.*
11. *Utilize a licensed and bonded security firm or screen and hire their own security personnel to monitor the activity of their patrons inside the facility as well as their parking lot. The firm or personnel providing security for the facility shall be subject to review and approval of the Police Department.*
12. *Based on previous activity in this area for this type of business a ratio of up to 1 licensed and bonded security guard per 50 customers shall be required during evenings of entertainment. However, subject to the written approval of the Chief of Police, this may be reduced to a minimum of 1 licensed security guard per 75 patrons.*
13. *A security camera surveillance system shall be provided for constant recording subject to the approval of the Police Department.*
14. *A hand held camera recorder shall be kept on the premises at all times and used to record all enforcement incidents by security personnel within the restaurant as well as the adjacent public spaces.*
15. *Security personnel shall mechanically keep an accurate count of people in the restaurant and make the count available to public safety personnel upon request.*

If you have any questions regarding this request, please contact Traci Dosé, Supervising Crime Analyst, at (951) 353-7620.

JLG: td