CITY OF ORANGE

OFFICE OF CHIEF OF POLICE PHONE: (714) 744-7301 www.cityoforange.org

July 28, 2022

Chad Ortlieb
Planning Department
300 E Chapman
Orange, CA 92867

Dear Mr. Ortlieb,

Attached please find the Police Department's report reference:

The District Lounge – Outdoor Patio
223 W Chapman
ABC 48 "On Sale General Premises"
CUP 3186-22

After a thorough review of all aspects of the application as it impacts police services, I do not recommend approval of this Conditional Use Permit. I request it be forwarded to the Planning Commission for their consideration.

Sincerely,

Dan Adams,
Chief of Police

The District Lounge
223 W. Chapman Ave. Orange, CA 92866
"48" On-Sale General Public Premises
CUP: 3186-22

Prepared by: Keith Short, Detective

Date: 7-25-22

I received the above referenced CUP application for an ABC license. My investigation showed the following statistics:

Figures supplied by the State Department of Alcohol Beverage Control (ABC) for the location in Census Tract #: 759.01 shows:

The number of **ON-SALE** licenses **allowed** are: **5**

The number of **ON-SALE** licenses **existing** are: **29**

The number of **OFF-SALE** licenses **allowed** are: **2**

The number of **OFF-SALE** licenses **existing** are: **4**

This location is in RD 32E, and our current figures show crimes at 252. The average number of reported crimes per district is 71 (crime stats from 2021). This is 255% above the average reported crime.

- **ON-SALE IS OVER CONCENTRATED**
- **OFF-SALE IS OVER CONCENTRATED**
- **HIGH CRIME AREA**

Business and Professions code 23958.4 (a) defines over concentrated and high crime area; *a high crime area is defined as a 20% greater number of reported crimes, than the average number of reported crimes as determined from all crime reporting districts within the jurisdiction of the local law enforcement agency.*

Location checked in-house: **Yes** (*Attached*) / Senior Planner/Acting Principle Planner: Chad Ortlieb

Communication Log:

Date Email Was Received: June 8, 2022 received email from Chad Ortlieb, Senior Planner/Acting Principle Planner.

On June 13, 2022, I spoke to City of Orange Senior Planner/Acting Principle Planner Chad Ortlieb reference the listed Conditional Use Permit (CUP)

On June 13, 2022, I spoke to the Project Contact Mike Ayaz. I emailed Ayaz a Questionnaire and the Alcohol Management Program.

On June 27, 2022, I received an email from Kathrina Hirschfeld. Hirschfeld is a Senior Paralegal for Blake & Ayaz. Hirschfeld emailed me the Questionnaire and The District Lounge Security Policy and Procedure Manual. The Questionnaire was incomplete as it did not mention who completed the form.

On June 27, 2022, I called Ayaz reference the incomplete Questionnaire and the Alcohol Management Program form.

On July 6, 2022, I received an email from Hirschfeld with the completed Questionnaire and Alcohol Management Program, as well as an updated The District Lounge Security Policy and Procedure Manual.

On July 6, 2022, I emailed Ayaz and Hirschfeld the preliminary proposed Orange Police Department Police Conditions.

On July 19, 2022, I received an email from Ayaz reference the preliminary proposed conditions. Ayaz provided feedback reference the proposed conditions and requested modification to some of the proposed conditions. Ayaz was desirous to move forward to a hearing reference the C.U.P.

On July 25, 2022, I modified the preliminary proposed conditions to address some of the concerns noted by Ayaz. The finalized Conditions were submitted for review.

Evaluation:

The District Lounge is a bar located at 223 W. Chapman Ave. in the City of Orange between N. Olive St. and N. Lemon St. within the downtown Orange Plaza. The bar has been in operation since 2004.

The proposed hours, of operation for the District Lounge are: Sunday-Saturday 6:00 am-2:00 am The District Lounge currently holds a Type 48 (On-Sale General Public Premises) ABC license. The applicant is requesting to expand their existing license to include the existing patio area of the premises for the consumption of alcoholic beverages. This request is only for the consumption of alcoholic beverages on the patio and not for the sale of alcoholic beverages on the patio.

An Alcoholic Beverage Control record check of the District Lounge showed no current or history of disciplinary actions.

Concentration Levels

The census tract figures supplied by ABC show **5 allowed** with **29 existing** on-sale licenses and **2 allowed** with **4 existing** off-sale licenses. BP Code 23958.4 addresses concentration as the number of existing ABC licensed establishments within a given census tract, which is based upon population within each tract.

Crime Statistics and Activity

2021

The crime statistics in 2021 for Reporting District **32E** shows crimes at **252**. The average number of reported crimes per reporting district is **71**. Additionally, Reporting District **32E** is ranked **5th** out of **91** districts in the City of Orange, and is **255%** above the average of reported crimes. (High-crime is considered 20% above the average reported crime within all reporting districts in the city per BP Code 23958.4).

In 2021, there were approximately 187 arrests in Reporting District **32E.** 62 of those arrests were related to alcohol use. These offenses included: 46 arrests for CVC 23152-Driving Under the Influence of Alcohol, 11 arrests for Orange Municipal Code 9.16.020-Drinking Alcohol in Public, 2 arrests for Orange Municipal Code 12.48.030-Possess Alcoholic Beverage in Park, 2 arrests for PC 647(f)-Drunk in Public, and 1 arrest for B&P 25662(a)- Possession of Alcoholic Beverage by Minor.

In 2021, there were approximately 58 calls for service to the District Lounge. A total of 151 officers were required to handle these incidents. These incidents included: noise complaints, combative/disruptive subjects, assault and batteries, citizen assists, intoxicated subjects, and alarm responses.

2020

The crime statistics in 2020 for Reporting District **32E** shows crimes at **196**. The average number of reported crimes per reporting district is **74**. Additionally, Reporting District **32E** is ranked **7th** out of **91** districts in the City of Orange, and is **163%** above the average of reported crimes. (High-crime is considered 20% above the average reported crime within all reporting districts in the city per BP Code 23958.4).

In 2020, there were approximately 153 arrests in Reporting District **32E.** 29 of those arrests were related to alcohol use. These offenses included: 16 arrests for CVC 23152-Driving Under the Influence of Alcohol, 11 arrests for Orange Municipal Code-9.16.020 Drinking Alcohol in Public, and 2 arrests for PC 647(f)-Drunk in Public.

In 2020, there were approximately 32 calls for service to the District Lounge. A total of 76 officers were required to handle these incidents. These incidents included: robbery, combative/disruptive subjects, assault and batteries, noise complaints, and intoxicated subjects.

2019

The crime statistics in 2019 for Reporting District **32E** shows crimes at **155**. The average number of reported crimes per reporting district is **69**. Additionally, Reporting District **32E** is ranked **7th** out of **91** districts in the City of Orange, and is **126%** above the average of reported crimes. (High-crime is considered 20% above the average reported crime within all reporting districts in the city per BP Code 23958.4).

In 2019, there were approximately 155 arrests in Reporting District **32E.** 33 of those arrests were related to alcohol use. These offenses included: 20 arrests for CVC 23152-Driving Under the Influence of Alcohol, 1 arrest for Orange Municipal Code 9.16.020-Drinking Alcohol in Public, 10 arrests for PC 647(f)-Drunk in Public, 1 arrest for CVC 23223(b)- Possession of Open Container in Motor Vehicle, and 1 arrest for CVC 23244(b)- Passenger in Motor Vehicle Under 21 Possession of Alcohol.

In 2019, there were approximately 45 calls for service to the District Lounge. A total of 115 officers were required to handle these incidents. These incidents included: combative/disruptive subjects, assault and batteries, noise complaints, citizen assists, and intoxicated subjects.

2022: January-June 8, 2022

According to the Orange Police Department's crime statistics for 2022 (January-June 8, 2022), there have been 37 generated responses by OPD personnel to 223 W. Chapman Ave. These responses were to calls for service or officer initiated activity. A total of 101 officers were required to handle these incidents. These incidents included: combative/disruptive subjects, assault and battery, noise complaints, citizen assists, drunk in public, and alarm responses.

Additionally, in March 2022 (March 10th -12th, 17th, and 19th), due to noise complaints and general public nuisance crimes occurring in the parking lot between The District Lounge (223 W. Chapman Ave.) and Paul's Cocktails (207 W. Chapman Ave.), OPD personnel conducted surveillance in the parking lot to identify/combat these public nuisance crimes. During these five days, 48 arrests were made. The violations included: urinating in public, drinking in public, and narcotic violations. Of these arrests, 32 were determined to be patrons from The District Lounge.

I reviewed the calls for service from **January 2019 to June 8, 2022**, by the Orange Police Department for the following businesses: **O'Hara's Pub** and **Paul's Cocktails**. Both hold an ABC license that are of similar type, Type 48 (On-Sale General Public Premises), that the applicant business has applied for and are also located in the downtown Orange Plaza area.

O'Hara's Pub: (150 N. Glassell St.)

2019

In 2019, there were approximately 28 calls for service to O'Hara's Pub. A total of 63 officers were required to handle these incidents. These incidents included: combative/disruptive subjects, assault and batteries, noise complaints, and citizen assists.

2020

In 2020, there were approximately 6 calls for service to O'Hara's Pub. A total of 8 officers were required to handle these incidents. These incidents included: suspicious subject, citizen assists, and DUI.

2021

In 2021, there were approximately 11 calls for service to O'Hara's Pub. A total of 23 officers were required to handle these incidents. These incidents included: assault and battery, narcotics, and citizen assists.

2022 (January-June 8, 2022)

In 2022, there were approximately 11 calls for service to O'Hara's Pub. A total of 29 officers were required to handle these incidents. These incidents included: combative/disruptive subjects, assault and battery, intoxicated subjects, and citizen assists.

Paul's Cocktails: (207 W. Chapman Ave.)

2019

In 2019, there were approximately 80 calls for service to Paul's Cocktails. A total of 186 officers were required to handle these incidents. These incidents included: combative/disruptive subjects, assault and batteries, intoxicated subjects, DUI, and citizen assists.

2020

In 2020, there were approximately 82 calls for service to Paul's Cocktails. A total of 207 officers were required to handle these incidents. These incidents included: combative/disruptive subjects, assault and batteries, intoxicated subjects, DUI, and citizen assists.

2021

In 2021, there were approximately 121 calls for service to Paul's Cocktails. A total of 412 officers were required to handle these incidents. These incidents included: combative/disruptive subjects, assault and batteries, intoxicated subjects, DUI, noise complaints, and citizen assists.

2022: January-June 8, 2022

In 2022, there were approximately 100 calls for service to Paul's Cocktails. A total of 202 officers were required to handle these incidents. These incidents included: combative/disruptive subjects, assault and batteries, intoxicated subjects, DUI, noise complaints, urinating in public, and citizen assists.

Census Tract / Sensitive Sites

The District Lounge is located in the Historical Downtown Orange Plaza, which is comprised of restaurants, bars, local businesses, and residential housing. Paul's Cocktails (207 W. Chapman Ave.) is east of The District Lounge and has a Type 48 ABC Licenses-On Sale General Public Premises. Wahoo's Fish Tacos (234 W. Chapman Ave.) is located southwest of The District Lounge and holds a Type 47 ABC License-On Sale General Eating Place. Bosscat Kitchen & Libations (118 W. Chapman Ave.) is on the southeast corner of Chapman and Olive and has a Type 47 ABC License-On sale General Eating Place.

Recommendation:

The Police Department is opposed to the applicants request to modify the existing Type 48 (On-Sale General Public Premises) license to include alcohol consumption on the patio area of the premises. This is based off of a review of the listed data from 2019-2022 indicating increased noise, calls for service, crime, and responses from OPD personnel to the location. Granting this request to modify the existing license is expected to create an undue burden on public safety resources and have an adverse impact on the surrounding community. However, if the request to modify the existing license is approved, the Police Department requests the District Lounge to adhere to the Police Department's finalized proposed Conditions.

ORANGE POLICE DEPARTMENT
CUP CONDITIONS

OPERATIONAL CONDITIONS:

1. ☒In conjunction with the ongoing operation of the business, the premises shall comply with all requirements placed upon it by the State Alcoholic Beverage Control (ABC) Board.

2. ☒This Conditional Use Permit (CUP) shall be reviewed one year from the date of approval and may be reviewed each year thereafter. The review shall be conducted jointly by the Community Development Director and Police Chief or designees. The purpose of this review shall be to identify uniquely adverse issues such as curfew, loitering, vandalism, criminal activity, noise, or nuisance resulting from approval of the CUP. If such issues are identified, the CUP shall be presented to the Planning Commission for their consideration of conditions, modifications or revocation.

3. ☒The activity level of the business shall be monitored by the Police Department to establish the level of police services used for the business. Should the level of police services demonstrate that the applicant has not controlled excessive, or unnecessary activity resulting in high use of police services then this Conditional Use Permit shall be reviewed for consideration of further conditions, modifications or revocation.

4. ☐ The quarterly gross sales of alcoholic beverages shall not exceed the gross sales of merchant items that include food within the convenience store during the same time period. Fuel purchases are excluded from the gross sales of merchant related items. The licensee shall at all times maintain records which reflect separately the gross sales of food and the gross sales of alcoholic beverages of the licensed business. Said records shall be kept no less frequently than on a quarterly basis and shall be made available upon request.

5. ☐The use of the building is considered a restaurant, and interior construction will remain consistent with plans submitted for review by the Planning Commission. No changes to the floor plans will occur unless a permit is issued by the Community Development Department. None of the floor area will be designated for dancing or live entertainment unless a subsequent Conditional Use Permit is approved by the Planning Commission.

6. ☒No person in the establishment shall appear in such a manner that the genitals, pubic hair, pubic hair region, buttocks, anus, natal cleft, anal region, nipple or areola is exposed to public view or is not covered by an opaque covering.

7. ☐The subject alcoholic beverage license shall not be exchanged for a public premises type license nor operated as a public premise.

8. ☒The sale of alcoholic beverages for consumption off the premises shall be prohibited.

9. ☒No alcoholic beverages shall be consumed on any property adjacent to the licensed premises under the control of the license.

10. ☒All alcohol shall be consumed on the subject site, within the licensed areas. Signs shall be posted on all exits of the premises, which prohibit alcoholic beverages from leaving the confines of the premises.

11. ☐The premises shall be maintained as a bona fide restaurant and shall provide a menu containing an assortment of foods normally offered in such restaurants.

12. ☒ The business will operate: Sunday-Saturday 8am-2am. These hours do not restrict employees from being on the premises before opening for preparations and deliveries or after close for clean-up. Clean-up may not be conducted by patrons.

13. ☒At no time shall a fee be charged for entrance/admittance inside the premises. However, the District Lounge may charge a door fee during the Orange International Street Fair.

14. ☒Employees and/or contract security personnel shall not consume any alcoholic beverages prior to or during their work shift. Any and all security officers provided shall comply with all state and local ordinances regulating their services, including, without limitation, Chapter 11.5 of Division 3 of the California Business and Profession Code.

15. ☒The applicant agrees to indemnify, hold harmless, and defend the City, it's officers, agents, and employees from any and all liability or claims that may be brought against the City arising out of its approval of this permit, save and except that caused by City's active negligence.

ALCOHOL & FOOD SERVICE CONDITIONS:

16. ☐At all times when the premises are open for business, the sale and service of alcoholic beverages shall be made only in conjunction with the sale of food.

17. ☐Food service, with an available menu, shall be available until closing time on each day of operation.

18. ☐Alcoholic beverages served shall be served by a waiter/waitress only, and only to seated patrons at permitted tables.

19. ☒Alcoholic beverages shall be sold and served in containers, which are distinguishable from other non-alcoholic beverages sold at the premises.

20. ☐There shall be no bar or lounge area upon the licensed premises maintained for the purpose of the sale, service, or consumption of alcoholic beverages directly to patrons for consumption.

21. ☒ There shall be no "Happy Hours" allowed on the premises. There shall be no advertising of alcoholic beverages or drink specials on the exterior of the business at any time. There shall be no generic drink specials, such as: "half off drinks, two for one drinks, buy one get one free, etc." No alcoholic beverages will be discounted more than 30% off it's regular price. The District Lounge will be allowed to advertise on the interior of the business "Featured Drink" specials. This would include wine specials on certain nights, featured cocktails, and featured beers.

22. ☒There should be no time when alcoholic beverages are sold at a ratio of two for one; no "stacking" of beverages, which means the serving of two alcoholic beverages at one time to the same customer; and no sales to an "empty chair", which means that each customer must be physically present at the time of the order of any alcoholic beverage.

23. ☒There shall be no promotions encouraging intoxication or drinking contests.

24. ☒There shall be no requirement to purchase a minimum number of drinks.

25. ☒No alcoholic beverages shall be sold from any temporary locations on the premises such as ice tubs, barrels, or any other containers.

26. ☒The petitioner shall not employ or permit any persons to solicit or encourage others, directly or indirectly, to buy them drinks in the licensed premises under any commission percentage salary or other profit.

27. ☐The sale of beer or malt beverages in quantities of quarts, 22 ounces, 32 ounces, 40 ounces, or similar size containers is prohibited. Beer, malt beverages, and wine coolers in containers of 16 ounces or less cannot be sold by single containers, but must be sold in manufacturer pre-packaged multi-unit quantities.

28. ☐The sale of beer and wine for off-site consumption shall be incidental to the operation of the store. No more than 15% of the gross floor area shall be dedicated to the sale of beer and wine.

29. ☒No wine shall be sold with an alcoholic content greater than 15% by volume.

30. ☐No wine coolers shall be sold in less than a four-pack quantity.

31. ☒No sale of alcoholic beverage shall be made from a drive-up window.

32. ☐No beer or wine advertising shall be located on motor fuel islands and no advertising for beer or wine shall be visible from outside the building.

PATIO CONDITIONS:

33. ☒ The patio shall be enclosed and any gates located on the patio shall remain closed during business hours and used as an emergency exit only. Sign(s) shall be posted on all patio gate(s) indicating "Emergency Exit Only".

34. ☒ The petitioner shall not employ or permit any persons to solicit or encourage others, directly or indirectly, to buy them drinks in the licensed premises under any commission percentage salary or other profit.

35. ☐ Patrons on the patio shall be seated by a host/hostess only, with no self-seating permitted.

36. ☒ The use of any amplifying systems, television outdoor sound system and paging system or any such device is prohibited on the licensed patio area.

37. ☒ An employee shall be stationed on the patio at all times when alcohol is present.

SPECIAL EVENTS:

38. ☒ No portion of the premises shall be deemed to be "private" for the purposes of dispensing alcoholic beverages to selected patrons, where the licensee recognizes any form of membership cards, keys or passes which would entitle the holder entry or preferential admittance or exclusive use of any portion of the mentioned premises.

39. ☒ The use of a promoter (such as a night-club operator) or sub-leasing the premises to be used in conjunction with dancing and/or live entertainment is prohibited.

40. ☒ The doors and windows of the business shall be closed when there is live entertainment and/or music to prevent noise from being heard by nearby residents or neighbors.

41. ☒ There shall be no special promotional events held on the property, unless a written request for such is received and approved by the City of Orange Community Development Director and the Police Department's Vice Unit at least two weeks in advance of the event.

COIN OPERATED MACHINES:

42. ☒ There shall be no more that 5 pool / billiard tables maintained upon the premises at any time.

43. ☐ The business may utilize a token coin system to reduce the likelihood of theft and burglaries for U.S. currency in coin operated machines. Should the token system be implemented, the requirements for a burglary alarm system may be waived.

44. ☐ All coin change machines, dollar bill change machines, or token machines that accept and retain U.S. currency shall meet the following:

A.) The machine is to be designed and constructed to be resistant to unauthorized forced entry attempts from any accessible side of the machine.
B.) The machine is to be installed and secured to prevent its removal from the point of installation within the business.

SECURITY & EXTERIOR:

45. ☒ 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.

46. ☒ Lighting in the parking area of the premises shall be directed, positioned and shielded in such a manner so as not to unreasonably illuminate the window area of nearby residences.

47. ☒ The owner shall install and maintain a closed circuit television system capable of readily identifying facial features, and stature of all patrons entering the establishment during hours of operation and monitoring the rear of the premises. The camera system shall keep a minimum 30 day library of events, which shall be available for downloading and inspection by the Orange Police Department.

48. ☒ Any music or amplified sound on the premises shall not be audible in such a manner as to disturb the peace, quiet, and comfort of neighboring occupants, or any reasonable person residing or working in the area.

49. ☒ The petitioner(s) shall be responsible for maintaining free of litter the area adjacent to the premises over which he/she has control.

50. ☒ There shall be no exterior advertising of any kind or type, including advertising directed to the exterior from within, promoting or indicating the availability of alcoholic beverages. Interior displays of alcoholic beverages that are clearly visible to the exterior shall constitute a violation of this condition.

51. ☒ Exterior doors and windows, as well as the interior of the business, shall be protected by an approved alarm system, which shall detect an attempted entry or presence of people within the business during closing hours.

52. ☒ Uniformed security will be provided by the applicant on days/nights when special event broadcast(s) are being promoted. Two security guards per 100 customers shall be present during these broadcasts/events. Security will be responsible for managing the front entrance line by keeping the public sidewalk open to pedestrian travel and patrons out of the street.

53. ☒ Provide an interior night light to illuminate the interior, and maintain an unobstructed view through storefront windows to provide police patrol officers the ability to observe unlawful activity within the business.

54. ☒ The owner or manager of the licensed premises shall maintain on the premises a written security policy and procedures manual addressing at a minimum the following items: Handling obviously intoxicated persons; establishing a reasonable ratio of employees to patrons, based upon activity level, in order to monitor beverage sales and patron behavior; handling patrons involved in fighting or arguing; handling loitering about the building and in the immediate adjacent area that is owned, leased, rented or used under agreement by the Licensee(s); verifying age/checking identification of patrons; warning patrons of reaching their drinking limit/potential intoxication and refusing to serve; calling the police regarding observed or reported criminal activity.

55. ☒ The applicant shall comply with all federal, state, municipal laws and / or ordinances. Any violations of these laws in connection with this use may be a cause for revocation of this permit.

TRAINING:

56. ☒ All employees of petitioner who sell or serve alcoholic beverage products shall be required to complete a training program in alcoholic beverage compliance, crime prevention techniques and the handling of violence. For new employees of petitioner, such training program must be completed within 60 days of the date of hire. The employees must provide the City of Orange Police Department, Investigative

MISCELLANEOUS:

57. ☐ The business shall prohibit the admission of, or allow any person under the age to 18 years to remain upon the premises after the hour of 10:00 PM, unless accompanied by an adult.

58. ☒ Graffiti shall be removed from the exterior walls and windows of the premises within 72 hours of discovery.

59. ☐ The business shall prohibit the admission of, or allow any person under the age of 18 years to remain upon the premise between the hours of 8:00 a.m. and 3:00 p.m. Monday and Friday, when Orange Unified School District (OUSD) has school in session, unless that person is accompanied by a parent or legal guardian. This condition shall apply to all school students, including those who attend schools other than those in OUSD.

Dan Adams
Chief of Police

Eric Rosauer
Captain, Investigative Services

Scott Trausch
Lieutenant,
Invest. Services

Chris Moten
Sergeant

Assigned Detecive
Investigator

Keith Short

From: Mike Ayaz <mike@blakeandayaz.com>
Sent: Monday, July 18, 2022 5:43 PM
To: Keith Short
Cc: Karen Adraneda
Subject: The District Lounge - PD Conditions
Attachments: 2022-07-18 FMA Redline CUPs Police Conditions preliminary proposed.docx

Det Short:

Please see our comments. We are desirous to go to hearing.

Very truly yours,

F. Michael Ayaz
BLAKE & AYAZ
2107 N. Broadway, Suite 106 | Santa Ana, California 92706
P: 714-667-7171 | F: 714-667-0477
E: mike@blakeandayaz.com | www.blakeandayaz.com

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ORANGE POLICE DEPARTMENT
CUP CONDITIONS

OPERATIONAL CONDITIONS:

1. ☒In conjunction with the ongoing operation of the business, the premises shall comply with all requirements placed upon it by the State Alcoholic Beverage Control (ABC) Board.

2. ☒This Conditional Use Permit (CUP) shall be reviewed one year from the date of approval and may be reviewed each year thereafter. The review shall be conducted jointly by the Community Development Director and Police Chief or designees. The purpose of this review shall be to identify uniquely adverse issues such as curfew, loitering, vandalism, criminal activity, noise, or nuisance resulting from approval of the CUP. If such issues are identified, the CUP shall be presented to the Planning Commission for their consideration of conditions, modifications or revocation.

3. ☒The activity level of the business shall be monitored by the Police Department to establish the level of police services used for the business. Should the level of police services demonstrate that the applicant has not controlled excessive, or unnecessary activity resulting in high use of police services then this Conditional Use Permit shall be reviewed for consideration of further conditions, modifications or revocation.

4. ☐ The quarterly gross sales of alcoholic beverages shall not exceed the gross sales of merchant items that include food within the convenience store during the same time period. Fuel purchases are excluded from the gross sales of merchant related items. The licensee shall at all times maintain records which reflect separately the gross sales of food and the gross sales of alcoholic beverages of the licensed business. Said records shall be kept no less frequently than on a quarterly basis and shall be made available upon request.

5. ☐The use of the building is considered a restaurant, and interior construction will remain consistent with plans submitted for review by the Planning Commission. No changes to the floor plans will occur unless a permit is issued by the Community Development Department. None of the floor area will be designated for dancing or live entertainment unless a subsequent Conditional Use Permit is approved by the Planning Commission.

6. ☒No person in the establishment shall appear in such a manner that the genitals, pubic hair, pubic hair region, buttocks, anus, natal cleft, anal region, nipple or areola is exposed to public view or is not covered by an opaque covering.

7. ☐The subject alcoholic beverage license shall not be exchanged for a public premises type license nor operated as a public premise.

8. ☒The sale of alcoholic beverages for consumption off the premises shall be prohibited Unless authorized by the State under any applicable emergeney orders due to pandemic related closures or other governmental shut downs.~~.~~

9. ☒No alcoholic beverages shall be consumed on any property adjacent to the licensed premises under the control of the license.

10. ☒All alcohol shall be consumed on the subject site, within the licensed areas. Signs shall be posted on all exits of the premises, which prohibit alcoholic beverages from leaving the confines of the premises.

11. ☐The premises shall be maintained as a bona fide restaurant and shall provide a menu containing an assortment of foods normally offered in such restaurants.

12. ☒The business will operate: Sunday-Saturday ~~6~~8:00 am- 2:00 am. These hours do not restrict employees from being on the premises before opening for preparations and deliveries or after close for clean-up. Clean-up may not be conducted by patrons.[Consistent with condtion number 8 of existing CUP and Resolution PC 31-10]

13. ☒~~At no time shall there be a fee for entrance/admittance into the premises~~. The District Lounge may charge a door fee during the annual Street Fair and in coordination with a chartitable, civic or political fundraiser. The number of chartitable, civic or political fundraising events shall be limited to more than ten (10) events per calendar year.[Consistent with condtion number 13 of existing CUP and Resolution PC 31-10]
~~13.~~

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14. ☒Employees and/or contract security personnel shall not consume any alcoholic beverages prior to or during their work shift. Any and all security officers provided shall comply with all state and local ordinances regulating their services, including, without limitation, Chapter 11.5 of Division 3 of the California Business and Profession Code.

15. ☒The applicant agrees to indemnify, hold harmless, and defend the City, it's officers, agents, and employees from any and all liability or claims that may be brought against the City arising out of its approval of this permit, save and except that caused by City's active negligence.

ALCOHOL & FOOD SERVICE CONDITIONS:

16. ☐At all times when the premises are open for business, the sale and service of alcoholic beverages shall be made only in conjunction with the sale of food.

17. ☐Food service, with an available menu, shall be available until closing time on each day of operation.

18. ☐Alcoholic beverages served shall be served by a waiter/waitress only, and only to seated patrons at permitted tables.

19. ☒Alcoholic beverages shall be sold and served in containers, which are distinguishable from other non-alcoholic beverages sold at the premises.

20. ☐There shall be no bar or lounge area upon the licensed premises maintained for the purpose of the sale, service, or consumption of alcoholic beverages directly to patrons for consumption.

21. ☒There shall be no "Happy Hours" when alcoholic beverages are offered at a reduced rate. The Orange Police Department opposes the District Lounge hosting a "Happy Hour," but will accommodate and allow the business to offer alcoholic beverages in combination with non-alcoholic beverages and food items at a reduced price Monday thru Friday from 3pm-6pm. Nothing herein shall prohibit the Distict Lounge from advertsining on the interior of the business "Freatured Drink Special". [Consistent with condtion number 21 of existing CUP and Resolution PC 31-10]

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22. ☒There should be no time when alcoholic beverages are sold at a ratio of two for one; no "stacking" of beverages, which means the serving of two alcoholic beverages at one time to the same customer; and no sales to an "empty chair", which means that each customer must be physically present at the time of the order of any alcoholic beverage. While we understand the intent of this conditions, it is drafted such that it is prohibitive of may normal bar type trasncations. As applicant is desirous to follow all conditions to the letter, we would ask that this conditions be modifed to allow for common types of trascations that you see at almost every bar, restaurant, etc. Given this is a bar, we need to be able to do the following without fear of violating the condition as drafted: Buy a beverage for your spouse/significant; buy drinks for another table of customers (bachleroett party, birthday, etc.). The cosition as drafted is simply overreaching, again we understand the intent but also want to operate in reality of the bar business.

23. ☒There shall be no promotions encouraging intoxication or drinking contests.

24. ☒There shall be no requirement to purchase a minimum number of drinks.

25. ☒No alcoholic beverages shall be sold from any temporary locations on the premises such as ice tubs, barrels, or any other containers.

26. ☒The petitioner shall not employ or permit any persons to solicit or encourage others, directly or indirectly, to buy them drinks in the licensed premises under any commission percentage salary or other profit.

27. ☐The sale of beer or malt beverages in quantities of quarts, 22 ounces, 32 ounces, 40 ounces, or similar size containers is prohibited. Beer, malt beverages, and wine coolers in containers of 16 ounces or less cannot be sold by single containers, but must be sold in manufacturer pre-packaged multi-unit quantities.

28. ☐The sale of beer and wine for off-site consumption shall be incidental to the operation of the store. No more than 15% of the gross floor area shall be dedicated to the sale of beer and wine.

29. ☒No wine shall be sold with an alcoholic content greater than 15% by volume.

30. ☒No wine coolers shall be sold in less than a four-pack quantity.

31. ☒No sale of alcoholic beverage shall be made from a drive-up window.

32. ☒No beer or wine advertising shall be located on motor fuel islands and no advertising for beer or wine shall be visible from outside the building.

PATIO CONDITIONS:

33. ☒ The patio shall be enclosed and any gates located on the patio shall remain closed during business hours and used as an emergency exit only. Sign(s) shall be posted on all patio gate(s) indicating "Emergency Exit Only".

34. ☒ The petitioner shall not employ or permit any persons to solicit or encourage others, directly or indirectly, to buy them drinks in the licensed premises under any commission percentage salary or other profit.

35. ☐ Patrons on the patio shall be seated by a host/hostess only, with no self-seating permitted.

36. ☒ An employee shall be stationed on the patio ~~at all times to monitor alcohol~~Thursday through Saturday from 10:00 pm to Close of business .

SPECIAL EVENTS:

37. ☒ No portion of the premises shall be deemed to be "private" for the purposes of dispensing alcoholic beverages to selected patrons, where the licensee recognizes any form of membership cards, keys or passes which would entitle the holder entry or preferential admittance or exclusive use of any portion of the mentioned premises.

38. ☒ The use of a promoter (such as a night-club operator) or sub-leasing the premises to be used in conjunction with dancing and/or live entertainment is prohibited.

39. ☒ ~~There shall be no L~~live entertainment (including karaoke), disc jockey, amplified music, or dancing permitted are permitted on the premises at any time. Amplified music over a built-in system designed for background music shall be permitted so long as the music is not audible outside when doors are open. [Consistent with condtions number 18,24 and approval of the same under the existing CUP and Resolution PC 31-10]

40. ☒ There shall be no special promotional events held on the property, unless a written request for such is received and approved by the City of Orange Community Development Director and the Police Department's Vice Unit at least two weeks in advance of the event.

COIN OPERATED MACHINES:

41. ☒ There shall be no more than 5 pool/billard ~~-~~tables ~~or coin-operated games~~ maintained upon the premises at any time. [Consistent with condtion number 19 of existing CUP and Resolution PC 31-10]

42. ☐ The business may utilize a token coin system to reduce the likelihood of theft and burglaries for U.S. currency in coin operated machines. Should the token system be implemented, the requirements for a burglary alarm system may be waived.

43. ☐ All coin change machines, dollar bill change machines, or token machines that accept and retain U.S. currency shall meet the following:

A.) The machine is to be designed and constructed to be resistant to unauthorized forced entry attempts from any accessible side of the machine.
B.) The machine is to be installed and secured to prevent its removal from the point of installation within the business.

SECURITY & EXTERIOR:

44. ☒ 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.

45. ☒ Lighting in the parking area of the premises shall be directed, positioned and shielded in such a manner so as not to unreasonably illuminate the window area of nearby residences.

46. ☒ The owner shall install and maintain a closed circuit television system capable of readily identifying facial features, and stature of all patrons entering the establishment during hours of operation and monitoring the rear of the premises. The camera system shall keep a minimum 30 day library of events, which shall be available for downloading and inspection by the Orange Police Department.

47. ☒ The use of any amplifying systems, outdoor sound system and paging system or any other such device is prohibited on the licensed premises. We would like to be able to allow ambient music and TV (football, baseball, soccer, etc., like many of the new and existing locations in Old Town Orange are allowed to do (Finney's, 1881, Bosscat,etc.) we understand the need for quite near the residential units and thus would request that outdoor sound from TV's or speakers playing music be limited to 8:00 pm daily.

48. ☒ The petitioner(s) shall be responsible for maintaining free of litter the area adjacent to the premises over which he/she has control.

49. ☒ There shall be no exterior advertising of any kind or type, including advertising directed to the exterior from within, promoting or indicating the availability of alcoholic beverages. Interior displays of alcoholic beverages that are clearly visible to the exterior shall constitute a violation of this condition.

50. ☒ Exterior doors and windows, as well as the interior of the business, shall be protected by an approved alarm system, which shall detect an attempted entry or presence of people within the business during closing hours.

51. ☒ Uniformed security will be provided by the applicant on days/nights when special event broadcast(s) are being promoted. One security guard per 100 customers shall be present during these broadcasts/events.

52. ☒ Provide an interior night light to illuminate the interior, and maintain an unobstructed view through storefront windows to provide police patrol officers the ability to observe unlawful activity within the business.

53. ☒ The owner or manager of the licensed premises shall maintain on the premises a written security policy and procedures manual addressing at a minimum the following

items: Handling obviously intoxicated persons; establishing a reasonable ratio of employees to patrons, based upon activity level, in order to monitor beverage sales and patron behavior; handling patrons involved in fighting or arguing; handling loitering about the building and in the immediate adjacent area that is owned, leased, rented or used under agreement by the Licensee(s); verifying age/checking identification of patrons; warning patrons of reaching their drinking limit/potential intoxication and refusing to serve; calling the police regarding observed or reported criminal activity.

54. ☒ The applicant shall comply with all federal, state, municipal laws and / or ordinances. Any violations of these laws in connection with this use may be a cause for revocation of this permit.

TRAINING:

55. ☒ All employees of petitioner who sell or serve alcoholic beverage products shall be required to complete a training program in alcoholic beverage compliance, crime prevention techniques and the handling of violence. For new employees of petitioner, such training program must be completed within ~~30~~ 60 days of the date of hire. The employees must provide the City of Orange Police Department, Investigative Services Division a copy of the completed Alcohol Management Program (AMP) certificate. CA Assembly Bill 1221 and Assembly Bill 82 require On-premises alcoholic beverage servers and their managers to successfully complete an ABC approved RBS training program and exam no later than August 31, 2022, or within 60 days of initial employment. We are simply asking for the date to complete be consisiettn with State law.

MISCELLANEOUS:

56. ☐ The business shall prohibit the admission of, or allow any person under the age to 18 years to remain upon the premises after the hour of 10:00 PM, unless accompanied by an adult.

57. ☒Graffiti shall be removed from the exterior walls and windows of the premises within 72 hours of discovery.

58. ☐ The business shall prohibit the admission of, or allow any person under the age of 18 years to remain upon the premise between the hours of 8:00 a.m. and 3:00 p.m. Monday and Friday, when Orange Unified School District (OUSD) has school in session, unless that person is accompanied by a parent or legal guardian. This condition shall apply to all school students, including those who attend schools other than those in OUSD.

Dan Adams Chief of Police	Eric Rosauer Captain, Investigative Services	Scott Trausch Lieutenant, Invest. Services
Chris Moten Sergeant	Assigned Detecive Investigator	

CITY OF ORANGE

INVESTIGATIVE SERVICES DIVISION · PHONE: (714) 744-7501 · FAX: (714) 744-7504 · www.cityoforange.org

Please fill out and provide the following information reference your application for a modification / new license.

Business Name: The District Lounge

Business Location: 223 W. Chapman Avenue, Orange, CA 92866

Date: 06/20/2022

1. Names & DOB of all principals / owners.
   Mario Marovic; DOB 12/7/1972

2. Names of all managers:
   Raymond Haddad; Alicia Samvals

3. Name of business owner:

   Mario Marovic

4. Length of lease:

   Not Applicable.

5. Proposed days & hours of operation.
   Monday -Sunday ~~8~~ 6:00 am to 2:00 am

6. Are you planning on having any live entertainment?
   Yes

7. Do you plan on using a DJ, live band or karaoke?
   Yes

8. Do you plan on having any dancing?

   Yes

9. Do you plan on having any coin operated games? If so, how many?

   Yes- 3 pool tables

10. Are you planning on having "happy hour" ?(drink or food offered at reduced prices or free) Yes

11. Do you plan on hosting an special events at this location? If so, what type of events?

    Yes- holiday related and private events

12. Do you plan on renting out or leasing this business to any third party or agents?

    No

13. Are you planning on having any private or V.I.P. rooms?

    No

14. What other businesses that hold an ABC license are you involved with? If yes, please provide the names and addresses of these businesses.
    See Attachment A

15. Do you plan on charging admission?

    No

16. Does the business have a patio area? If yes, are you planning on serving any alcoholic beverage on this patio?

    Yes. Patio expansion is pending w/ ABC.

17. List all businesses and their addresses you have been connected to in the last five years as well as co-owners and co-workers.

    See Attachment B

Name of person interviewed:

Mario Marovic

Detective Assigned:

L. Sfouni #1809

ATTACHMENT A

Business Name	DBA	Address	License Number
Muldoon's Pub LLC	Muldoon's Irish Pub	202 Newport Center Dr., Newport Beach, CA 92660	623026
Stag Bar Inc	The Stag Bar	121 McFadden Place, Newport Beach, CA 92663	439782
Fullerton Lounge Inc.	Matador Cantina	109 & 111 N. Harbor Blvd., Fullerton, CA 92832	473547
Malarkys Irish Pub Inc.	Malarkys Irish Pub	3011 Newport Blvd., Newport Beach, CA 92663	486808
PSA Fund LLC	The Country Club	330 E. 17th Street, Costa Mesa, CA 92627	550989
Mariner's Fund LLC	The Wild Goose Tavern	430-436 E. 17th Street, Costa Mesa, CA 92627	521731
Cold Brew LLC	2J's Bar	120 W. Houston Ave., Fullerton, CA 92832	588852
Ocean Front Deli LLC	The Dory Deli	2108 ¾ W. Oceanfront, Newport Beach, CA 92663	546356
Blackie's By the Sea LLC	Blackies By The Sea	2118 W. Oceanfront, Newport Beach, CA 92663	597969
Pennisula Restaurant Group, Inc.	Playa Mesa	428 E. 17th Street, Costa Mesa, CA 92627	573711
Orange Circle Lounge Inc	District Lounge	223 W. Chapman Ave., Orange, CA 92866	417514

ATTACHMENT B

Name of Business	Address	Year of Filing with CA Sec of State	Co-Owners/Principals
MCFADDEN PLACE LLC	3334 E. COAST HWY #418 CORONA DEL MAR, CA 92625	10/03/2006	
MARINER'S FUND LLC	3334 E. COAST HWY #418 CORONA DEL MAR, CA 92625	11/23/2011	
OCEANFRONT DELI INC	3334 E. COAST HWY #418 CORONA DEL MAR, CA 92625	5/20/2013	JAMIE BOOTH
NEWPORT OCEANFRONT LLC	3334 E. COAST HWY #418 CORONA DEL MAR, CA 92625	5/9/2013	ANDREW GABRIEL
PELICAN FUND LLC	3334 E. COAST HWY #418 CORONA DEL MAR, CA 92625	1/28/2014	
PSA FUND LLC	3334 E. COAST HWY #418 CORONA DEL MAR, CA 92625	6/5/2014	
LOUNGE GROUP INC	3334 E. COAST HWY #418 CORONA DEL MAR, CA 92625	5/4/2016	
GIVE CANCER THE BIRD FOUNDATION	3334 E. COAST HWY #418 CORONA DEL MAR, CA 92625	7/14/2016 TERMINATED 5/24/2022	JAMIE BOOTH ANDREW GABRIEL
COLD BREW LLC	3334 E. COAST HWY #418 CORONA DEL MAR, CA 92625	2/15/2017	
ANDARIO LLC	3334 E. COAST HWY #418 CORONA DEL MAR, CA 92625	7/5/2017	
THE BALBOA LLC	3334 E. COAST HWY #418 CORONA DEL MAR, CA 92625	1/12/2018	
BLACKIES BY THE SEA LLC	3334 E. COAST HWY #418 CORONA DEL MAR, CA 92625	1/11/2018	
MARLIN CLUB LLC	3334 E. COAST HWY #418 CORONA DEL MAR, CA 92625	3/3/2020 SOLD/TRANSFERRED JAN. 2022	
BOARDWALK MEXICAN LLC	3334 E. COAST HWY #418 CORONA DEL MAR, CA 92625	8/7/2020	
FASHION ISLAND PARTNERSHIP LLC	3334 E. COAST HWY #418 CORONA DEL MAR, CA 92625	11/10/2020	
MULDOONS PUB LLC	3334 E. COAST HWY #418	11/19/2020	

	CORONA DEL MAR, CA 92625		
MARINERS RESTAURANT LLC	3334 E. COAST HWY #418 CORONA DEL MAR, CA 92625	1/6/2021	
100 NORTH LLC	3334 E. COAST HWY #418 CORONA DEL MAR, CA 92625	1/13/2021	
NEWPORT TACO LLC	3334 E. COAST HWY #418 CORONA DEL MAR, CA 92625	2/2/2021	
M&N INDUSTRIAL PROPERTY LLC	3334 E. COAST HWY #418 CORONA DEL MAR, CA 92625	5/21/2021	
PLAYA PROPERTY LLC	3334 E. COAST HWY #418 CORONA DEL MAR, CA 92625	9/29/2021	
110 LOFTS LLC	3334 E. COAST HWY #418 CORONA DEL MAR, CA 92625	4/14/2022	
PENINSULA RESTAURANT GROUP INC	3334 E. COAST HWY #418 CORONA DEL MAR, CA 92625	4/15/2013	
EASTSIDE LLC	3334 E. COAST HWY #418 CORONA DEL MAR, CA 92625	6/05/2014	

THE DISTRICT LOUNGE ALCOHOL MANAGEMENT AND EDUCATION PROGRAM AGREEMENT

This Business Establishment Alcohol Management and Education Program Agreement (the "Agreement") is made and entered into as of June 30, 2022, by and between the CITY OF ORANGE, a municipal corporation (the "City"), and Orange Circle Lounge, Inc., dba The District Lounge, a California corporation (herein referred to as "Owner"), with reference to the following:

A. Owner is the owner and operator of, or intends to own and operate, that certain alcohol retail establishment (as those terms are defined in Chapter 5.49 of the Orange Municipal Code) commonly known as The District Lounge, and located, or to be located, at 233 W. Chapman Avenue, Orange, CA 92866 (the "Premises") in the City of Orange, County of Orange, State of California.

B. Owner has applied, or intends to apply, to the Department of Alcoholic Beverage Control of the State of California ("ABC") for a "Retailer's on-sale license" (as that term is defined under Chapter 1 of Division 9 of the Business and Professions Code of the State of California) to operate an alcohol retail establishment at the Premises; and

C. The Owner has applied, or intends to apply, to the City for a conditional use permit under and pursuant to Section 17.30.030 of the Orange Municipal Code to authorize the sale of alcoholic beverage at the Premises; and

D. No conditional use permit may be issued under and pursuant to Section 17.30.030 of the Orange Municipal Code to a person who applies to ABC for a Retailer's on-sale for an alcohol retail establishment without each such person having first sought and obtained from the City an approved Business Establishment Alcohol Management and Education Program pursuant to the provisions of Chapter 5.49 of the Orange Municipal Code; and

E. Owner desires to ensure that the Premises are used or maintained in such a way as to encourage safe and responsible alcohol practice by consumers and to reduce alcohol-related problems and, accordingly, to enter into this Agreement in fulfillment of the requirement of Section 17.30.030 and Chapter 5.49 of the Orange Municipal Code;

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NOW, THEREFORE, the parties herby agree as follows:

1. Covenants, Conditions, and Restrictions. For favorable action on, and approval of, the Owner's application for a conditional use permit for the Premises, Owner hereby covenants that the Premises shall be used, occupied, and maintained subject to the following covenants, conditions, and restrictions, all of which are for the purpose of enhancing the attractiveness, usefulness, value, and desirability of the Premises, the surrounding property, and the public at large, and to minimize possible adverse effects on the public health, safety, peace, and general welfare.

    a. Controls shall be established to maintain occupancy levels allowed by the City's Fire Department, and these Fire Department approved levels will not be exceeded.

    b. Except in case of an emergency, the Owner shall not permit its patrons to enter or exit the Premises through any entrance/exit other than the primary entrance/exit, excluding entrances/exits from patio areas. Steps shall be taken by the Owner to discourage unauthorized exiting.

    c. Aisles and hallways shall be kept clear in order to allow patrons to move freely about the Premises.

    d. All patrons who appear under the age of thirty (30) shall be required to show some form of identification or they will not be served an alcoholic beverage. A sign indicating this policy shall by prominently posted in a place that is clearly visible to patrons. The size, format, form, placement, and language of the sign shall be determined by the Chief of Police (or designee). Only the following forms of identification will be acceptable:

        - Valid driver's license
        - Valid State identification card
        - Valid passport
        - Current military identification
        - US Government immigrant identification card

All forms of out-of-state identification shall be checked by the authorized representative of the Owner of the Premises in the Driver's License Guide. Upon presentment to the authorized representative of the Owner of the Premises, the patron's form of identification shall be removed from the patron's wallet or any plastic holder and inspected for any alterations through a closed visual inspection and/or use of a flashlight or "Retro-reflective viewer".

e. Persons who appear obviously intoxicated shall not be admitted into the Premises.

f. Patrons who appear obviously intoxicated shall not be served.

g. There shall be no requirement to purchase a minimum number of alcoholic beverages to participate in any promotional activity or gain admittance to the Premises.

h. There shall be no "stacking" of drinks by or for a single patron.

i. When serving pitchers exceeding twenty-four (24) ounces of an alcoholic beverage, all patrons receiving such pitcher, as well as all patrons who will be consuming all or any portion of such pitcher, shall present an ID to the server if appearing to be under the age of thirty (30), if not previously checked at the entrance to the Premises.

j. Oversized containers or pitchers containing in excess of twenty-four (24) ounces of an alcoholic drink will not be sold to a single patron for their sole consumption.

k. Any patron who (1) fights or challenges another person to fight, (2) maliciously and willfully disturbs another person by loud or unreasoned noise, or (3) uses offensive words, which are inherently likely to provoke an immediate violent reaction, shall not be tolerated.

l. An incident log shall be maintained at the Premises on a continual basis with at least one year of entries and be readily available for inspection by a police officer. The log is for recording any physical altercations, injuries, and objectionable conditions that constitute a nuisance occurring in, on, or at the Premises, including the immediately adjacent area that is owned, leased, or rented by the Owner. The log will indicate date, time, description of incident, and action taken. "Objectionable conditions that constitute a nuisance" means disturbance of the peace, public drunkenness, drinking in public, harassment of passersby, gambling, prostitution, loitering, public urination, lewd conduct, drug trafficking, or excessive loud noise.

m. If contract security personnel are utilized in, on, or at the Premises they shall be properly licensed by the State of California, bureau of Security and Investigative Services.

n. Security personnel required by the conditional use permit issued for the Premises shall be in a uniform or clothing, which is readily identifiable as a security person. They shall maintain order and enforce the establishment's no loitering policy and shall take "reasonable steps" (as that term is defined in subparagraph (3) of Section 24200 of the California Business and Professions Code) to correct objectionable conditions that constitute a nuisance.

o. Employees and contract security personnel shall not consume any alcoholic beverages during their work shift.

p. Contract security services, proprietary security personnel, or personnel assuming the functions typically associated with security shall be familiar with establishment's written policy and procedures on ejecting patrons for cause.

q. The Owner or manager of the Premises shall notify the Chief of Police (or designee) at least three (3) days in advance of a special promotion or special event scheduled at the Premises.

r. The Owner or manager of the Premises shall not employ or use any person in the sale or service of alcoholic beverages in or upon the Premises while such person is unclothed pursuant to Section 143.2 and 143.3 of Title 4 of the California Code of Regulations.

s. The Owner or manager of an alcohol retail establishment shall maintain at the Premises a file containing the names and dates of employment of every person who serves alcoholic beverages for consumption by patrons on the Premises and every manager, which file shall also include a copy of each such person's certificate of completion of a Responsible Beverage Service Training course. Upon request, said file shall be made available for review to a representative of the Police Department of the City of Orange.

t. All management, supervisors, and lead personnel shall be familiar with the Business Establishment Alcohol Management and Education Program, as set forth in this Agreement, dating and signing the acknowledgment page in the program indicating they have read and understand the program.

u. Handling obviously intoxicated patrons.

Please see Chapter Thirteen of The District Lounge Security Policy and Procedure Manual.

v. Establishing a reasonable ratio of employees to patrons, based activity level in order to monitor beverage sales and patron behavior.

Please see Host Ratio on page 6 of The District Lounge Security Policy and Procedure Manual.

w. Establishing what types of containers, glassware, or similar method will be used to distinguish alcoholic beverages from non-alcoholic drinks.

All non-alcoholic drinks will be served in a 14oz cooler glass. All alcoholic drinks will be served in an appropriate glass, 10oz buckets, 4oz rocks, 6oz martini, and 12o

x. Handling patrons involved in fighting or arguing.

Please see Chapter Fifteen of The District Lounge Security Policy and Procedure Manual.

y. Establishing procedures to handle loitering about the building and in the immediately adjacent area that is owned, leased, rented, or used under agreement by the Owner.

Please see Video Surveillance policy on page 5 and Chapter Sixteen of The District Lounge Security Policy and Procedure Manual.

z. Establishing hours of operation and hours in which alcoholic beverages may be served.

Hours of operation will be daily from 8 am to 2 am. Last call for service of alcoholic beverages will be at 1:30 am.

2. Conflict or Inconsistency

a. To the extent that there is any conflict or inconsistency between the terms and conditions of the conditional use permit issued, or to be issued, for the Premises and the terms and conditions imposed by ABC for a Retailer's on-sale license for the Premises, the terms and conditions imposed by the City under the conditional use permit shall control and govern the rights and obligations of the Owner; provided, however, that nothing contained herein is intended to or shall operate to preempt any ABC rule or regulation and to the extent it is determined by an authorized representative of ABC that an ABC rule or regulation conflicts with a term or condition of the conditional use permit, the ABC rule or regulation in question shall govern and control.

b. Nothing contained in this Agreement shall be construed so as to require Owner to perform any act contrary to law, and whenever there is any conflict between any provision of this Agreement and any present or future statute, law, ordinance or regulation contrary to which the parties shall have no legal right to contract, the latter shall prevail, but in such event the provisions of this Agreement affected shall be curtailed and

limited only to the extent necessary to bring it within the requirements of the law.

3. Amendment. The Owner may petition the City's Chief of Police not more frequently than once each year, commencing on the first anniversary of the approval of the conditional use permit, for modification, supplement or amendment to one or more of the policies and procedures established under and pursuant to this Agreement. The City's Chief of Police may, in his/her sole discretion, authorize and approve any modification, supplement, or amendment to the policies and procedures in response to said petition, which approval shall be in writing in the form of an amendment to this Agreement. Subsequent petitions for modifications, supplements, or amendments shall be filed, if at all, upon the anniversary of the date of the approval/disapproval from the City's Chief of Police of the Owner's petition.
4. Governing Law. This Agreement shall be governed by the laws of the State of California.

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IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and year first set forth hereinabove.

"OWNER"

Orange Circle Lounge, Inc. dba The District Lounge, A California corporation.

By: _____

Printed Name: Mario Marovic

Title: CEO, CFO, Secretary and Director

"CITY"

CITY OF ORANGE, a municipal corporation

By: _____

Eric Rosauer, Captain of Investigations

_____

SGT of Vice Unit

(Initial)

APPROVED AS TO FORM:

_____

Mary E. Binning, Senior Assistant City Attorney

THE DISTRICT LOUNGE

SECURITY

POLICY & PROCEDURE

MANUAL

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Introduction

This Policy and Procedures (P&P) manual was created so that employees have clear and visible guidelines on how to deal with issues that may arise during business operations. Any employee who has a question concerning security, security procedures or issues surrounding the safety rules and regulations of The District Lounge should use this manual. It is to be used by all employees of The District Lounge as a reference and a guide. This guide should be viewed as a living and changing document, meaning that if a new, undefined issue is discovered, management should define the issue, the question or the incident and find a solution for that issue. This solution should then be added to this P&P manual. Any employee who discovers an issue that is not addressed in this manual can and should bring that issue to the attention of management.

This Policy and Procedure manual is a valuable tool that can help employees and management keep The District Lounge a safe and enjoyable place to work and visit for all.

Background

Employees within the restaurant, bar and/or hospitality industry (hereinafter referred to as the "Hospitality Industry") have many areas of responsibility that can cause problems for themselves, the venue and the guests. Issues such as criminal law violations, beverage control administrative violations and civil lawsuits stemming from complaints lodged by guests are the areas that most affect employees within the Hospitality Industry, especially the employees acting as security personnel. This manual was designed to help employees reduce and eliminate potential problem areas.

If used correctly, this manual will help you with every-day duties as well as when out-of-the-ordinary issues arise. Additionally, if you use this manual correctly, it can be a valuable tool for your employer. This manual can help minimize complaints from law enforcement, from the California Alcoholic Beverage Control (ABC), the Orange Police Department (OPD) and from disgruntled guests. Use it as a reference or use it for continued training, but whatever you do… Keep it and use it.

Electronic Video Surveillance

The District Lounge uses video surveillance throughout the entire venue and in several locations outside. The video system will record incidents in and around The District Lounge. Coverage with the video system will include the entrances, the exits, the dance floor(s), the bars, the alcohol service wells, the hallways in and around the venue and the parking areas. Management will have the only access to the video monitoring system and will allow unlimited access to any agency of law enforcement.

Host Ratio

The District Lounge has a capacity of 202 persons. The District Lounge will provide security hosts at a ratio of at least 1:50 or at least 1 host for every 50 guests as listed on venue capacity. The District Lounge also provides a cocktail server and two bartenders on any night where the estimated number of patrons is to exceed seventy-five. On a night where the number of patrons is expected to reach capacity The District Lounge will have a minimum of two cocktail servers, four bartenders, four security personnel and one manager on duty.

Chapter One

A. Mandatory Compliance

a. It is the responsibility of every security host employed by The District Lounge and every employee acting as a security host or security guard provided by any other contracted security company to learn, abide by and have a copy of The District Lounge security manual. Every guard will also be familiar with the content, instructions and/or expectations of any policy that applies to his/her specific assignment in and around The District Lounge.

b. It is the responsibility of every security host employed by The District Lounge to maintain a current copy of the security manual. Additionally, if the manual is lost, stolen or misplaced, it is the security host's responsibility to obtain a new copy from their supervisor or manager immediately.

c. Management expects input from The District Lounge security hosts on the content and possible changes to the current manual or to any new sections that may be added later. In the event of any significant changes to this P&P manual, management will supply the changes to hosts and provide any necessary training so the hosts may become familiar with the changes.

d. Management may terminate any employee who violates, disregards or does not follow any of these guidelines. These guidelines are provided to help and protect employees, management, and our guests. They must be followed.

Chapter Two

A. Training & Education

a. All security hosts are required to attend all training events provided or sponsored for them by The District Lounge management, other training companies or other organizations. Training topics that improve your ability to work in the hospitality industry should be considered. The District Lounge will periodically offer training on topics such as identification reading, guest service, liabilities, and fire safety. All employees are strongly encouraged to attend these sessions.

b. All The District Lounge security hosts and management employees will attend the HOST Training Program within 60 days of being hired by The District Lounge. Each employee will be supplied with a certificate of completion from the HOST Training Company and will maintain a personal copy of their own.

c. The District Lounge employees should advise management of any additional training that is completed on or off duty. Supplying a certificate of completion or diploma to management will ensure you are given credit during evaluation or promotion periods.

Chapter Three

A. Employee Conduct

a. ALL employees of The District Lounge understand and acknowledge that they must, per current State of California law, register and complete a state and national criminal background check with the California Department of Consumer Affairs. They further acknowledge that some criminal convictions that may be found may disqualify the employee from employment. This is state law, and The District Lounge management has no ability to alter this fact. More information will be supplied to security host employees during the interview and hiring processes.

b. Security hosts of The District Lounge agree not to commit any act that is in violation of any Federal, State, or local laws. This applies to every employee while at The District Lounge or when they are not at work. Such violation could be considered a violation by ABC regulations, Orange Municipal Code and subject the security employee to termination.

c. Security hosts of The District Lounge shall be permitted to work in an atmosphere free from discrimination and sexual harassment. Discrimination is unlawful. It creates a negative atmosphere that reduces work productivity, moral, and destroys professionalism. Security employees shall not discriminate against, nor sexually harass any The District Lounge employee, any The District Lounge entertainer, or any guest of The District Lounge . Such violation subjects the security host to discipline or termination. Additionally ALL employees are required to undergo the statutorily required sexual harassment training provided by management.

i. Discrimination is defined as: Unequal treatment of employees or applicants for employment based on their sex, race, color, ancestry,

religious creed, national origin, physical disability, mental disability, medical condition (including cancer, HIV and AIDS) age, marital status, family care leave, political beliefs, or sexual orientation.

d. It must also be understood that you cannot predict how guests and fellow employees will take any joke or off-color comment that you may make. Do not make off-color comments thinking that only the person you are talking to can hear you and that this person will also not take offense to it. Simply put, do not make off-color comments while you are at work.
e. Security hosts of The District Lounge agree not to use any Federal, State or locally illegal or illicit narcotic or drug. Such violation could subject the employee to immediate termination. Should The District Lounge management have reasonable suspicion that a security host might be under influence of an illegal substance, they may ask the employee to submit to a drug test.
f. It is expressly prohibited for any security host to consume alcohol before or during their shift at The District Lounge. Should management have reasonable suspicion that a security host has consumed alcohol as they begin their shift or during their shift, they may ask the employee to submit to a breath test or other chemical test to determine the presence of alcohol.
g. Security hosts of The District Lounge agree to follow the rules and regulations contained within this P&P manual. Any act or omission of any section of this manual is grounds for immediate termination.

Chapter Four

A. Employee Dress Code

a. Security workers are tasked with keeping guests safe while they enjoy The District Lounge. This task can be made easier if all security workers are easily recognizable by employees and guests. A modified uniform is mandatory for all security workers of The District Lounge.

b. All security workers must be neat and clean when they are working their shift.

c. This uniform must not be accessorized with chains, patches, embroidery (other than employee name), or other clothing that may be interpreted by guests as excessive, aggressive or "macho".

d. Black gloves can be considered intimidating and are not to be worn while working as a security host. If hand protection is desired during security duties, opaque or latex gloves are acceptable forms of hand protection and will be supplied by management. For employees assigned to outside duties during winter months or during inclement weather, gloves can be worn after approval from management.

Chapter Five

A. Narcotics Use and Possession

a. Illegal Use or Possession by Guest

1. Any employee observing or having reason to believe that a guest is in possession of or is using any illegal drug, narcotic or controlled substance, MUST:

i. Not initiate solo contact with guest alone.

ii. Immediately notify a supervisor & call for back-up security.

iii. Wait for management's direction before proceeding. If management deems it appropriate to make contact with the guest, security hosts will assist where needed.

iv. Complete a detailed written report of incident.

v. If guest becomes violent or other circumstances arise, management should direct security to call local authorities.

vi. If a guest is removed from the venue, security, using flashlights, should walk the area of where guest was contacted to see if any illegal substance was dropped on the floor.

2. Management shall call authorities to report.

b. Illegal Use or Possession by Employee or Contracted Employee

1. Use of any illegal drug, narcotic or controlled substance is absolutely prohibited while employed by The District Lounge. It must be remembered that any illegal drug activity within The District Lounge, by guests, employees or entertainers can subject the business to criminal or administrative sanctions. This activity will not and must not be tolerated by employees or management.

2. Drug testing may occasionally be requested of employees. Failure to either take the test or failure to pass the test may be grounds for immediate termination.

c. Found Narcotics

1. If any illegal substances are found in or around the property of The District Lounge, management must be notified immediately. Managers have two options when suspected illegal substances are discovered.

    i. Option One

        1. The employee discovering the item should immediately notify the nearest employee to come to their location so two people can observe the item and two people can be involved in securing the item correctly and safely. Having two people involved in this process will reduce the possibility of a single employee being accused of violating this policy or of stealing the drugs. Additionally, using two people will assist in proving that correct action was taken regarding the item found.
        2. One of the employees must notify management to assist them.
        3. The employee, with another employee or a manager will place the suspected item in a bag and lock it in the safe immediately. Again, two employees should observe this. The use of rubber gloves supplied by management will be used when handling suspected substances.
        4. Orange Police Department (OPD) should immediately be called to notify them of the "Found Narcotics" on the premise. (Police non-emergency number is 714-765-

1900.) OPD has many duties and responsibilities nightly. One of those responsibilities is to respond to calls from parents, citizens, businesses, and employees who find illegal or dangerous items. Law enforcement agencies have a set policy on what their actions are regarding found narcotics. Calling OPD to take possession of found narcotics WILL NOT affect your liquor license. Calling OPD is also very important to show that the employees don't want illegal substances on their premise.

5. When OPD responds, the officer(s) will be escorted to the office safe by management. The officers will remove the item and take possession of it. Document the officer's name and their identification number along with the time the officer took possession of the item.
6. If OPD does not or cannot respond to the venue by the time the venue closes, the item will be destroyed by management and one other employee. This destruction is to be completed in the following manner:
    a. While using gloves, management and one employee will remove the item from the safe and destroy the item by flushing it down a toilet. OPD will again be called to notify them that the bar is now closed and that two employees destroyed the item by flushing it down a toilet.

ii. Option Two

1. If management deems appropriate, FDP will not be called but instead, a manager and one employee will take

the substance to the nearest restroom and destroy it as detailed above in Option One.

2. If any illegal substance is found, a detailed report must be written explaining who discovered the item, what employee acted as a second witness, what the substance looked like, what it was packaged in, where it was discovered, who called OPD, what time they were called, if they ever responded and if they did, their names, and if they didn't respond, who destroyed the item and how it was destroyed. This documentation will assist The District Lounge management or ownership in defending themselves in any future civil or criminal cases involving any illegal substance, found or otherwise.
3. Employees are encouraged to attend training on narcotics and other drugs so they may better understand the dynamics of use, possession, packaging and what the drugs look like.
4. Under no circumstance will any employee of The District Lounge place any suspected found narcotics in their pocket or on their person while waiting for management or authorities to respond. Such action could possibly subject the employee to arrest for possession of that illegal substance.

Chapter Six

A. Employee Equipment

a. To properly complete the duties of a security host at The District Lounge, hosts should have a minimum of equipment. This equipment may be used for safety or just to make the job easier for the host. Management has the final decision on what is allowable equipment. Although the job of a security host can be completed without such equipment, here is a simple list of possible equipment.

i. Flashlight – This light should not be the full sized, 4-D Cell battery type, but instead, the smaller 2-AAA battery Maglite® or the rechargeable Streamlight® Stinger™. These two flashlights are small enough for the host to put them in their pocket. Additionally, these lights are too small to use as an impact weapon.

ii. Ultraviolet Light or Black-Light – This light will be used to screen identification for holograms.

iii. Radio's – Communication is an important component for any security host. If used, each host must have a radio that can be clipped to their belt. This allows the hosts hands to be free for other tasks. Additionally, each host must have a functioning headset. All radios must be able to synchronize on one single frequency. Management has the final approval on all radios.

b. Additional optional equipment might include a jeweler's loop or negative magnifier and an identification recognition book.

c. Under no circumstance will pepper spray, mace or any other chemical agent ever be carried by any The District Lounge security host during their work shift. Even if an employee has completed the state mandated training for chemical agents, they are expressly prohibited from carrying or using it

while employed at The District Lounge. The unauthorized use and violation of this section could cause serious injury or death to employees or guests and subject the security host to immediate termination and or legal action. Additionally, no guest should be allowed to bring pepper spray into The District Lounge.

d. Any other equipment that a host wants to use must be approved by The District Lounge management before it can be used on the premises.

Chapter Seven

A. Working the Door

a. There is no more important job than that of the security worker assigned to work the front of the house at the door. This position is normally the first contact guests have with The District Lounge. This employee must dress sharp and act as an ambassador for the venue. They are an extension of management and ownership.

b. Additionally, they must attempt to stop problem guests before they enter the venue, they must stop over-intoxicated persons from entering the club and they must stop minors from entering the venue with a bad or borrowed form of identification. There are several important points to remember about the door position.

c. The duties of the employee working the door position at The District Lounge is to cheerfully greet guests, screen identification, screen guests for possible over-intoxication, screen guests for appropriate attire, assist with monitoring capacity, review any VIP cards or VIP lists, to keep management abreast of any door complaints or issues with OPD and if there are any violent issues within the club they may be called to hold the lines and notify OPD for assistance.

d. **This position must never be left un-staffed**. If the employee must leave this position, they are required to obtain a one-on-one employee relief or a manager to relieve them.

e. In an emergency, this employee must remain at their post. Other security hosts can handle any problems while the front of the house security host can monitor the line or hold entry until the problem is resolved.

f. The door position and the door walkway is not a place for socializing and hold informal staff meetings. Employees and entertainers are not to use this

location to gossip or hang out during slow periods of a shift. Management does not want guests to be intimidated by having to walk a gauntlet of hosts or employees as they enter the club.

g. Although all employees should know the capacity of the venue, the front of house workers must know the total capacity of the club and the exact numbers they have in the venue if ever asked.

Chapter Eight

A. Guest Service

a. The District Lounge management is absolutely committed to providing the best possible guest service to our guests. To that end, all employees of The District Lounge should act as if they are "Owners" and "Management" in respect to dealing with guests and any problems they may encounter while at The District Lounge. The mind-set for every security host should be to satisfy the guest without compromising safety.

b. All security hosts will make every effort to "Welcome" guests of The District Lounge and should always "Be nice" and "Respectful" to guests, even if the guest is being asked to leave or is being escorted out of the venue.

c. All The District Lounge employees are expected to resolve problems in a friendly, professional and courteous manner. If the problem cannot be resolved to the satisfaction of both the employee and the guest, the employee should seek immediate assistance from management.

d. The District Lounge employees must remember that providing the best possible guest service will enhance the total experience for the guest while they are at The District Lounge and also aid the employee in the event they must intervene in a guest-to-guest dispute. Your commitment to providing great guest service will determine whether many guests ever return to our establishment.

e. Management will not tolerate any blatant discourtesy and disrespect towards guests of The District Lounge. Failure to treat guests with respect and failing to "Be Nice" may result in immediate termination of discipline of the employee.

f. Employees are encouraged to take courses or classes on communication and body language. Having these two skills will allow security hosts to better provide positive and quality guest service.

Chapter Nine

A. Identification Procedures

a. Screening identification (ID) of a guest must be completed with the utmost of care. The screening process is the first line of defense in stopping under-age drinkers from entering The District Lounge. Additionally, screening ID is normally the first contact guests will have with any The District Lounge employee. The ID screener must make this first contact a positive one.

b. When tasked with checking ID at the door position, security hosts will use an industry standard regarding who to screen. The following rules should be adhered to.

    i. Anyone appearing under the age of thirty (30) should have their ID screened.

    ii. Anyone who appears to be near 21 years of age should be asked their age. This question is important as any minor decoy used by ABC or OPD must be honest about their age if asked.

c. The ID screener must remember to be friendly and outgoing to the guests entering the bar. Instead of simply saying, "ID please", the screener should attempt to have a small conversation with the person in front of them. Simple conversation practices such as asking the guest; "How are you doing tonight?" or "Where are you coming from tonight?" or other simple practices such as giving them a nice comment about their clothes, their jewelry, etc. will often times help put the guest at ease and show them you are not an enemy.

d. Identification that will be accepted at The District Lounge must be issued by a state or federal agency. The general guidelines of ABC will be followed with few exceptions.

e. The District Lounge will accept the following forms of ID:

i. Current valid, non-expired state driver's license.
ii. Current valid, non-expired state identification card.
iii. Current valid, non-expired military identification. Because current military ID's do not list the physical description on the rear, any question of the identity of the person should force the ID checker to ask for another form of valid ID.
iv. Current, non-handwritten United States Passports or Visa's.
v. Federal Immigration & Naturalization Services Identification (I-551 or Green Cards)

f. Screening of the actual ID will be done in a methodical and precise way. An example of a screening routine follows although employees may create and follow their own routine providing it follows The District Lounge procedures and covers the important points necessary.
i. If the guest appears to be under that age of 30, ask for the ID.
ii. If the guest appears to be near the age of 21, ask the person their age.
iii. Have the person remove the ID from its holder (wallet or purse)
iv. Once in the hand, feel the entire ID for nicks, cracks, and scrapes.
v. Look at the ID and do a cursory screening for any common security features used.
vi. Look at the photo on the ID while looking at the person in front of you. Holding the ID in front of the persons face will aid in finding flaws commonly seen when a borrowed ID is used by a minor. Check the photo from top to bottom in this possible order; Hair line, Hair type or cut, Eyebrows, Nose edges, Ears, Lips, Chin and Neck lines.
vii. Look at the birth date and any red areas that might state the actual age of the person.

viii. Look at the expiration date.

g. In 2000 the State of California passed a law allowing any liquor-licensed establishment that is presented a fake, borrowed or otherwise bad form of ID to confiscate that ID. Per state law, if an ID is confiscated the following two events must take place.
   a. A receipt must be given to the guest whose ID is confiscated. This receipt can be of any style and can contain any information related to the ID and the guest.
   b. The ID must be sent to any law enforcement agency within 48 hours. (The law does not outline what law enforcement agency the ID must be sent to).

h. When a security host or another employee discovers a borrowed, fake, or otherwise bad form of identification, the policy of The District Lounge is to confiscate the ID from the guest and follow the procedures outlined above in section h.

i. It must finally be remembered that all employees working at The District Lounge are relying on the expertise of the security staff assigned to the door to properly screen ID and catch the bad or borrowed ID's before they purchase alcohol. If a server provides alcohol to a minor, the server of the alcohol could be arrested or receive a citation, not the security host.

Chapter Ten

A. Weapons

a. The only weapons that will be allowed inside The District Lounge will be those brought in by on-duty uniformed or undercover law enforcement officials.

b. Under no circumstance will any The District Lounge employee bring a weapon to work. A weapon will be defined as, but are not limited to:

   i. Handgun
   ii. Knives (Small pocketknives and blades within pocket "Leatherman" tools are authorized)
   iii. Switchblades or Butterfly knives
   iv. Saps
   v. Brass knuckles
   vi. Nunchukas
   vii. Any other object that could be used as a weapon such as a metal pipe or wooden club.

c. Under no circumstance will any guest be allowed to bring any weapon into The District Lounge.

d. If a weapon is detected on a guest, management will be summoned as will two or three additional security team members.

e. Occasionally off-duty law enforcement officers will enter The District Lounge to enjoy the atmosphere as a guest. They may, on occasion, be carrying their off-duty weapon. It must be remembered that if this off-duty officer becomes intoxicated and gets into an altercation that weapon may inadvertently be displayed or used. Management must weigh the option to allow the off-duty officer to enter with their weapon, to ask the person to lock the weapon in their car or to ask the person to leave the bar.

Chapter Eleven

A. Law Enforcement

a. Having and maintaining a good working relationship with local law enforcement is absolutely necessary to run a safe establishment. It is required that all The District Lounge employees attempt to work with local authorities in every situation.

b. Occasionally, uniformed, or plain clothes law enforcement officials will want to enter The District Lounge to conduct routine police investigations or ABC premise inspections. These inspections are randomly completed by officials and normally are quick and painless.

c. Security workers or the door person will never delay any official from entering The District Lounge for any reason. Such delay could subject the employee to arrest for delaying a peace officer in the performance of their duties.

d. Door security workers should notify management immediately when officials arrive for an inspection or an investigation.

e. One employee should "shadow" officials during their inspection or investigation on The District Lounge property. This "shadow" will not be involved in the inspection or investigation and will only be there to observe any issues that may arise. This "shadow" will prepare a detailed report of the police visit. The "shadow" will not take the place of a management representative who must also stay with the official. The "shadow" should be open and conspicuous, not overt. They should be there to respond to questions and comments.

f. By accepting the ABC liquor license, The District Lounge agrees that any area in the licensed premise is open to inspection. This includes all areas within the physical walls of The District Lounge. This includes offices,

bars, storage areas, locker rooms, bathrooms and any other closed or confined space within The District Lounge. Delaying officials could result in arrest of the employee.

Chapter Twelve

A. Off-Duty Law Enforcement

a. Occasionally off duty law enforcement will visit The District Lounge as a guest. They are to be treated with the same guidelines as any other guest.

b. It will be entirely up to the management as to whether off-duty law enforcement officials will be allowed preferential treatment such as head of line placement or not paying the cover charge. Additionally, they will not be allowed to violate any The District Lounge policy or procedure such as carrying a weapon in the venue.

c. In the event that an off-duty official is involved in any altercation, management must always consider calling OPD to make a report or to deal with the official. Management must consider this issue and have a plan that has been discussed with security hosts.

    i. Occasionally, when an off-duty official is involved in an altercation they may identify themselves as "cop" or "police". This notification might change the way that the security host operates. However, if only a verbal notification is given and no other documentation is seen, management must be told immediately, and the decision must be made to call OPD or not.

d. For issues related to weapons being carried into The District Lounge by off-duty law enforcement see Chapter Ten.

Chapter Thirteen

A. Intoxicated Persons

a. It is not against the law to be intoxicated or to allow an intoxicated person into a liquor licensed establishment such as The District Lounge, however, it is against the law for an obviously intoxicated person to be served alcohol or to allow them to consume alcohol. The law describes drunk in public as someone who is obviously intoxicated and cannot take care of themselves or is a danger to others. This definition is in the opinion of the actual law enforcement official when they step into The District Lounge and observe guests.

b. Every The District Lounge employee, especially security staff and servers, are expected to know and be able to recognize the signs and symptoms of someone who is over-intoxicated from alcohol. Although the following list is not all of the possible outward signs to look for, here are some of the more common signs to help you identify someone who is over-intoxicated:

   i. Slurred speech
   ii. Excessively loud
   iii. Bloodshot eyes
   iv. Abnormally loud
   v. Short or rude
   vi. Slack facial muscles
   vii. Un-kept clothing appearance (shirts incorrectly buttoned, zipper's unzipped)
   viii. Using tables or the bar for balance
   ix. Staggering or weaving when walking or standing
   x. Lack of balance

c. If a security worker or door person suspects that a person may be over-intoxicated before they enter the club the worker should politely offer to call the person a cab so they may go home. The host should also let the person know that they will not be allowed inside the bar. REMEMBER; be very cautious when approaching a possibly over-intoxicated person alone. If at all possible, always have at least one other host, preferably two other hosts present when you decide to talk to a possibly over-intoxicated person.

d. If you turn a person away at the door for being over-intoxicated, try to see if they have a friend to take them home. If they do not and are alone, offer them a taxi and be ready to call one for them. An additional step may be to offer them a bottle of water to go on the house.

B. Stopping Service to Over-Intoxicated Persons (Cutting Off)

a. It is not against the law to be intoxicated. However, it is against the law to be so intoxicated that a person is a danger to themselves or to other people. Generally, law enforcement observes the person, talks to them and then will make a fair determination as to whether the person is so intoxicated that they can't care for themselves. The District Lounge security hosts should do the same fair evaluation when deciding to stop service to a guest.

b. Any employee may approach you and ask for you to assist with stopping alcohol service and asking a person to leave The District Lounge. This includes management, servers, bartenders, and other security members.

c. Caution must be taken when it has been determined that a person is over-intoxicated and must have alcohol service stopped. Violence surrounding removing a guest's beer or drink is common if not done with tact and caution.

d. Management must always be notified when a guest is being cut off and should always be present to observe the incident.

e. Never approach any guest to stop alcohol service alone. Always have at a minimum of 2 hosts, preferably 3 or 4 hosts present.

f. If at all possible, try to have a friend of the intoxicated person assist you with stopping the person from drinking and leaving the venue.

g. Any employee can make the determination to cut off a guest; however, security should always be called to manage the guest in case they become angry or violent.

h. If a server, bartender, or security host decides that a guest needs to be cut off; all other employees must respect that decision and back the decision of the first employee without question. Failure to do so will seriously undermine moral and could be cause for termination.

i. It must be remembered that bartenders and servers may not always recognize that a guest is over-intoxicated. Guests may have others order their drinks or they may be able to control themselves while the server or bartender talks to them. Security hosts must be vigilant and ever aware of over-intoxicated persons and never be worried about approaching anyone to talk to them and if necessary, stop alcoholic service.

j. As soon as possible after the guest is cut off, all other bartenders, servers, security workers and managers MUST be notified of the person being cut off so they can observe and keep the person from consuming any additional alcohol.

k. Finally, when a person is cut off, The District Lounge employees may offer the person a free bottle of water, or possibly some sort of food and a taxicab. As you discuss this with the person it is always a good idea that if there is not a taxi already near The District Lounge, call one for the person anyway. If the over intoxicated person who is cut off decides not to take the taxi and wants to walk away or possibly drive home, all employees

should feel comfortable to tell the guest that police will be called if they decide to drive intoxicated.

l. Proper documentation must be completed whenever a guest is cut off or asked to leave. At a minimum, the information to collect for documentation should be the guest's name, their clothing description and how they left the venue.

Chapter Fourteen

A. Unacceptable Guest Behavior

a. Occasionally a guest will be asked to stop a certain activity that may cause an incident with another guest or employee. These occasions can be very dangerous to security workers and must be handled with the utmost care.

b. Besides over-intoxicated guests, there are several other unacceptable behaviors that a guest may be doing. The following list should be used as a guide to help security workers decide whether to approach a guest:

i. Throwing any object at other guests, employees, or entertainers (Napkins, popcorn, straws, money, etc.)

ii. Touching, grabbing, or pinching any employee or guest. If an employee or guest is touched and feels it was inappropriate, they should be asked if they want the person to leave. If they say, "yes" and there is a reasonable basis to believe the accusation, that guest may be asked to leave. We want to create and maintain an environment free of sexual harassment by guests.

iii. Being excessively loud or vulgar.

iv. Trying to pick a fight.

v. Arm wrestling.

vi. Beating on any equipment.

vii. Jumping on the bar, stage, or other areas where guests are generally prohibited.

viii. Any other activity that may cause harm to the guest, another guest, an employee, or any entertainer.

c. If the guest refuses to stop the offending behavior or is caught doing this activity again a management must be notified immediately.

d. If a guest is contacted for any of the described activity, they will be asked politely and with respect to stop the activity and told why so they understand. They should be told that if they don't stop this activity, they would be asked to leave the bar. They should also be told that if they are caught doing this type of activity again, they would be asked to leave the bar.

e. As mentioned, several times in prior chapters, never approach the guest alone to ask them to stop offending behavior. A calm guest can turn violent quickly without notice.

f. If the activity has not stopped, notify management and request other hosts. Allow management to talk to the guest. All security hosts should act as "back up" for management.

Chapter Fifteen

A. Conflict Resolution and Use of Force

a. The use of force by security workers is the largest reason for criminal charges against hosts and also the largest reason for civil judgments against nightclubs, bars, or restaurants. At The District Lounge, management demands that employees learn and use effective communication skills to lessen the possibility of any use of force

b. By law, every liquor establishment must provide for a safe environment for any guest and for any employee who works there. To provide this safe environment, it is recognized by the management of The District Lounge that the limited use of force may occasionally and rarely be necessary.

c. The District Lounge does not have a "Hands Off" policy, but instead, security hosts of The District Lounge will use communication skills, tact, restraint and control in dealing with potentially violent guests and only as a last resort will they put their hands on a guest.

d. The District Lounge does have a no "Head & Neck" policy. This means that security hosts will not grab any guest by the head or neck. This includes head locks, full nelsons, half nelsons, carotid restraints, choke holds and any other hold that involves the head or neck. The only exception to this rule is if grabbing the guest's head or neck was done to stop that guest from using force on another guest or employee of The District Lounge. Any security host that violates this policy may be subject to immediate termination.

e. It is the absolute policy of The District Lounge that any employee who must use force must **only use the amount of force necessary to stop a threat** from a guest towards another guest or towards an employee. This means that if a security host is struck once and the guest then stops fighting, the

security host may not strike the guest because the threat has already stopped. This specific point must be completely understood by every security worker. If a security worker uses any excessive force after a guest has stopped aggression, that employee is subject to immediate termination and criminal liability.

f. The following are specific areas that must be adhered to with regard to aggressive and combative guests where force is unavoidable. Security hosts should avoid the following:

   i. Strike any person in the face, head, or neck unless this strike was to stop deadly force being used by the guest on another guest or another employee or themselves.

   ii. Use any force that goes beyond stopping the threat from the combative guest.

   iii. Use their flashlight as an impact weapon unless the use of this flashlight as a weapon was to stop the guest from using deadly force.

   Any security host who violates any portion of this section will be subject to immediate termination.

g. When The District Lounge employees approach a fight between guests they must immediately start to yell to the guests; "Security, Stop Fighting". This first level of force may help stop the fighters or anyone else that might want to get involved in the fight. This will also tell all involved what security hosts want done.

h. Once security hosts place their hands on the combatants, they must continue to say; "Stop Fighting". This further tells all involved what they want done. Additionally, when the fighters realize that security hosts are grabbing them, the fighters may decide to turn on security and fight them.

i. After the fighters are separated and security hosts are trying to calm them down, security workers must be ready for the fighters to turn their aggression towards them. If this happens, security hosts will then change their function from separating the fighters to subduing and detaining them. When this shift takes place, security hosts must start yelling; "Stop Resisting" until the fighter is in handcuffs, restrained or stops resisting.

j. If local authorities are requested to assist The District Lounge employees, it is mandatory to obtain the officers name and identification number that was in charge before they leave. The best practice is to ask for a business card from all of the officials and make notes as to what their jobs were on the rear of the cards.

k. Any use of force by any employee must be properly documented in writing. The security worker, using whatever level of force, must write a detailed report. If other employees assisted, they must also write a detailed report on their actions. All reports must be written before any employee leaves at the end of their shift. Failing to provide this report may subject the host to immediate termination.

l. Management must review all reports from employees for completeness and accuracy. If an employee has difficulty writing their report, they may elect to have another employee write the report based on the employees' statements. The employee will read the statement and then sign it stating that it accurately portrays what they saw, said or did.

m. Occasionally, a guest may attempt to destroy The District Lounge property. The minimal force necessary must be used to stop this destruction of property. All proper force guidelines must be followed for stopping the guest who is caught destroying property.

n. **REMEMBER**, any use of force must be considered a last resort. Using verbal commands and requests along with body positioning may stop many violent situations before they escalate.

Chapter Sixteen

A. Removal of Guests

a. It is understood by management that on occasion a guest will act in such a manner that dictates they be asked to leave The District Lounge. It is also understood by management that on occasion the guest will not desire to leave of their own accord and will have to be escorted out by security workers. Before a guest is removed physically, management MUST be notified to speak to the individual.

b. If it is decided by The District Lounge employees that a guest must be asked to leave, security hosts will not act alone. It is expressly prohibited for any The District Lounge employee to attempt to remove a guest alone.

c. Management must be present for any action surrounding the removal of guests.

d. If the guest decides to leave on their own, caution should still be taken to assure there is no surprise attack against any The District Lounge employees. Again, no guest will be escorted from The District Lounge by a single security host, even if they decide to leave on their own. Additionally, The District Lounge security hosts will not put their hands on the guest who is walking out of the venue on their own.

e. If the guest is leaving on their own, employees are advised to stay a minimum of 5 feet behind guest. If traveling up or down stairs with the guest that is leaving on their own, stay a minimum of 6 feet behind the guest. Finally, never assume guests leaving on their own will not turn violent, always expect the worse.

f. If the guest declines to leave on their own, a manager will attempt to convince the guest to leave on their own. The manager may tell the guest that they must leave, or they may face charges of trespassing.

g. As a last resort, after management speaks to the guest, security workers may have to physically remove the guest with the least amount of force necessary. When this is done, care must be taken when placing hands on the guest. The potential for violence goes up when hosts attempt to place their hands on guests who are intoxicated or angry.

h. When a guest is restrained and being escorted out, all extra security hosts not involved must know a guest is being removed. Extra hosts should work to clear a path or warn other employees working the door so they may stop the lines. This provides added elements of safety for the removed guest and employees.

i. If, during removal of the guest, any other The District Lounge guest is assaulted, that guest must have the opportunity to make a private person's arrest before the assaulting guest is allowed to leave.

j. If, during removal of the guest, any The District Lounge employee is assaulted, that employee must have the opportunity to make a private person's arrest before the assaulting guest is allowed to leave.

k. When any guest is removed from The District Lounge for any reason, a detailed report will be written, and management will review the report for accuracy.

l. If during the removal of any guest anyone involved is injured, medics should be considered to evaluate the injury. This is especially important for guests who are injured or who claim to be injured.

m. It is also the policy of The District Lounge that nothing in this section or anywhere else in this policy manual that prohibits any security host or other employee from acting to stop a guest who is so combative or dangerous that their actions could cause great bodily harm or death to another employee or guest. This may include intervening and placing their hands on a combative

guest immediately and before management or other hosts can be requested for assistance.

Chapter Seventeen

A. Report Writing

a. There are two methods to documenting incidents at The District Lounge. One is a full report, and the other is an incident log. A report is larger, longer and contains much more information. An incident log is short, perhaps a paragraph or a few lines on a page.

b. Incident logs will be used for minor issues such as an abandoned ID, guests caught drinking in the parking lot, refusing entry, and guests who are cut off and leave without any violence. There may be other incidents that fit this category that are not listed.

c. The incident log may be an actual logbook or individual pages with incidents documented on them. However minor incidents are documented, it is the policy of The District Lounge to keep these minor incidents for 2 years.

d. Report writing is a major component of limiting The District Lounge liability involving any incident. Management realizes that although important, report writing can be boring and tedious. Nevertheless, reports must be completed in a timely manner and with the utmost accuracy. Attempting to remember an incident 18 months after the incident is extremely hard and a well-written report will aid the employee to remember important facts.

e. All reports must be completed before the employee leaves at the end of their shift.

f. Reports will be written for all of the following instances:

    i. Any fight or violent incident on any portion of The District Lounge property.

ii. Any injury to any employee or any injury to a guest of The District Lounge.

iii. Any use of force by an employee.

iv. Any action taken by law enforcement in or on the grounds of The District Lounge. This action could be an arrest in the parking lot, a police officer walking through of the premises, or if a guest is so violent that police enter to assist security workers. This action could also be from Fire Marshals, Code Compliance or Health Code Inspectors.

v. Any confiscated narcotics or any found narcotics on the premises of The District Lounge.

g. If at all possible, due to the prevalence and the use of "Date Rape" drugs, a report should also be written if an The District Lounge employee is concerned for the welfare of an over-intoxicated female guest leaving The District Lounge with a male guest. This report should contain as much information as possible surrounding any other guests she is leaving with and any vehicle she is leaving in. Additionally, this report should also contain all of the female guests' outward physical symptoms of intoxication or of being under the influence of any substance.

h. Any employee who fails to use either incident logs or reports to document incidents or issues at The District Lounge is subject to immediate termination. If any employee is not sure if they should write a report or incident log, they should err on the side of the better, more thorough report.

i. It is understood that on occasion, a security host of The District Lounge may not have the correct training or education to write a proper report. In these situations, another security host or manager may write the report for that employee as they tell the story to the writer employee. When the report is finished the first employee will read the report then sign their name to it

along with a statement advising that the report was not written by them but was read and was exactly what they told the writer employee.

j. Management will review all reports for accuracy and completeness.

k. Reports will by kept for a period of two years.

Chapter Eighteen

A. Banned or 86'd List

a. This list is maintained by management and covers several serious offenses that can be committed at The District Lounge. Here are just a few of the offenses that can cause a guest to be banned for life or 86'd for life.

i. Anyone who gets into a fight in the bar or in the parking lot.

ii. Anyone who brandishes a weapon. This includes a gun, knife, bat, broken bottle, glass, or any other weapon that can cause serious bodily injury.

iii. Anyone caught using or selling any narcotic.

iv. Any guest who refuses to pay an entertainer. (Management Decision)

v. Any chronic drunk or any guest who after a certain number of drinks always becomes a problem to the staff of the bar.

b. This list is not all-inclusive and there may be other activities that may require banning a guest for life. All employees should have input to management as to whether a certain activity should cause a guest to be banned for life.

c. Management reserves the right to ban a guest for a shorter period of time if that punishment is deemed appropriate for a certain guest. This shorter banned list will be judged on a case-by-case basis per each individual guest's activity.

d. Any employee who knowingly allows any guest who has been deemed banned for life to enter The District Lounge without prior approval of senior management may be terminated.

e. No prior 86'd guest can be removed from the banned list without managements consent. No other employee has the authority to remove someone from the banned list.

Chapter Nineteen

A. Injuries to Guests

a. Management must be notified immediately about any guest or employee injury.

b. If a guest is injured during an altercation with another guest or security, medical attention should be sought for the guest. If paramedic's respond and the guest refuses care, a detailed report should be completed by security.

c. Security personnel are not doctors and will not decide as to whether the person has a serious enough injury to require medical care. Always err on the side of caution even when deciding to call paramedics for a guest, even if the person tells you they do not want assistance.

This manual may be adjusted time to time as may be required. Maintain a full and accurate copy of this manual and know its contents.

City of Orange
Community Development Department

Memo

To: Sheryn Mauerhan, Orange Police Department

From: Chad Ortlieb, Acting Principal Planner

Date: June 13, 2022

Re: Conditional Use Permit No. 3186-22
223 W. Chapman Avenue – The District Lounge

The Planning Division received a Conditional Use Permit application, requesting approval to expand alcohol service to the patio area of the District Lounge utilizing the existing Type 48 ABC license type (Type 47 On-Sale General – Public Premises) for an existing bar, located at 223 W. Chapman Avenue. The most recent Conditional Use Permit (CUP 2760-09) for this business was approved October 4, 2010, and authorized a change from a Type 47 (On-Sale General – Restaurant) to a Type 48 (On-Sale General – Bar). A copy of Planning Commission Resolution No. 30-10 for CUP 2760-09 is enclosed to show existing conditions of approval. Also enclosed is the project application and plans for review and consideration by the Orange Police Department.

PROJECT PLANNER: Chad Ortlieb, 714-744-7237, cortlieb@cityoforange.org
(Name, Phone Number and e-mail address)

PROJECT NO.: Conditional Use Permit No. 3186-22

PROJECT LOCATION: 223 W. Chapman Avenue

APN: 039-173-11

APPLICANT: Orange Circle Lounge, Inc.; Mario Marovic, 949.813.5683, mario@loungegroup.com
(Name, Phone Number and e-mail address)

PROJECT CONTACT: Blake & Ayaz (Mike Ayaz), 714.667.7171, legal@blakeandayaz.com
(Name, Phone Number and e-mail address)

LAND USE: Old Towne Mixed Use 15; 6-15 du/ac; Max 0.6 FAR (OTMIX15)

ZONING DISTRICT: Old Towne Mixed Use-15 (OTMU-15)

City of Orange

MAY 04 2022

CITY OF ORANGE

Land Use Project Application

This section to be completed by Staff

APP. TYPE	NUMBER	FEE/DEPOSIT
CUP	3186	$3,000.00
ABC License App		$7,500.00
	TOTAL:	$10,500.00

City of Orange
Community Development Department
Planning Division
300 East Chapman Avenue
Orange, CA 92866-1591
(714) 744-7220 (714) 744-7222 FAX
www.cityoforange.org

Historic District/Historic Property: ✓ Yes ○ No
Orange Park Acres: ○ Yes ✓ No
General Plan: OTMU 15 Zoning: OTMU-15
Billing No: 22 CUP 3186 Payment Type: Checks
Date Filed: 5/4/22 Received By: Emily G.

SECTION 1 – Site Information

Project Title/Name: The District Lounge
Project Address/Location: 223 W. Chapman Ave, Orange, CA 92866
Assessor Parcel Number: 039-173-11
Tract/Lot Number: 532/LOT 19

REQUIRED: Briefly describe your proposed project:
See attached.

SECTION 2 – Applicant Information

Name of Company and Person Responsible: Orange Circle Lounge, Inc.; Mr. Mario Marovic
Mailing Address: 3334 E. Coast Highway #418 City: Corona Del Mar State: CA Zip: 92625
Phone Number: 949-813-5683 Cell: _____ E-mail: Mario@loungegroup.com

SECTION 3 – Contact Information (main contact person for project)

Name of Company and Person Responsible: Blake & Ayaz, a Law Corporation
Mailing Address: 2107 N Broadway Suite 106, City: Santa Ana State: CA Zip: 92706
Phone Number: 714-667-7171 Cell: 714-667-7171 E-mail: legal@blakeandayaz.com

SECTION 4 – Property Owner Information (land owner information, not tenant)

Name of Company and Person Responsible: WallFlower OC LLC; Sharon Galvan
Mailing Address: 14431 Deerfield Ave City: Tustin State: CA Zip: 92780
Phone Number: 714-401-5415 Cell: _____ E-mail: gsharonna@sbcglobal.net

City of Orange

SECTION 5 – Billing Information (Person below is responsible for paying invoices and receiving refunds; **must be filled in.**)

Name of Company and Person Responsible: Orange Circle Lounge, Inc.; Mr. Mario Marovic

Mailing Address: 3334 E. Coast Highway #418

City: Corona Del Mar State: CA Zip: 92625

Phone Number: 949-813-5683 Cell: _____ E-mail: Mario@loungegroup.com

SECTION 6 – Project Information

(**Section Required.** If no construction proposed, fill in Existing column only)

Project Description/Request:	Existing	Proposed
Land Use *(commercial, residential, industrial)*	Commercial	Commercial
Lot Size	4,752 sq ft	4,752 sq ft
Number of Structures on Lot	1	1
Square Footage of Entire Building	3,340 sq ft	3,340 sq ft
Square Footage of Subject Unit *(if applicable)*		
Number of Floors of Construction *(if applicable)*		
Number of Parking Spaces on Property	17	17
Square Footage of Landscaping	N/A	N/A

SECTION 7 – Land Owner Affidavit (If Property Owner and Applicant are the same, then notary is not required.)

Sharon Galvan declares that I am the owner of the property addressed or
(print name above)

otherwise located as follows:

223 W. Chapman, Orange, CA 92866
(print address above)

I hereby certify that I am the owner of the real property described in this application. I hereby authorize this application to be processed for my property, and grant authority to the applicant to represent me and to bind me in all matters concerning this application. I certify that all of the information contained in this application, including the information contained in all plans and other materials submitted with this application, are, to the best of my knowledge and belief, true and correct. Should any of the information submitted be false or incorrect, I hereby agree to defend, indemnify, and hold harmless, the City of Orange, its officers, agents, and employees, from any and all liability and loss by reason of its reliance on any such information. I grant authority to the City to place a public hearing notice on the subject property if one is required.

Property Owner Signature: [signature] See Attached Certificate Date: 4/20/22

APR 20 2022

[X] Acknowledgment
[ ] Jurat
[ ] Copy Certificate

City of Orange

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

ACKNOWLEDGMENT

State of California
County of Orange

On 04. 20. 2022 before me, Alka Chowhan-Patel, Notary Public, personally appeared Sharon Leticia Mata Galvan, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____ (Seal)

ALKA CHOWHAN-PATEL
NOTARY PUBLIC CALIFORNIA
COMMISSION # 2260708
ORANGE COUNTY
My Comm Exp September 30, 2022

SECTION 8 – Certification (Every application must be signed below by the Applicant.)

I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge.

Applicant Signature: _____ Date: 4/20/22

Print Name: Mario Marovic Telephone No: 949-813-5683

BLAKE & AYAZ
2107 N. Broadway, Suite 106 Santa Ana, CA 92706
Tel: (714) 667-7171 | Fax: (714) 667-0477
legal@blakeandayaz.com
www.blakeandayaz.com

PLANNING DIVISION
RECEIVED
MAY 04 2022
CITY OF ORANGE

May 3, 2022

City of Orange
Community Development Department
Planning Division
300 East Chapman Avenue
Orange, CA 92866-1591

File No. ORA01-1000

RE: Land Use Project Application for Orange Circle Lounge, Inc. dba The District Lounge 233 W. Chapman Avenue, Orange, CA 92866

Dear Madam or Sir:

We are pleased to announce that our office has been engaged by The Orange Circle Lounge, Inc. dba The District Lounge to process a conditional use permit and/or other required entitlement application(s) to allow or otherwise grant the appropriate entitlement permitting the expansion of the existing patio area to include the rights of on-site sales and consumption of alcoholic beverages under Applicant's existing Type 48 ABC liquor license for the premises located at 223 W. Chapman Avenue, Orange, CA 92866, as described more fully herein.

REQUEST

The Applicant will file an application with the California Department of Alcoholic Beverage Control for a premises expansion to include the patio as part of the licensed premises. This license authorizes the sale of beer, wine and distilled spirits for consumption on the premises where sold; where minors are not allowed on to the premises and food service is not required. This project will allow legal accessory use of the patio space, which historically has included service of food and beverages since its inception. The outdoor patio consists of approximately 493 square feet (net usable).

BACKGROUND

Mario Marovic is the owner and principal of applicant Orange Circle Lounge, Inc. As a second-generation restaurateur he is the owner of several Orange County restaurants and cocktail bars. An Orange County native, he attended Villa Park High School, graduating in the class of 1991. He attended the University of Southern California, earning his Bachelor of Science degree in business with an emphasis on entrepreneurship, and later returned to USC to get his master's

degree in Business Administration. Marovic's business model of preserving and maintaining local bars and restaurants has proved successful. Taking cherished locations, honoring their history while making them relevant to new patrons is what makes his formula so effective.

PROJECT

The Applicant and its principal, Mario Marovic, have operated The District Lounge since 2004, after purchasing it from the original owners of Los Vacitos restaurant, which was established in 1976. Originally operated as a Type-47 On-Sale General Eating Place, the City of Orange approved The District's transition to a Type-48 license On Sale General Public Premises in 2010. The Type-48 license currently maintains a status free from disciplinary action and/or disciplinary history from the California Department of Alcoholic Beverage Control.

To continue with the current restaurant and bar trends, Marovic took advantage of the 2020 pandemic shut down to update the location and rethink the operations to stay relevant with the needs and wants of todays dining and bar patrons. This included adding extensive sound proofing to the interior ceiling and walls, mounting signage asking patrons to be considerate of resident neighbors, and maintaining outside hedges and walls that assist in deflecting noise and provide privacy.

The ancillary use of the patio to serve patrons in a space that was deemed safe during the unprecedented pandemic conditions, continued after pandemic restrictions were lifted. This use was not new per se to the premises, as former owner of Los Vacitos, Sharon Galvin notes in her letter dated January 27, 2022, the patio was consistently used by patrons for drinking and dining and was an essential part of her business for over 50 years. However, to remain compliant with the City of Orange and California Alcoholic Beverage control standards the Applicant hereby seeks approval from the local and state authorities to provide customers with an amenity that is now offered at almost all dining and bar locations in Southern California.

In order to ensure that use of the patio meets with the City's standards, Applicant proposes the following:

1) Points of entrance and egress onto the premise will be through the front entrance only. The gated entrance located on the patio will be for emergencies only and will have signage notifying patrons of such use along with having a triggered alarm system when opened.
2) Hedges separating the patio from the neighboring property on the Northeast side will be maintained but allowed to grow to maximum height to provide barriers for noise.
3) Hedges will be added to the current landscaping outside the patio fence on the North side facing the parking lot for neighboring business Taco Adobe to allow for additional noise barriers and privacy.
4) A sail shade will be added above the patio area to provide patrons with a comfortable dining experience as well as maintain an additional noise barrier to any neighboring residents. The shade is not visible to any pedestrians or vehicle operators using the surrounding streets and/or sidewalks. It is only visible via the parking lot directly behind the premises, which currently is enclosed by two auto repair businesses who are

either no longer in operation and/or have disheveled exteriors of peeling paint and tangled barbed wire atop unmaintained barriers.

5) All security and alcohol management policies will be maintained on the patio as they are within the indoor area of the premise.
6) Applicant will provide security outside the premises covering all parking lots, sidewalks, and adjacent areas Thursday through Sunday.
7) Outdoor use of amplified music or televisions will be prohibited, and Security personnel will maintain noise levels in compliance with Exterior Noise Standards per Municipal Code §8.24.040.

There will be 3-6 employees per shift (including management). The amount of security staff shall be maintained per the Security Personnel policy enclosed herein. All alcohol shall be displayed and served from the affixed bar on the premises.

The Applicant has been the business principal for almost twenty years, thus he is dually invested in the success of the bar operation and maintaining the surrounding value of the neighborhood in which the premises is located. Applicant currently provides security outside the premises covering all parking lots, sidewalks, and adjacent areas Thursday through Sunday. As the Applicant has vested interests in providing premier service to his clientele and maintaining the welfare of the property, ensuring compliance with the City standards for selling alcohol will be the Applicant's highest priority.

PERMITTED USE PER MUNICIPAL CODE

Per Orange Municipal Code Section 17.30.030 the Planning Commission has the authority to take action to grant or deny Conditional Use Permits for sale of alcoholic beverages.

The premises is located within the Old Towne Mixed Use 15 zone, which permits Applicant's current operation as a bar. Expansion of current use to allow accessory use of the patio does not violate the City's municipal code or standards of permitted use.

APPLICANT'S MISSION

In keeping with the successful formula established through the many restaurants owned and operated by the Applicant's principal, Applicant seeks to develop The District into an establishment that stays current with the times. In today's pandemic aware climate, that means offering patrons an area to drink and dine that is conducive to various patron's needs that now include social distancing and spaces with open ventilation. Applicant seeks to maintain the historic charm of Old Town Orange, while deftly navigating the dual aesthetics of the Orange Plaza's historic significance and night life destination location.

***

In conclusion, the applicant respectfully requests that the application herein be approved and looks forward to a great working relationship with the City of Orange, the surrounding businesses, and the community at large.

Very truly yours,

F. MICHAEL AYAZ

FMA:kah

Encls.

SECURITY PERSONNEL

All security personnel will be directly employed by The District Lounge and as such will be subject to all of The District Lounges procedures and policies. In addition to all local and state laws and regulations

The District Lounge security personnel responsibilities will include but not limited to:

- Verifying that guests are of appropriate age and posses current up to date California acceptable ID's
- Greeting Customers
- Enforcing dress code:
    - No tank tops
    - No bandanas
    - No club affiliation(gang attire)
    - No sports jerseys
    - No UFC affiliated attire (tapout)
    - California casual attire
- Maintaining a clear and safe environment both inside and outside the business
- Observing for over intoxicated and impaired guests
    - Not allowing any such person entrance to the business
- Being proactive by watching for aggressive or confrontational guests
- Intervening before a verbal altercation before it becomes a physical situation
- Helping to keep order and clear passage for both guests and personnel alike
- Keeping an accurate count of guests and employed personnel in the building
- Helping to ensure that no minors are being served alcohol

Two security members will be inside with pre-designated posts to help prevent congestion. They will also be responsible for helping to maintain a safe environment by observing for over intoxicated guests and potentially violent guests or situations

On nights where it is deemed necessary we will have a security staff member at each door from 9PM till close.

On any given night we will have one security person for every 50 persons in the building. In addition to having security staff on duty we also have a 16 camera video surveillance system that cover most parts of the interior and some of the exterior including queuing and designated smoking areas. In a case where our surveillance can be helpful we will be more than willing to turn over any video footage we may have to Fullerton Police department.

Sunday, Monday, Wednesday

We will have 1 Security Staff members at 9PM, an additional 1 to 2 at 10PM amount may vary depending on the number of guests

Tuesday, Thursday, Friday, and Saturday

2 Security staff members at 9PM, an additional 2 to 3 at 10PM

We will increase security staff to accommodate and account for any national holidays, long weekends, etc. As we understand an increase in business on those particular days.

SECURITY PERSONNEL UNIFORMS

All security personnel will be required to wear a District Lounge Shirt with staff clearly displayed on it and black pants.

The District Lounge will provide the following items to complete the uniforms.

Flashlights, digital counters, black lights for the doors, current ID books, 30x Magnifying loop, Kenwood 2 way radios with Pryme noise reduction acoustic ear pieces

CONTROL AND CLEARANCE OF PARKING LOT/SIDEWARLD/QUEUING AREA

When the first two security personnel have clocked in one will be instructed to do a physical count to establish our current head count. Once the first security member has completed a count they are to set both counters to our current head count. From this point anyone entering or exiting will be accounted for by communicating via radio.

Once we have reached capacity and there is need for a queue, all guests will be asked to enter on the Chapman side of building this will be our only entrance. Our line will form on the Chapman side and run in line with our property as to not encroach on the neighbor's property. Anyone who wishes to smoke will be asked to smoke at the rear of building in our private parking lot at which time the door will be for exit only and smoking. When a guest steps outside to smoke they receive a stamp and will still be included into capacity count. If a person leaves from our rear entrance of the building, the security member stationed at that door will radio is to the person stationed on the Chapman side the amount of people exiting. The security staff member on the Chapman side will do the same and also radio the amount of people entering to help insure an accurate count at both doors. Security personnel will be in constant communication with each other and managers throughout the night.

The District Lounge security personnel will be required to perform periodic patrols of the immediate parking lot to ensure no loitering littering, graffiti or illegal consumption of alcohol or narcotics. If any persons are observed partaking in any illegal activities they will be asked to cease and desist and the manager on duty will be notified and in turn will notify the Orange police department.

Upon closing, 3 of The District Lounges security personnel will patrol the parking lot in our immediate area to ensure safe departure of The District Lounge guests and pedestrians. Once the parking lot is clear a member of The District Lounge security staff will be required to sweep the immediate area of the business to make it is free of trash cigarette butts and debris that any have accumulated due to business operations.

INCIDENTS INVOLVING FORCE

The District Lounge has a strict no hands on policy. We have instructed all personnel to avoid aggressive or forceful confrontation with a potentially aggressive guest. We encourage a verbal and diplomatic resolution to a problem guest. We only condone reasonable force to subdue an aggressive guest if they're a direct threat to themselves, another guest or other member of The District Lounge personnel.

If force is required in any way security personnel are required to follow the strict procedures that have been set forth and signed by each security staff member established by The District Lounge. These procedures include notifying Orange Police Department as soon as it is safe or situation allows

Attached is a copy of our incident report we use if force is necessary or if a guest is injured. Also Attached is our policies and procedures for handling an aggressive guest

INTOXICATED PERSONS

Once an over intoxicated guest has been identified, the security member will notify the manager. At that point all serving staff will be notified that the person in question will no longer be served alcohol. If the person in question is with a group of people the manager and a member of the security staff will approach one of his/her sober friends to possible assist in getting the person in question an alternative form of transportation home. As according to California law it is illegal to serve or has a person who is obviously intoxicated in your establishment.

If the person in question is alone a manager accompanied by a security staff member will approach the guest and inform them that we will no longer by law be allowed to serve them alcohol. At which point the manager will offer an alternative means of transportation i.e. Taxi or a friend to pick them up. If the person refuses and insists on driving the security staff member will then keep the person in a question engaged conversation while The District Lounge manager on duty will call Orange Police Department and notify them of the situation providing them with any pertinent information.

It is The District lounge's policy to assist an intoxicated person in finding an alternate means of transportation home other than driving.

VERIFYING AGE/CHECKING IDENTIFICATION

When greeting customers, Security personnel will be responsible for making sure that the guest entering is of age, has a current California accepted bona-feed ID. The ID should be current and offer a physical description, have a photo and show date of birth to be 21yrs of age or older. If the security member greeting has any questions about the ID they will be instructed to consult our most current California acceptable ID book provided by one of our local distributors. The District Lounge enforces the F.L.A.G. procedure.

Feel – Feel the ID for any inconsistencies. Cracking, Peeling, Texture

Look – Look at the ID to make sure all information is correct and current and make sure the person on the ID is the person presenting it.

Ask – Ask questions. For example. Are you 21 or older? What is your birthday? Where do you live?

Give Back – Once they have determined that the person possessing the ID is 21 years of age or older, they will give the ID back to the person and allow them the enter

If determined that the ID presented is not real or is another person than the one presenting it. The greeting security member will notify the manager on duty, confiscate the ID and provide the person with a receipt and instructions that it will be turned over to the Orange Police Department within 24 hours and can be claimed there.

We also provide our security staff that greets guests with a black light to help identify any black light sensitive printings and a 30x magnifying loop for Micro printing.

CONCLUSION

We at The District Lounge understand the importance of being proactive when it comes to security situations. It is important to be firm and impartial. We also stress to our security staff to stick to the facts when dealing with a situation. Opinions and personal feeling may not and cannot be a part of decision making when it comes to the safety and control of the guests. We also stress the importance of communication between server's security and managers. That is why whenever we have security staffs on duty all security and managers will be wearing a radio to help aid in communication and professionalism. We have a managers involved in any security related issue whenever possible. All security personnel are instructed never to handle a situation by themselves. We take a great pride in having a knowledgeable friendly and professional security staff.

We at the District Lounge also understand the importance of police involvement in altercations or other specific security issues. It is important to be willing to work with Orange Police Department to help us insure the safety of our guest and pedestrian walking by our establishment. We encourage notes comments and support of Orange Police Department.

PLANNING DIVISION
RECEIVED
MAY 04 2022
CITY OF ORANGE

January 27, 2022

Ms. Kirsten Shea, Senior Assistant City Attorney
City of Orange
300 E. Chapman Ave.
Orange, CA 92866

RE: Outdoor Patio at The District Lounge

Dear Ms. Shea:

I am writing to you today because I understand there is a question regarding the history of the outdoor patio at The District Lounge located at 223 W. Chapman Ave. in the City of Orange.

I am the former owner of Los Vacitos, which was a restaurant located at the site that is currently occupied by The District Lounge. I purchased this property with my husband in 1976 and I owned the business up until the time I sold it to its current owner Mario Marovic in 2004. I retained ownership of the land following the sale of the business. The outdoor patio was already on the property at the time I purchased it in 1976, and it was on the property when I sold my business to Mr. Marovic.

The outdoor patio has had a seating area since its inception and has been consistently used for outdoor dining, drinking, and generally as a place that customers could gather. This outdoor patio was an important part of my business and has been there for 50 years or more.

I am available to answer any questions you may have regarding the outdoor patio.

Sincerely,

Sharon Galvan

CONDITIONAL USE PERMIT NO. 2760-09

RESOLUTION NO. PC 30-10

A RESOLUTION OF THE PLANNING COMMISSION APPROVING CONDITIONAL USE PERMIT NO. 2760-09, TO CHANGE ALCOHOLIC BEVERAGE CONTROL LICENSE TYPE 47 (ON-SALE GENERAL – RESTAURANT) TO A TYPE 48 (ON-SALE GENERAL- BAR) FOR AN EXISTING RESTAURANT/BAR LOCATED AT 223 W. CHAPMAN AVENUE

APPLICANT: MARIO MAROVIC (THE DISTRICT LOUNGE)

Moved by Commissioner Merino and seconded by Commissioner Steiner that the following resolution be adopted:

WHEREAS, the Planning Commission has authority per Orange Municipal Code Section 17.30.030 to take action to grant or deny Conditional Use Permit No. 2760-09 for an Alcoholic Beverage Control License Type 48 (On-Sale General - Bar), for an existing restaurant/bar within Plaza Square; and

WHEREAS, the Planning Commission has authority per Orange Municipal Code Section 17.08.020 that provides for the reviewing bodies for various discretionary applications and final project determination rests with the Planning Commission for applications involving a Conditional Use Permit; and

WHEREAS, Conditional Use Permit No. 2760-09 was filed by the District Lounge in accordance with the provisions of the City of Orange Municipal Code; and

WHEREAS, Conditional Use Permit No. 2760-09 was processed in the time and manner prescribed by state and local law; and

WHEREAS, Conditional Use Permit No. 2760-09 is categorically exempt from the provisions of the California Environmental Quality Act per State CEQA Guidelines Section 15301 (Class 1 – Existing Facilities); and

WHEREAS, the Planning Commission conducted one duly advertised public hearing on October 4, 2010, at which time interested persons had an opportunity to testify either in support of or opposition to Conditional Use Permit No. 2760-09 upon property described as follows:

See Attachment "A"

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission approves Conditional Use Permit No. 2760-09 to change Alcoholic Beverage Control License Type 47

(On-Sale General - Restaurant), to a Type 48 (On-Sale General – Bar) for an existing 3,340 square foot restaurant/bar within Plaza Square based on the following findings:

SECTION 1 – FINDINGS

1. *The project must be consistent with the goals and policies stated within the City's General Plan.*

   The Police Department's General Plan Safety Element Goals requires the City to maintain an adequately manned and equipped police force, maintain crime prevention programs designed to protect residents and property from crime, and be directly involved in the review process for Alcoholic Beverage Control (ABC) applications. One of the Police Department's pillars of successes is to reduce crime, while two of its Strategic Plan goals are to provide for a safe community and enhance/promote quality of life in our community.

   With the applicant's new security plan, Alcohol Management Program and additional monitoring of patrons would improve crime prevention and reduce calls for Police Services at the establishment.

2. A *Conditional Use Permit shall be granted upon sound principles of land use and in response to services required by the community.*

   Granting of the Conditional Use Permit would allow conditions to be placed on the operation of the establishment to ensure that it is managed so that there is not an increase in calls for service, in the operation of a bar that serves the local community.

3. *A Conditional Use Permit shall not be granted if it will cause deterioration of bordering land uses or create special problems for the area in which it is located.*

   The proposal to offer alcoholic beverages is not anticipated to have any adverse impacts on surrounding land uses or create special problems due in part to the new conditions proposed along with the operations of new security measures of the operator. In addition, the operation of the restaurant is subject to the regulations contained in the applicant's Alcohol Management Plan, which establishes procedures for monitoring the sale of alcoholic beverages.

4. *A Conditional Use Permit must be considered in relationship to its effect on the community or neighborhood plan for the area in which it is located.*

   The proposal is not anticipated to have adverse impacts on neighboring land uses within the area of mixed commercial uses in the Limited Business area. There is, however, one "sensitive" land use, a Community Church within 100 feet. With the new security measures and Conditions of Approval in place, no adverse impact is anticipated.

5. *A Conditional Use Permit, if granted, shall be made subject to those conditions necessary to preserve the general welfare, not the individual welfare, of any particular applicant.*

With the new conditions in place providing a regulated operation to serve and protect the general welfare of the community, rather than the individual welfare of the business.

SECTION 2 – ENVIRONMENTAL REVIEW

The proposed project is categorically exempt from the provisions of the California Environmental Quality Act per State CEQA Guidelines

SECTION 3– CONDITIONS OF APPROVAL

BE IT FURTHER RESOLVED that the following conditions are imposed with approval:

1. The applicant agrees to indemnify, hold harmless, and defend the City, its officers, agents and employees from any and all liability or claims that may be brought against the City arising out of its approval of this permit, save and except that caused by the City's active negligence.
2. The applicant shall comply with all federal, state, and local laws, including all City regulations. Violation of any of those laws in connection with the use will be cause for revocation of this permit.
3. Any future expansion in area or in the nature and operation of the use approved by Conditional Use Permit No. 2760-09 shall require an application for a new or amended Conditional Use Permit.
4. All construction shall conform, in substance, and be maintained, in general conformance, with plans labeled Exhibit "A", dated September 30, 2008 and as revised and recommended for approval by the City's Planning Commission.
5. Compliance with all Alcoholic Beverage Control requirements.
6. This conditional use permit shall be reviewed one year from the date of approval and each year thereafter as necessary. The review shall be conducted jointly by the Community Development Director and Police Chief or designee. The purpose of this review shall be to identify uniquely adverse issues such as loitering, vandalism, criminal activity, noise, or nuisance resulting from approval of the CUP. If such issues are identified, the CUP shall be presented to the Planning Commission for their consideration of conditions, modifications or revocation.
7. The activity level of the business shall be monitored by the Crime Prevention Bureau to establish the level of police services used for the business. Should the level of police services demonstrate that the applicant has not controlled excessive or unnecessary activity resulting in high use of police services, or that the applicant has failed to comply with enforcement or application of measures related to curfew and truancy which are listed below, then this conditional use permit shall be reviewed for consideration of further conditions, modifications or revocation.

8. The hours of operation shall be 06:00 am until 02:00 am daily. These hours do not restrict employees from being on the premises before opening for preparations and deliveries or after close for clean-up. Clean-up may not be conducted by patrons.

9. No alcoholic beverages shall be consumed on any property adjacent to the licensed premises under the control of the licensee.

10. Signs shall be posted at all exits of the premises, which prohibit open containers of alcoholic beverages from leaving the confines of the premises.

11. There shall be no exterior advertising of any kind or type, including advertising directed to the exterior from within, promoting, or indicating the availability of alcoholic beverages. Interior displays of alcoholic beverages, which are clearly visible to the exterior, shall constitute a violation of this condition.

12. The petitioner shall not employ or permit any persons to solicit or encourage others, directly or indirectly, to buy them drinks in the licensed premises under any commission percentage salary or other profit.

13. The District Lounge may charge a door fee during the annual Street Fair and in coordination with a charitable, civic or political fundraiser. The number of charitable, civic, or political fundraising events shall be limited to no more than ten (10) events per calendar year.

14. No alcoholic beverages shall be sold from any temporary locations on the premises such as ice tubs, barrels, or any other containers.

15. Alcoholic beverages shall be sold and served in containers, which are distinguishable from other non-alcoholic beverages sold at the premises.

16. Graffiti shall be removed from the exterior walls and windows of the premises within 72 hours of discovery.

17. The petitioner(s) shall be responsible for maintaining, free of litter, the area adjacent to the premises over which he has control.

18. The doors and windows of the business shall be closed when there is live entertainment and/or music to prevent noise from being heard by nearby residents or neighbors.

19. There shall be no more than 5 pool / billiard tables maintained upon the premises at any time.

20. There shall be no special promotional events held on the property, unless a written request is received and approved by Community Development and the Police Department at least two weeks in advance.

21. There shall be no "Happy Hours" allowed on the premises. There shall be no advertising of alcoholic beverages or drink specials on the exterior of the business at any time. There

shall be no generic drink specials, such as: "half off drinks, two for one drinks, buy one get one free, etc." No alcoholic beverage will be discounted more than 30% off it's regular price. The District Lounge will be allowed to advertise on the interior of the business "Featured Drink" specials. This would include wine specials on certain nights, featured cocktails, and featured beers.

22. The use of a promoter (such as a night-club operator) or sub-leasing the premises to be used in conjunction with dancing and/or live entertainment is prohibited.

23. All employees of petitioner who sell or serve alcoholic beverage products shall be required to complete a training program in alcoholic beverage compliance, crime prevention techniques, and the handling of violence. For new employees of petitioner, such training program must be completed within 30 days of the date of hire. The employees must provide the City of Orange Police Department, Vice Unit a copy of completed Alcohol Management Program (AMP) certificate.

24. "The petitioner shall provide the police department / Vice Unit with a detailed security plan for the business. This detailed security plan will include the number of uniformed / non-uniformed employees assigned to provide security for the business including, but not limited to, when there is live entertainment, a DJ and / or dancing."

25. The applicant shall comply with all federal, state, and municipal laws and/or ordinances. Any violations of these laws and/or ordinances in connection with this use may be cause for revocation of this permit.

Code Provisions

The following Code provisions are applicable to this project and are included for information only. This is not a complete list and other Code provisions may apply to the project:

- Prior to the issuance of building permits, the applicant shall pay all applicable development fees, including but not limited to: City Sewer connection, Orange County Sanitation District Connection Fee, Transportation System Improvement Program, Fire Facility, Police Facility, Park Acquisition, Sanitation District, and School District, as required.
- Building permits shall be obtained for all construction work, as required by the City of Orange, Community Development Department's Building Division. Failure to obtain the required building permits may be cause for revocation of this design review permit.
- All structures shall comply with the requirements of Municipal Code – Chapter 15.52 (Building Security Standards), which relates to hardware, doors, windows, lighting, etc. (Ord. 7-79). Approved structural drawings shall include sections of the security code that apply. Specifications, details, or security notes may be used to convey the compliance.
- Conditional Use Permit No. 2783-10 shall become void if not used within two years of the date of Planning Commission approval (O.M.C. Section 17.10.030). Time extensions may be granted by the City Council for up to one year, pursuant to O.M.C. Section 17.08.060.

- Violations of conditions of approval constitute a violation of the Orange Municipal Code, per Section 17.10.030.G.

- These conditions shall be reprinted on the first page of the construction documents when submitting to the Building Department for the plan check process.

The proposed project is categorically exempt from the provisions of the California Environmental Quality Act per State CEQA Guidelines Section 15270 (Projects Which Are Disapproved) - CEQA does not apply to projects which a public agency rejects or disapproves.

I hereby certify that the foregoing resolution was adopted on October 4, 2010, by the Planning Commission of the City of Orange by the following vote:

AYES: Commissioners Cunningham, Imboden, Merino, Steiner and Whitaker
NOES: None

Fred M. Whitaker, Planning Commission Chair

11/00/10
Date

Attachment "A"

Legal Description

Parcel 1:

THE EAST 40 FEET OF LOT 19, BLOCK D OF TOWN OF ORANGE, AS PER MAP RECORDED IN BOOK 2, PAGE 630 OF MISCELLEANOUS RECORDS OF LOS ANGELES COUNTY, CALIFORNIA

Parcel 2:

LOT 18, BLOCK D OF TOWN OF ORANGE, AS PER MAP RECORDED IN BOOK 2, PAGE 630 OF MISCELLEANOUS RECORDS OF LOS ANGELES COUNTY, CALIFORNIA

APA No. 039-173-11

BUSINESS ESTABLISHMENT ALCOHOL MANAGEMENT AND EDUCATION PROGRAM AGREEMENT

This Business Establishment Alcohol Management and Education Program Agreement (the "Agreement") is made and entered into as of July 16th, 2009, by and between the CITY OF ORANGE, a municipal corporation (the "City"), and Orange Circle Lounge, Inc., a California corporation (herein referred to as "Owner"), with reference to the following:

A. Owner is the owner and operator of, or intends to own and operate, that certain alcohol retail establishment (as those terms are defined in Chapter 5.49 of the Orange municipal Code) commonly known as The District Lounge, and located, or to be located, at 223 W. Chapman Ave. (the "Premises") in the City of Orange, County of Orange, State of California.

B. Owner has applied, or intends to apply, to the Department of Alcoholic Beverage Control of the State of California ("ABC") for a "Retailer's on-sale license" (as that term is defined under Chapter 1 of Division 9 of the Business and Professions Code of the State of California) to operate an alcohol retail establishment at the Premises; and

C. The Owner has applied. or intends to apply, to the City for a conditional use permit under and pursuant to Section 17.30.030 of the Orange Municipal Code to authorize the sale of alcoholic beverage at the Premises; and

D. No conditional use permit may be issued under and pursuant to Section 17.30.030 of the Orange Municipal Code to a person who applies to ABC for a Retailer's on-sale for an alcohol retail establishment without each such person having first sought and obtained from the City and approved Business Establishment Alcohol Management and Education Program pursuant to the provisions of Chapter 5.49 of the Orange Municipal Code; and

E. Owner desires to ensure that the Premises are used or maintained in such a way as to encourage safe and responsible alcohol practice by consumers and to reduce alcohol related problems and, accordingly, to enter into this Agreement in fulfillment of the requirement of Section 17.30.030 and Chapter 5.49 of the Orange Municipal Code; NOW, THEREFORE, the parties herby agree as follows:

1. Covenants, Conditions, and Restrictions. For favorable action on, and approval of, the Owner's application for a conditional use permit for the Premises, Owner hereby covenants the Premises shall be used, occupied, and maintained subject to the following covenants, conditions, and restrictions, all of which are for the purpose of enhancing the attractiveness, usefulness, value, and desirability of the Premises, the surrounding property, and the public at large, and to minimize possible adverse effects on the public health, safety, peace, and general welfare.

a. Controls shall be established to maintain occupancy levels allowed by the City's Fire Department, and these Fire Department approved levels will not be exceeded.
b. Except in case of an emergency, the Owner shall not permit its patrons to enter of exit the Premises through any entrance/exit other than the primary entrance/exit, excluding entrances/exits from patio areas. Steps shall be taken by the Owner to discourage unauthorized exiting.
c. Aisles and hallways shall be kept clear in order to allow patrons to move freely about the Premises.
d. All patrons who appear under the age of thirty (30) shall be required to show some form of identification or they will not be served an alcoholic beverage. A sign indication this policy shall be prominently posted in a place that is clearly visible to patrons. The size, format, form, placement, and language of the sign shall be determined by the Chief of Police (of designee). Only the following forms of identification will be acceptable:
    - Valid Driver's License
    - Valid State Identification Card
    - Valid Passport
    - Current Military Identification
    - US Government Immigrant Identification Card

All forms of out-of-state identification shall be checked by the authorized representative of the Owner of the Premises in the Driver's License Guide. Upon presentment to the authorized representative of the Owner of the Premises, the patron's form of identification shall be removed from the patron's wallet or any plastic holder and inspected for any alterations through a closed visual inspection and/or use of a flashlight or "Retro-reflective viewer"

e. Persons who appear obviously intoxicated shall not be admitted into the Premises.
f. Patrons who appear obviously intoxicated shall not be served.
g. There shall be no requirement to purchase a minimum number of alcoholic beverages to participate in any promotional activity or gain admittance to the Premises
h. There shall be no "Stacking" of drinks by or for a single patron.
i. When serving pitchers exceeding twenty-four (24) ounces of an alcoholic beverage, all patrons receiving such pitcher, as well as all patrons who will be consuming all or any portion of such pitcher, shall present an ID to the server if appearing to be under the age of thirty (30), if not previously checked at the entrance to the Premises.

j. Oversized containers or pitchers containing in excess of twenty-four (24) ounces of an alcoholic drink will not be sold to a single patron for their sole consumption.

k. Any patron who (1) fights or challenges another person to a fight, (2) maliciously and willfully disturbs another person by loud or unreasoned noise, or (3) uses offensive words, which are inherently likely to provoke an immediate violent reaction, shall not be tolerated.

l. An incident log shall be maintained at the Premises on a continual basis with at least one year of entries and be readily available for inspection by a police officer. The log is for recording any physical altercations, injuries, and objectionable conditions that constitute a nuisance occurring in, on, or at the Premises, including the immediately adjacent area that is owned, leased, or rented by the Owner. The log will indicate date, time, description of incident, and action taken. "Objectionable conditions that constitute a nuisance" manes disturbance of the peace, public drunkenness, drinking in public, harassment of passersby, gambling, prostitution, loitering, public urination, lewd conduct, drug trafficking, or excessive loud noise.

m. If contract security personnel are utilized in, on, or at the Premises they shall be properly licensed by the State of California, Bureau of Security and Investigative Services.

n. Security personnel required by the conditional use permit issued for the Premises shall be in a uniform or clothing, which is readily identifiable as a security person. They shall maintain order and enforce the establishment's no loitering policy, and shall take "reasonable steps" (as that term is defined in subparagraph (3) of Section 24200 of the California Business and Professions Code) to correct objectionable conditions that constitute a nuisance.

o. Employees and contract security personnel shall not consume any alcoholic beverages during their work shift.

p. Contract security services, proprietary security personnel, or personnel assuming the functions typically associated with security shall be familiar with establishment's written policy and procedures on ejecting patrons for cause.

q. The Owner or manager of the Premises shall notify the Chief or Police (or designee) at least three (3) days in advance of a special promotion or special event scheduled at the Premises.

r. The Owner or Manager of the Premises shall not employ or use any person in the sale or service of alcoholic beverages in or upon the Premises while such person is unclothed pursuant to Section 143.2 and 143.3 of Title 4 of the California Code of Regulations.

s. The Owner or manager of an alcohol retail establishment shall maintain at the premises a file containing the names and dates of employment of every person who serves alcoholic beverages for consumption by patrons on the Premises and every manager, which file shall also include a copy of each such person's certificate of completion of a Responsible Beverage Service Training course. Upon request, said file shall be made available for review to a representative of the Police Department of the City of Orange

t. All management, supervisors, and lead personnel shall be familiar with the Business Establishment Alcohol Management and Education Program, as set forth in the Agreement, dating and signing the acknowledgement page in the program indication they have read and understand the program.

u. Handling obviously intoxicated patrons.

1. Once an over intoxicated guest has been identified, the security member will notify the manager. At that point all serving staff will be notified that the person in question will no longer be served alcohol. If the person in question is with a group of people the manager and a member of the security staff will approach one of his/her sober friends to possible assist in getting the person in question an alternative form of transportation home. As according to California law it is illegal to serve or has a person who is obviously intoxicated in your establishment.
2. If the person in question is alone a manager accompanied by a security staff member will approach the guest and inform them that we will no longer by law be allowed to serve them alcohol. At which point the manager will offer an alternative means of transportation i.e. Taxi or a friend to pick them up. If the person refuses and insists on driving the security staff member will then keep the person in a question engaged conversation while The District Lounge manager on duty will call Orange Police Department and notify them of the situation providing them with any pertinent information.

v. Establishing a reasonable ratio of employees to patrons, based on activity level in order to monitor beverage sales and patrons behavior.
The District lounge will keep a ratio of one security member for every fifty patrons. The District lounge also provides a cocktail server s and two bartenders on any night where the estimated number of patrons is to exceed seventy five. On a night where we are expected to reach capacity The District Lounge will have a minimum of two cocktail servers, four bartenders, four security personnel and one manager on duty. All District Lounge employees are trained on how to identify signs of over intoxication, binge drinking and are instructed not to stack drinks. All security personnel and managers are equipped with Kenwood two way radios and Pryme acoustic noise reduction ear pieces for easy and timely communication of any situation that may arise.

w. Establishing what types of containers, glassware, or similar method will be used to distinguish alcoholic beverages from non-alcoholic drinks

1. All non alcoholic drinks will be served in a 14oz cooler glass. All alcoholic will be served in an appropriate glass, 10 oz buckets, 4 oz rocks, 6 oz martini, and 12 oz Collins glasses.

x. Handling patrons involved in fighting or arguing
   1. The District Lounge has a strict no hands on policy. We have instructed all personnel to avoid aggressive or forceful confrontation with a potentially aggressive guest. We encourage a verbal and diplomatic resolution to a problem guest. We only condone reasonable force to subdue an aggressive guest if they're a direct threat to themselves, another guest or other member of The District Lounge personnel. If the manager on Duty feels as though a verbal altercation cannot be resolved both parties will be asked to conclude their night and will be escorted off premises separately and to not incite any further verbal or possible physical altercation.
   2. If force is required in any way security personnel are required to follow the strict procedures that have been set forth and signed by each security staff member established by The District Lounge. These procedures include notifying Orange Police Department as soon as it is safe or situation allows
   3. Attached is a copy of our incident report we use if force is necessary or if a guest is injured. Also Attached is our policies and procedures for handling an aggressive guest.

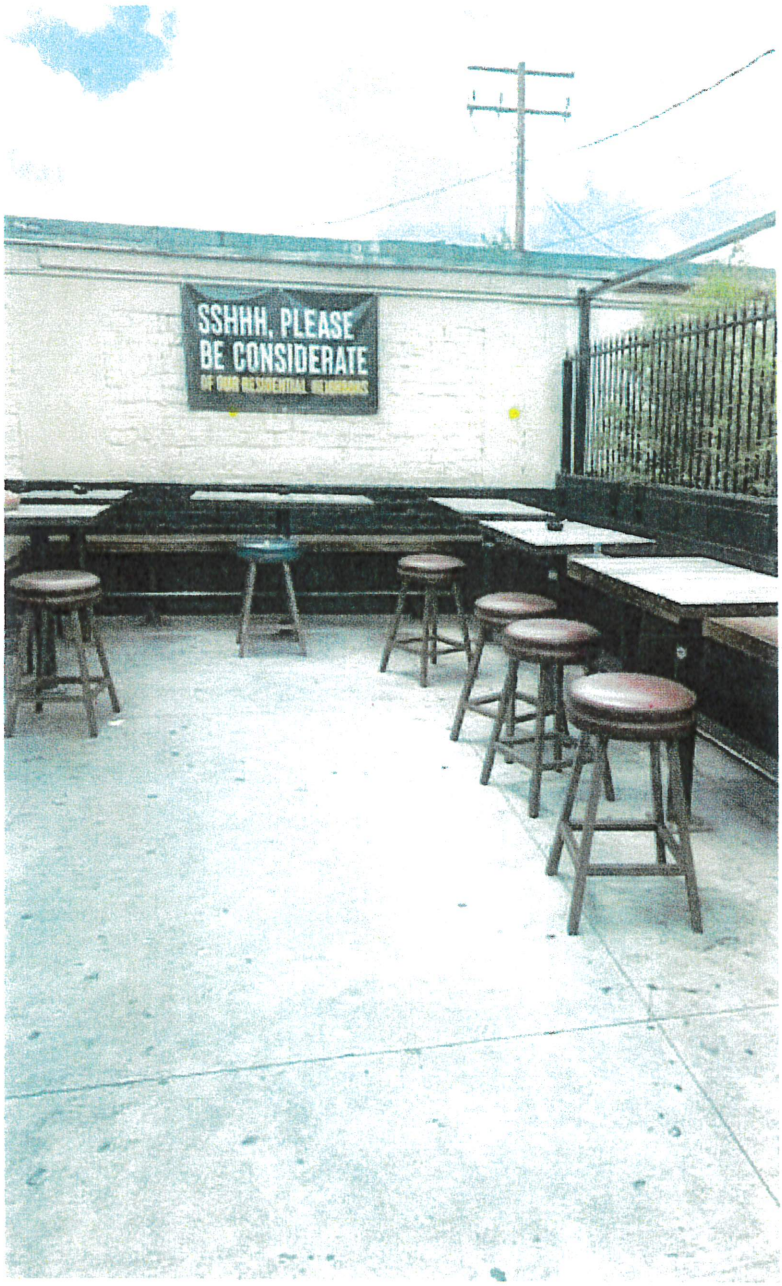
y. Establishing procedures to handle loitering about the building and in the immediately adjacent area that is owned, leased, rented, or used under agreement by the Owner.
   1. The District Lounge security personnel will be required to perform periodic patrols of the immediate parking lot to ensure no loitering littering, graffiti or illegal consumption of alcohol or narcotics. If any persons are observed partaking in any illegal activities they will be asked to cease and desist and the manager on duty will be notified and in turn will notify the Orange police department.
   2. Upon closing, 3 of The District Lounges security personnel will patrol the parking lot in our immediate area to ensure safe departure of The District Lounge guests and pedestrians. Once the parking lot is clear a member of The District Lounge security staff will be required to sweep the immediate area of the business to make it is free of trash cigarette butts and debris that any have accumulated due to business operations.

z. Establishing hours of operation and hours in which alcoholic beverages may be served.
   Monday-Sunday 8am to 2am


DISTRICT

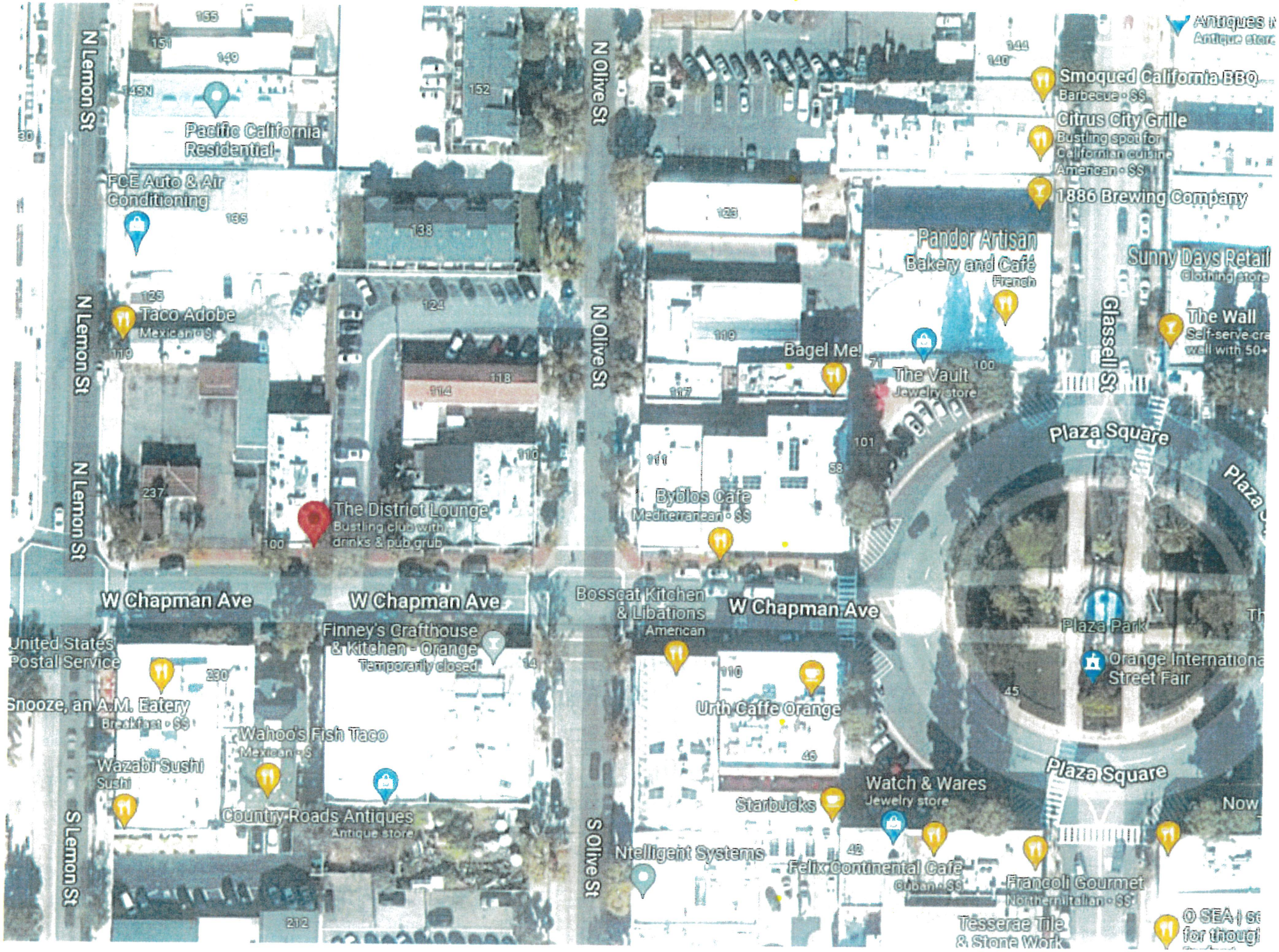




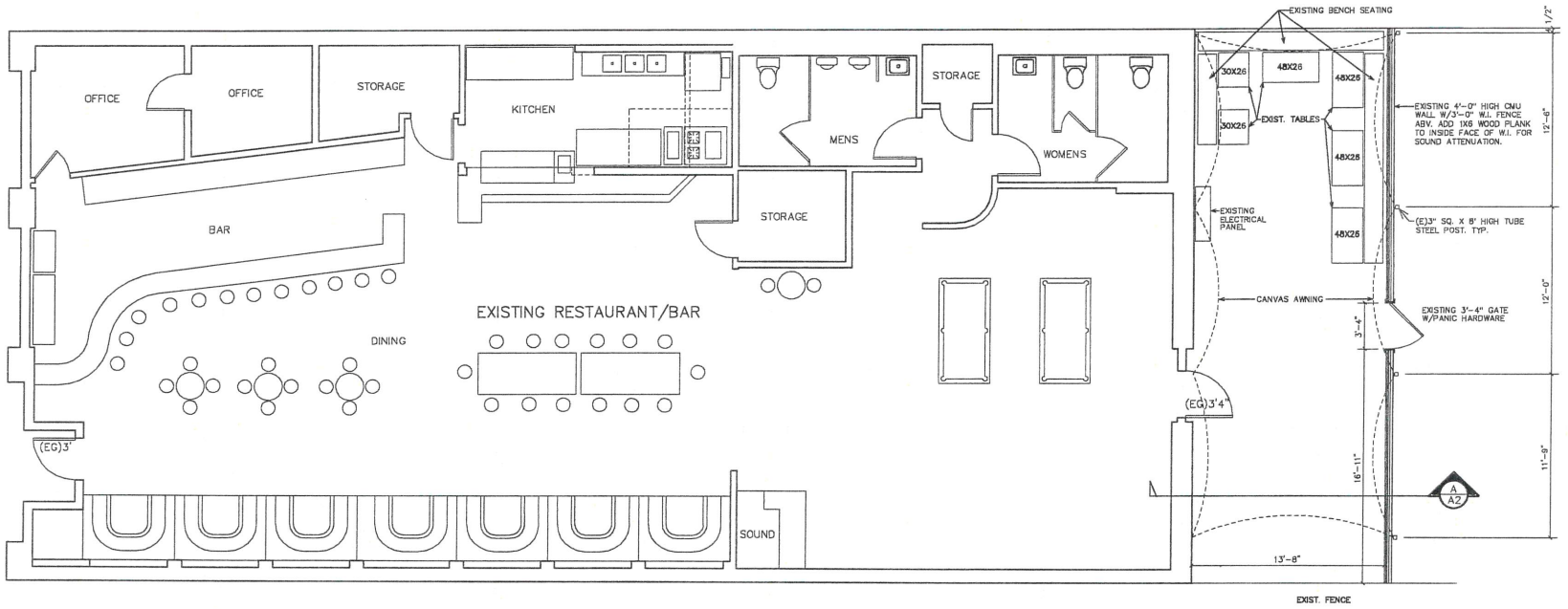

SSHHH, PLEASE
BE CONSIDERATE




Modelo
VES HERE


N Lemon St
N Olive St
Glassell St
S Lemon St
S Olive St
W Chapman Ave
W Chapman Ave
W Chapman Ave
Plaza Square
Plaza Square
Plaza Park
Pacific California Residential
FCE Auto & Air Conditioning
Taco Adobe
Mexican · $
The District Lounge
Bustling club with drinks & pub grub
Finney's Crafthouse & Kitchen - Orange
Temporarily closed
United States Postal Service
Snooze, an A.M. Eatery
Breakfast · $$
Wahoo's Fish Taco
Mexican · $
Wazabi Sushi
Sushi
Country Roads Antiques
Antique store
Ntelligent Systems
Bagel Me!
Byblos Cafe
Mediterranean · $$
Bosscat Kitchen & Libations
American
Urth Caffe Orange
Starbucks
Pandor Artisan Bakery and Café
French
The Vault
Jewelry store
Watch & Wares
Jewelry store
Felix Continental Cafe
Cuban · $$
Smoqued California BBQ
Barbecue · $$
Citrus City Grille
Bustling spot for Californian cuisine
American · $$
1886 Brewing Company
Sunny Days Retail
Clothing store
The Wall
Francoli Gourmet
Northern Italian · $$
Tesserae Tile & Stone Work
Orange International Street Fair


RADIATOR
BRUNCH
The DISTRICT
Lounge
OPEN TIL
PARKING OF



FLOOR PLAN

SCALE: 1/4"=1'-0"

SUBMITTAL

REVISIONS

Valenti Design
330 E HULLETT ST.
LONG BEACH, CA 90805
TELEPHONE 949.922.4951

THE DISTRICT LOUNGE

223 CHAPMAN AVENUE

JOB NO. 228112

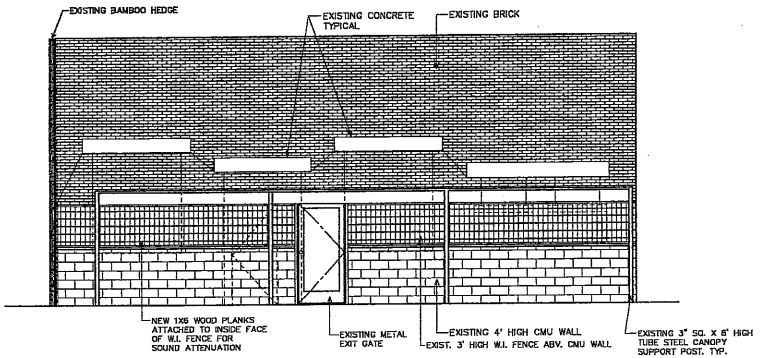
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DRAWN: A.J.V.

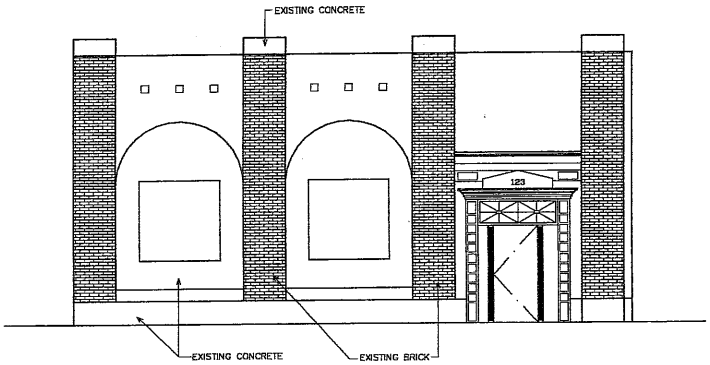
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DWG: FLOOR PL

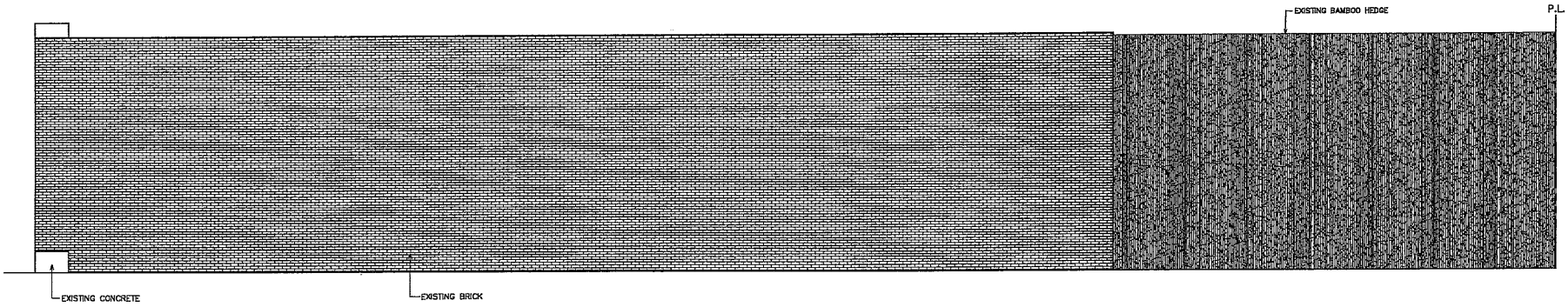
SHEET NO. A1



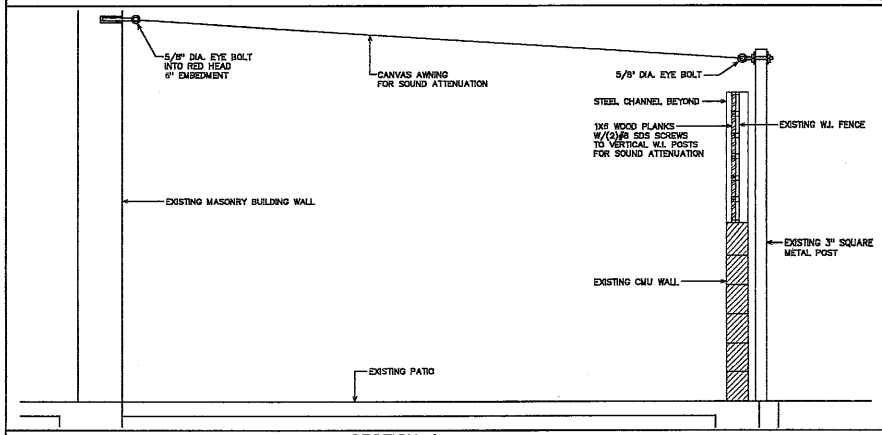
REAR ELEVATION



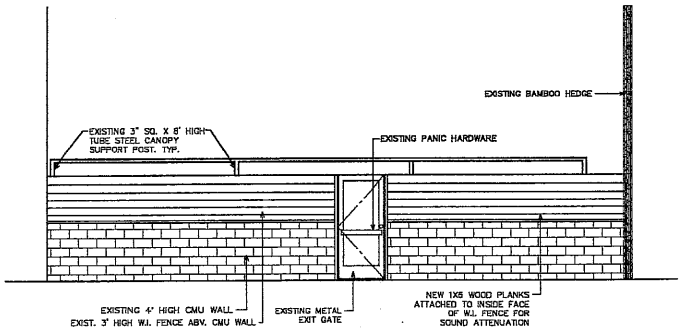
FRONT ELEVATION



SIDE ELEVATION



SECTION A



INTERIOR PATIO ELEVATION LOOKING NORTH

SUBMITTAL

REVISIONS

Valenti Design
330 E. HILLCREST ST.
LONG BEACH, CA 90805
TELEPHONE: 949.922.1931

THE DISTRICT LOUNGE

223 CHAPMAN AVENUE

JOB NO. 22811.2

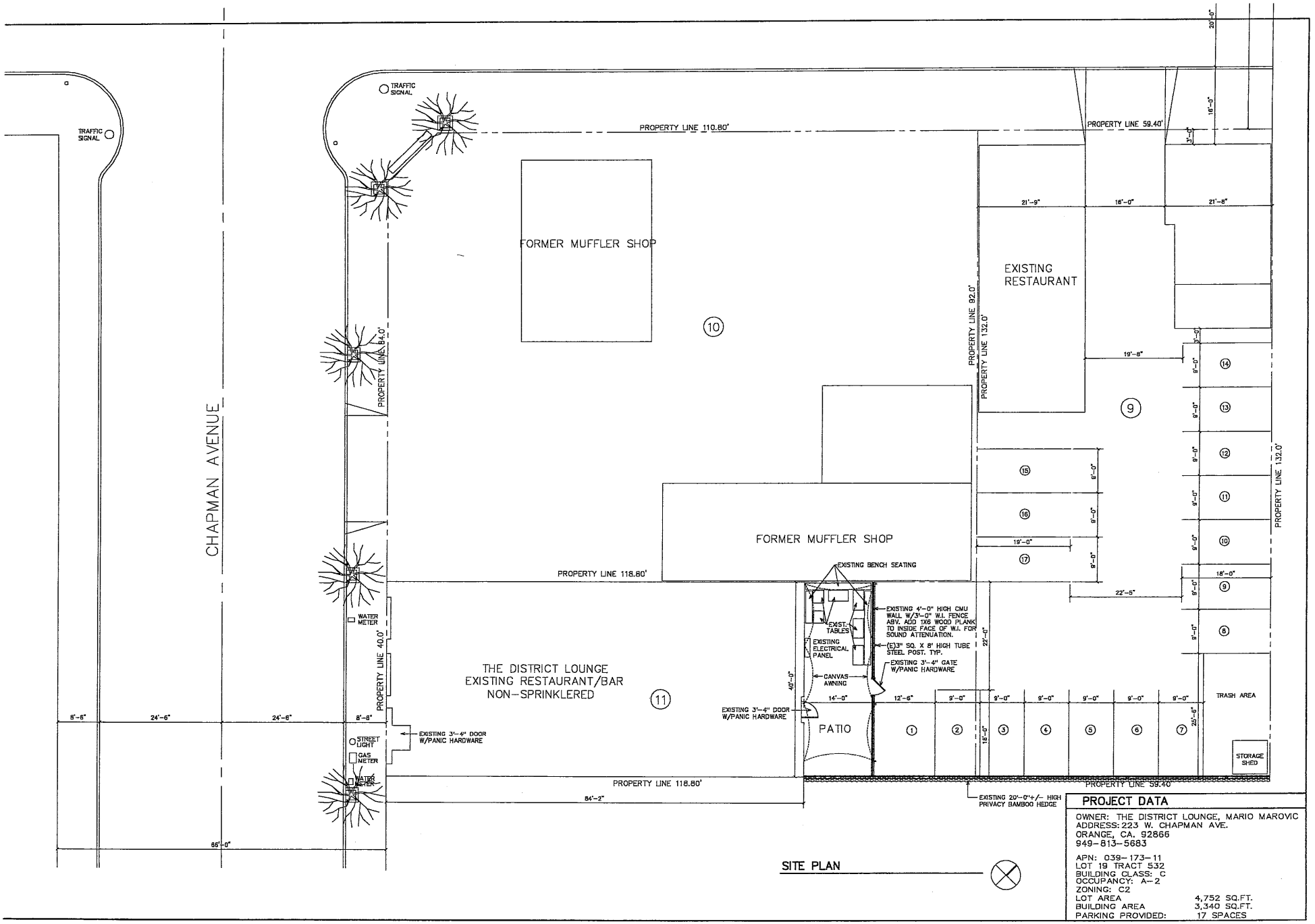
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DRAWN: A.J.V.

DATE: 04/12/22

DWG: ELEVATIC

SHEET NO. A2



SITE PLAN

PROJECT DATA

OWNER: THE DISTRICT LOUNGE, MARIO MAROVIC
ADDRESS: 223 W. CHAPMAN AVE.
ORANGE, CA. 92866
949-813-5683

APN: 039-173-11
LOT 19 TRACT 532
BUILDING CLASS: C
OCCUPANCY: A-2
ZONING: C2

LOT AREA	4,752 SQ.FT.
BUILDING AREA	3,340 SQ.FT.
PARKING PROVIDED:	17 SPACES

SUBMITTAL

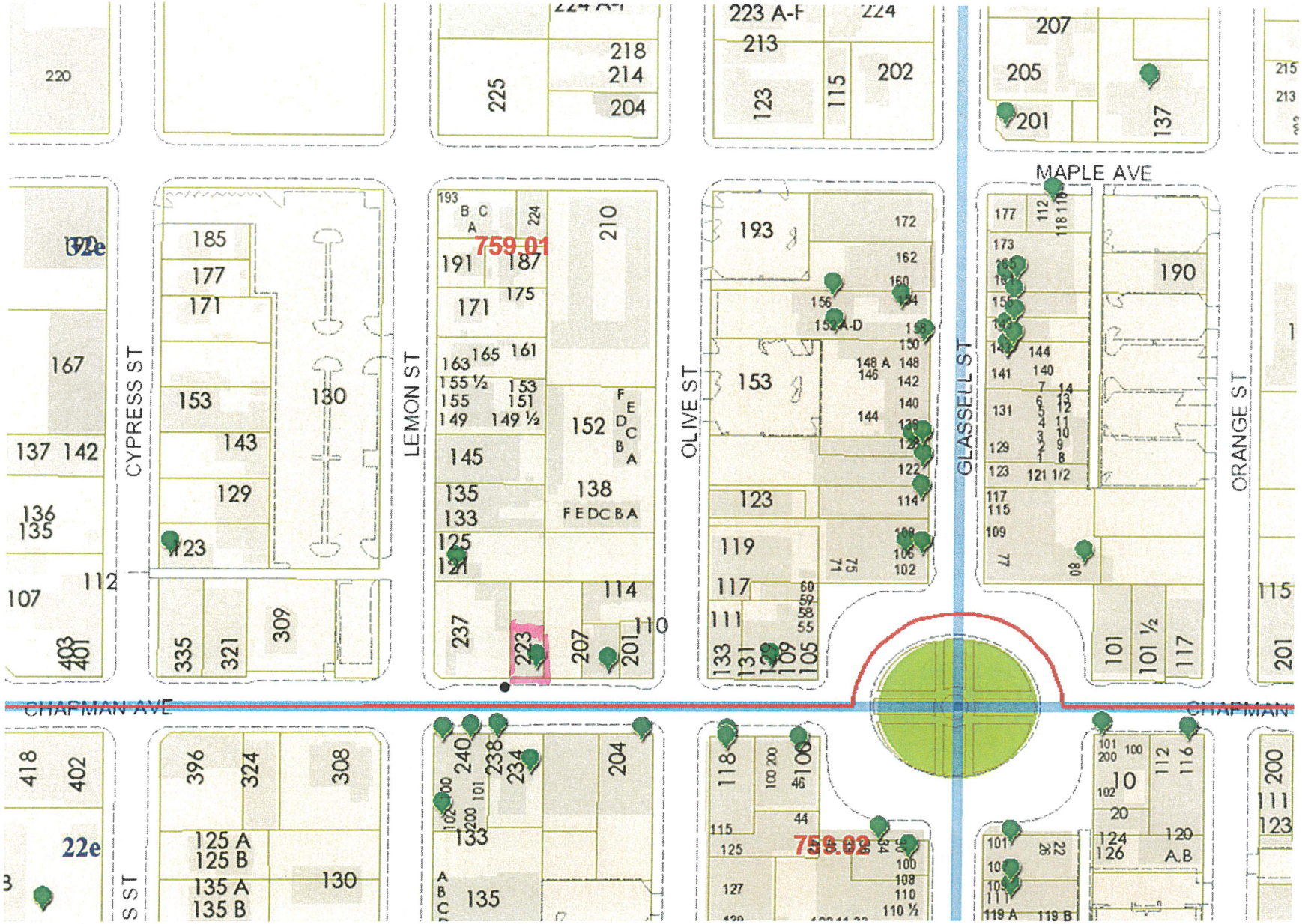
REVISIONS

Valenti Design
330 E. HALLETT ST.
CORONA DEL MAR, CA 92625
TELEPHONE (949) 922-4931

THE DISTRICT LOUNGE

223 W. CHAPMAN AVENUE

JOB NO. 20812
SCALE: 1/8"=1'-0"
DRAWN: A.J.V.
DATE: 09/30/20
DWG: SITE PLA
SHEET NO. C


MAPLE AVE
CHAPMAN AVE
CHAPMAN
CYPRESS ST
LEMON ST
OLIVE ST
GLASSELL ST
ORANGE ST
759.01
759.02
22e
220
225
218
214
204
223 A-F
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152 A-D
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125 A
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119 A
119 B
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123

City of Orange
2021 Part I Crime & Part II Arrest
Average # for all RD's -71

RD	PART 1 Crime	PART 2 Arrests	TOTAL	% of Avg
51	78	389	467	558%
61	167	217	384	441%
035E	60	216	276	289%
12	151	120	271	282%
032E	65	187	252	255%
31	74	88	162	128%
077S	88	65	153	115%
43	62	77	139	96%
71	113	17	130	83%
022E	70	58	128	80%
041E	66	56	122	72%
044N	22	100	122	72%
045E	72	49	121	70%
065E	25	96	121	70%
021W	67	47	114	61%
013S	23	85	108	52%
017E	52	56	108	52%
24	41	65	106	49%
87	58	48	106	49%
15	37	68	105	48%
022W	35	69	104	46%
035W	34	69	103	45%
032W	38	63	101	42%
036S	49	51	100	41%
99	6	91	97	37%
016E	28	68	96	35%
025E	55	37	92	30%
33	48	43	91	28%
023W	43	46	89	25%
027E	56	31	87	23%
041W	56	28	84	18%
057S	27	57	84	18%
065W	26	56	82	15%
026S	40	40	80	13%
11	51	27	78	10%
76	34	41	75	6%
077N	33	42	75	6%
055W	46	28	74	4%

013N	39	34	73	3%
055E	30	42	72	1%
054W	38	32	70	-1%
045W	32	35	67	-6%
023E	28	32	60	-15%
46	31	27	58	-18%
56	29	27	56	-21%
016W	34	22	56	-21%
047E	40	16	56	-21%
047W	37	14	51	-28%
026N	27	22	49	-31%
034N	21	28	49	-31%
037E	27	17	44	-38%
017W	22	21	43	-39%
067N	9	29	38	-46%
164	17	20	37	-48%
025W	19	14	33	-54%
054E	12	17	29	-59%
117W	11	18	29	-59%
66	4	24	28	-61%
057N	11	17	28	-61%
027W	17	10	27	-62%
036N	15	10	25	-65%
064S	17	6	23	-68%
117N	17	6	23	-68%
127S	16	7	23	-68%
134	17	4	21	-70%
084S	12	8	20	-72%
021E	2	16	18	-75%
067S	10	7	17	-76%
14	10	5	15	-79%
97	7	8	15	-79%
137	7	6	13	-82%
147	8	5	13	-82%
074S	10	3	13	-82%
034S	5	7	12	-83%
044S	8	4	12	-83%
94	5	6	11	-85%
064N	5	3	8	-89%
44	0	7	7	-90%
074N	4	3	7	-90%
124	4	2	6	-92%
174	6	0	6	-92%
127N	4	2	6	-92%

114	3	2	5	-93%
084N	2	3	5	-93%
117E	4	1	5	-93%
144	3	1	4	-94%
037W	3	1	4	-94%
48	0	3	3	-96%
18	1	1	2	-97%
154	1	1	2	-97%
184	1	0	1	-99%

CRIME REPORTS 32E - 2021

Case	DATE	Address	RD	Description
21-08-0083	8/2/2021	106 N GLASSELL ST	032E	PC 487 - GRAND THEFT
21-01-0360	1/11/2021	121 N Lemon St	032E	PC 211 - Robbery // PC 3454 - Probation Hold
21-03-0396	3/12/2021	130 N Lemon St	032E	PC 243(E)(1) - BATTERY ON COHABITANT / VC 23152(A)- DUI
21-12-0508	12/15/2021	130 N Lemon St	032E	PC 459 - AUTO BURGLARY
21-03-9041	3/4/2021	130 N LEMON ST	032E	PC 459 - AUTO BURGLARY
21-12-0474	12/11/2021	130 N Lemon St	032E	PC 459 Storage Closet Burglary
21-07-1089	7/31/2021	130 N Lemon St	032E	VEHICLE STOLEN LOCAL / RECOVERED OTHER JURISDICTION
21-07-1107	7/31/2021	130 N Lemon St	032E	PC 487 - GRAND THEFT
21-10-0941	10/28/2021	145 N Batavia St	032E	PC 273(B) - WILLFULL CRUELTY TO CHILD
21-03-9024	3/3/2021	145 N BATAVIA ST	032E	PC 459 - AUTO BURGLARY
21-03-9058	2/27/2021	145 N BATAVIA ST	032E	PC 459 - GARAGE BURGLARY
21-08-0530	8/9/2021	170 N PIXLEY ST	032E	PC 488 - PETTY THEFT
21-08-0529	8/1/2021	170 N PIXLEY ST	032E	PC 488 - RESIDENTIAL PETTY THEFT
21-07-0992	7/28/2021	186 N Atchison St	032E	PC 240/242 - ASSAULT & BATTERY / PC 488 - PETTY THEFT
21-04-0812	4/17/2021	190 N Cypress St	032E	PC 488 - PETTY THEFT
21-10-0590	10/11/2021	190 N Cypress St	032E	PC 488 - PETTY THEFT
21-05-0175	5/5/2021	194 N Atchison St	032E	PC 245(a)(1)- Assault with a deadly weapon, PC 417(a)(1)- Brandishing a weapon, and PC 240/242- Assault & Battery.
21-04-0329	4/12/2021	194 N Atchison St	032E	PC 148(A)(1)- RESIST OFFICER / PC 69 - OBSTRUCT/RESIST EXECUTIVE OFFICER / O\W-MIS / OMC 12.48.100- PERSON OVER 6YRS OF AGE SHALL NOT ENTER RESTROOM DESIGNATED FOR OPPOSITE SEX
21-04-0243	4/9/2021	207 W CHAPMAN AVE	032E	PC 240/242- ASSAULT AND BATTERY
21-01-0268	1/9/2021	207 W Chapman Ave	032E	PC 240/242 - ASSAULT & BATTERY / PC 647(F) - PUBLIC INTOXICATION / PC 594(a)(2) - VANDALISM
21-08-0480	8/14/2021	207 W Chapman Ave	032E	PC 488 - PETTY THEFT OF PLATES
21-07-0382	7/11/2021	207 W Chapman Ave	032E	PC 273.5(A) - INFLICT CORPORAL INJURY ON COHABITANT
21-11-0173	11/6/2021	207 W. Chapman Ave.	032E	PC 69 - OBSTRUCT/RESIST EXECUTIVE OFFICER\\ PC 240/242-ASSAULT&BATTERY \\ PC 241(C)-ASSAULT OF OFC \\ PC 242-BATTERY OF OFC
21-11-0139	11/5/2021	223 W Chapman Ave	032E	PC 240 / 242 - ASSAULT & BATTERY
21-12-0591	12/17/2021	223 W CHAPMAN AVE	032E	PC 245(A)(4) - ADW WITH FORCE: POSSIBLE GBI

21-12-0456	12/5/2021	230 N Cypress St	032E	PC 488 - PETTY THEFT OF MOTOR VEHICLE PARTS/ACCESSORIES
21-10-0832	10/19/2021	283 N Cypress St	032E	PC 488 - PETTY THEFT FROM AUTO
21-12-0455	11/11/2021	283 N Cypress St	032E	PC 487 - GRAND THEFT FROM MOTOR VEHICLE
21-08-1104	8/6/2021	283 N Cypress St	032E	PC 488 - PETTY THEFT FROM BUILDING
21-04-0813	4/22/2021	300 N Cypress St	032E	PC 488- PETTY THEFT
21-10-0075	10/3/2021	300 N Cypress St	032E	PC 487(A) - GRAND THEFT / PC 496(A) - RECEIVE KNOWN STOLEN PROPERTY / HS 11364(a)- POSSESSION OF DRUG PARAPHERNALIA
21-10-0589	10/12/2021	300 N Cypress St	032E	PC 487 - GRAND THEFT
21-09-0507	9/8/2021	300 N Cypress St	032E	PC 488-PETTY THEFT OF BICYCLE
21-06-0902	6/25/2021	313 N Batavia St	032E	CVC 10851 - STOLEN VEHICLE
21-06-0834	6/23/2021	350 N CYPRESS ST	032E	PC 488 - PETTY THEFT FROM VEHICLE
21-04-0806	4/25/2021	345 N BATAVIA ST	032E	PC 459 Auto Burglary
21-02-0304	2/8/2021	374 N PARKER ST	032E	PC459-AUTO BURGLARY
21-04-9029	4/4/2021	375 N CLARK ST	032E	PC 459 - VEHICLE BURGLARY
21-10-9060	10/19/2021	399 W MAPLE AVE	032E	PC 487 - GRAND THEFT FROM AUTO
21-07-0749	7/7/2021	402 N Glassell St	032E	PC 488 - PETTY THEFT OF BICYCLE
21-12-0287	12/9/2021	405 N Cypress St	032E	PC 245(A)(1) - ASSAULT WITH DEADLY WEAPON, NOT FIREARM / VC 10852 - VEHICLE TAMPERING / PC 148(A)(1) - RESIST OFFICER
21-05-1012	5/28/2021	410 N CLARK ST	032E	PC 487 - GRAND THEFT FROM GARAGE
21-01-0526	1/15/2021	481 N Cypress St	032E	PC 851.6(D) - DETENTION ONLY; NOT AN ARREST / PC 240/242 - ASSAULT AND BATTERY
21-01-0407	1/13/2021	481 N Cypress St	032E	PC 240/242- ASSAULT AND BATTERY / HS 11364(A) - POSSESSION OF DRUG PARAPHERNALIA
21-09-9030	9/9/2021	619 W MAPLE AVE	032E	PC 459- VEHICLE BURGLARY
21-10-0975	10/30/2021	623 W Chapman Ave	032E	PC 240/242- ASSAULT AND BATTERY // PC 166(C)(1) - VIOLATE COURT ORDER
21-06-9021	6/4/2021	630 W PALM AVE	032E	PC 459 - AUTO BURGLARY
21-11-0230	11/8/2021	633 W Maple Ave	032E	PC 487(a)- Grand Theft
21-01-0869	1/23/2021	635 W Palm Ave	032E	PC 487 - GRAND THEFT
21-10-0747	10/23/2021	700 W WALNUT AVE	032E	PC 488-PETTY THEFT FROM AUTO
21-11-0110	11/4/2021	700 W Walnut Av	032E	PC 273.5(A) - INFLICT CORPORAL INJURY ON SPOUSE/COHABITANT

21-06-0293	6/7/2021	700 W WALNUT AVE	032E	PC 664 / 487 - ATTEMPTED GRAND THEFT FROM AUTO
21-06-0274	5/10/2021	725 W Walnut Ave	032E	PC 488 - PETTY THEFT OF TAILGATE
21-10-0102	10/4/2021	744 W Maple Av	032E	PC 459 - GARAGE BURGLARY
21-05-9041	5/16/2021	820 W WALNUT AVE	032E	PC 487 - GRAND THEFT OF MOTOR VEHICLE PARTS / ACCESSORIES
21-12-0378	12/9/2021	835 W CHAPMAN AVE	032E	PC 240/242 - ASSAULT & BATTERY
21-03-9076	3/5/2021	CYPRESS @ MAPLE	032E	PC 459- VEHICLE BURGLARY
21-05-0403	5/12/2021	N Batavia St @ W Walnut Ave	032E	PC 488 - PETTY THEFT OF BICYCLE
21-03-0687	3/21/2021	N Clark St @ W Palm Ave	032E	PC 488 - PETTY THEFT FROM VEHICLE
21-06-0147	6/4/2021	N Clark St @ W Palm Ave	032E	PC 664/459 - ATTEMPT VEHICLE BURGLARY
21-09-0474	9/15/2021	N Lemon St @ W Palm Ave	032E	PC 245(A)(1) - FORCE OR ADW NOT FIREARM // PC 422 - THREATEN CRIME W/INTENT TO TERRORIZE // PC 594(B)(1) - VANDALISM // PC 243(E)(1) - BATTERY
21-10-0583	10/17/2021	N OLIVE ST @ W CHAPMAN AVE	032E	PC 211 - ROBBERY
21-02-0418	2/11/2021	W Chapman Ave @ N Atchison St	032E	PC 69, PC 148(a)(1),OMC 8.06.080
21-07-0186	7/6/2021	W PALM AVE @ N CYPRESS ST	032E	PC 243(E)(1) - DOMESTIC BATTERY
21-02-0400	2/11/2021	W Palm Ave @ N Lemon St	032E	PC 243 (B) - BATTERY ON PEACE OFFICER // PC 3056 - PAROLE HOLD

32e - ARRESTS - 2021

Date_Arrest	DR_	Arrest_Address	RD	Penal_Code
1/2/21 19:59	21-01-0064	152 N Olive St	032E	11377 (A)
1/2/21 23:14	21-01-0070	W Chapman Ave @ N Batavia St	032E	23152 (A)
1/5/21 9:25	21-01-0138	194 N ATCHISON	032E	CITY
1/5/21 15:23	21-01-0149	N Cypress St @ W Maple Ave	032E	11364 (A)
1/9/21 11:07	21-01-0277	234 N GLASSELL ST	032E	22610 (A)
1/11/21 2:43	21-01-0337	N Lemon St @ W Chapman Ave	032E	VC 21453(A)
1/12/21 22:43	21-01-0400	W CHAPMAN AVE @ S CYPRESS ST	032E	VC 21453(A)
1/13/21 6:44	21-01-0407	481 N Cypress St	032E	11364 (A)
1/15/21 16:15	21-01-0514	N PIXLEY ST @ W CHAPMAN AVE	032E	VC 4462.5
1/15/21 23:55	21-01-0530	100 N Atchison St	032E	11364 (A)
1/16/21 1:12	21-01-0532	N GLASSELL ST @ E MAPLE AVE	032E	23152 (A)/(B)
1/18/21 12:30	21-01-0626	W Maple Ave @ N Cypress St	032E	23103 (A)
1/16/21 22:48	21-01-0568	W MAPLE AVE @ N OLIVE ST	032E	23152 (A)
1/22/21 12:25	21-01-0768	194 N ATCHISON	032E	CITY
1/21/21 19:15	21-01-0747	N LEMON ST @ W MAPLE ST	032E	VC 16020(A)
1/22/21 22:41	21-01-0787	186 N Atchison St	032E	647 (E)
1/24/21 18:40	21-01-0844	194 N Atchison St	032E	11350 (A)
1/24/21 19:33	21-01-0845	207 W Chapman Ave	032E	23152 (A)
1/31/21 2:13	21-01-1071	N OLIVE ST @ W CHAPMAN AVE	032E	23152 (A)
1/31/21 0:33	21-01-1069	N CYPRESS ST @ W PALM AVE	032E	23152 (A)/(B)

2/3/21 8:33	21-02-0088	194 N Atchison St	032E	11350 (A)
2/4/21 15:05	21-02-0143	194 N ATCHISON	032E	11364 (A)
2/5/21 14:02	21-02-0176	194 N Atchison St	032E	11364 (A)
2/5/21 19:56	21-02-0199	W Chapman Ave @ S Clark St	032E	11364 (A)
2/7/21 21:59	21-02-0277	W Chapman Ave @ N Batavia St	032E	CITY
2/11/21 12:44	21-02-0413	186 N. Atchison St.	032E	OMC 9.16.020
2/11/21 15:00	21-02-0418	W Chapman Ave @ N Atchison St	032E	69
2/11/21 13:46	21-02-0416	E Maple Ave @ N Glassell St	032E	23152 (A)
2/12/21 1:20	21-02-0436	W WALNUT AVE @ N CLARK ST	032E	23152 (A)/(B)
2/12/21 22:46	21-02-0486	W Maple Ave @ N Cypress St	032E	VC 14601.1(A)
2/13/21 23:30	21-02-0518	207 W Chapman Ave	032E	148 (A) (1)
2/17/21 1:28	21-02-0625	130 N Lemon St	032E	11350 (A)
2/17/21 10:50	21-02-0638	W Maple Ave @ N Cypress St	032E	594 (B)(1)
2/17/21 2:00	21-02-0635	130 N Lemon St	032E	11350 (A)
2/14/21 1:40	21-02-0519	W PALM AVE @ N OLIVE ST	032E	23152 (A)/(B)
2/17/21 12:25	21-02-0645	194 N ATCHISON	032E	OMC 9.16.020
2/18/21 7:50	21-02-0682	130 N Lemon St	032E	647 (E)
2/18/21 10:02	21-02-0690	194 ATCHISON ST	032E	374.4
2/18/21 14:35	21-02-0702	194 ATCHISON ST	032E	11364 (A)
2/19/21 1:08	21-02-0732	455 N Batavia St	032E	11377 (A)
2/21/21 23:42	21-02-0842	W Maple Ave @ N Olive St	032E	23152 (A)
2/22/21 0:22	21-02-0843	130 N Lemon St	032E	CITY

2/22/21 8:53	21-02-0853	W Chapman Ave @ N Atchison St	032E	369 I(A)
2/23/21 15:46	21-02-0912	194 ATCHISON ST	032E	11364 (A)
2/23/21 15:46	21-02-0912	194 ATCHISON ST	032E	11377 (A)
2/23/21 15:46	21-02-0912	194 ATCHISON ST	032E	11377 (A)
2/24/21 15:46	21-02-0942	194 ATCHISON ST	032E	11377 (A)
2/23/21 15:54	21-02-0945	194 ATCHISON ST	032E	CITY
2/26/21 13:45	21-02-1014	194 N ATCHISON	032E	OMC 9.16.020
2/26/21 9:07	21-02-1004	N Parker St @ W Chapman Ave	032E	CITY
2/27/21 0:48	21-02-1048	N LEMON ST @ W CHAPMAN AVE	032E	23152 (A)
2/28/21 1:23	21-02-1078	W CHAPMAN AVE @ N BATAVIA ST	032E	23152 (A)
3/7/21 18:57	21-03-0217	W Chapman Ave @ N Lemon St	032E	2800.2 (A)
3/7/21 15:15	21-03-0213	194 N ATCHISON	032E	OMC 9.16.020
3/9/21 19:22	21-03-0276	W Chapman Ave @ N Cypress St	032E	11377 (A)
3/10/21 19:12	21-03-0315	194 N Atchison St	032E	11364 (A)
3/12/21 22:45	21-03-0396	130 N Lemon St	032E	23152 (A)
3/12/21 15:08	21-03-0375	130 N Lemon St	032E	647 (E)
3/12/21 2:59	21-03-0361	N Glassell St @ E Palm Ave	032E	VC 12500 (A)
3/17/21 23:39	21-03-0550	194 N Atchison St	032E	23152 (A)
3/20/21 0:23	21-03-0626	122 N Glassell St	032E	23152 (A)
3/22/21 2:26	21-03-0692	N Lemon St @ W Walnut Ave	032E	23152 (A)
3/21/21 2:00	21-03-0659	W CHAPMAN AVE @ N LEMON ST	032E	23152 (A)
3/21/21 15:45	21-03-0677	100 N Atchison St	032E	11350 (A)
3/24/21 19:20	21-03-0772	194 N ATCHISON	032E	CITY
3/24/21 19:20	21-03-0772	194 N ATCHISON	032E	CITY

3/25/21 23:37	21-03-0820	W WALNUT AVE @ N BATAVIA ST	032E	23152 (A)
3/27/21 19:06	21-03-0874	130 N Lemon St	032E	25662 (A)
3/31/21 0:48	21-03-0965	W Chapman Ave @ S Clark St	032E	23152 (A)/(B)
3/25/21 15:55	21-03-0799	100 N ATCHISON	032E	11350 (A)
3/25/21 16:00	21-03-0799	100 N ATCHISON	032E	OMC 12.48.030
4/3/21 3:50	21-04-0060	N Main St @ W Chapman Ave	032E	23152 (A)
4/9/21 1:01	21-04-0237	W CHAPMAN AVE @ N OLIVE ST	032E	11350 (A)
4/10/21 21:09	21-04-0285	194 N. ATCHISON	032E	11364 (A)
4/11/21 1:03	21-04-0292	CHAPMAN AVENUE @ BATAVIA STREET	032E	23152 (A)/(B)
4/11/21 1:45	21-04-0296	OLIVE ST @ MAPLE AVE	032E	23152 (A)
4/15/21 7:28	21-04-0433	230 N Cypress St	032E	11550 (A)
4/16/21 14:27	21-04-0468	W Palm Ave @ N Cypress St	032E	11378
4/16/21 15:39	21-04-0473	W Maple Ave @ N Lemon St	032E	CITY
4/20/21 9:54	21-04-0606	N Batavia St @ W Acacia Ave	032E	11364 (A)
4/18/21 1:33	21-04-0526	E PALM AVE @ N OLIVE ST	032E	23152 (A)/(B)
4/21/21 23:41	21-04-0688	W Chapman Ave @ N Parker St	032E	22210
4/22/21 15:51	21-04-0707	130 N Lemon St	032E	647 (F)
4/26/21 9:33	21-04-0821	194 N Atchison St	032E	CITY
4/21/21 16:04	21-04-0676	194 N. ATCHISON	032E	11364 (A)
4/25/21 2:15	21-04-0776	N LEMON ST @ W SYCAMORE AVE	032E	23152 (A)
5/3/21 13:06	21-05-0081	194 N Atchison St	032E	OMC 9.16.020
5/4/21 10:31	21-05-0115	194 N Atchison St	032E	CITY

5/3/21 3:31	21-05-0068	W Chapman Ave @ N Lemon St	032E	23152 (A)
5/5/21 12:57	21-05-0172	130 N Lemon St	032E	CITY
5/5/21 12:57	21-05-0172	130 N Lemon St	032E	11364 (A)
5/4/21 10:26	21-05-0116	194 N Atchison St	032E	11364 (A)
5/8/21 15:51	21-05-0272	343 N Cypress St	032E	11550 (A)
5/10/21 22:20	21-05-0342	835 W Chapman Ave	032E	11377 (A)
5/10/21 22:20	21-05-0342	835 W Chapman Ave	032E	11377 (A)
5/8/21 17:33	21-05-0276	N. Lemon @ W. Maple	032E	530.5 (C)(2)
5/12/21 22:20	21-05-0408	W CHAPMAN AVE @ N BATAVIA ST	032E	23152 (A)/(B)
5/14/21 1:38	21-05-0443	N Cypress St @ W Palm Ave	032E	23152 (A)
5/15/21 2:04	21-05-0472	W Chapman Ave @ N Batavia St	032E	23152 (A)
5/23/21 0:13	21-05-0751	561 W Maple Ave	032E	11350 (A)
5/22/21 18:17	21-05-0743	N BATAVIA ST @ W WALNUT AVE	032E	23152 (A)/(B)
5/23/21 2:08	21-05-0753	W CHAPMAN AVE @ N BATAVIA ST	032E	VC 12500(A)
5/27/21 1:57	21-05-0910	N Batavia St @ W Chapman Ave	032E	23152 (A)
5/29/21 22:56	21-05-1019	N GLASSELL ST @ E PALM AVE	032E	23152 (A)
5/30/21 0:15	21-05-1021	W CHAPMAN AVE @ LEMON ST	032E	23152 (A)/(B)
6/2/21 11:01	21-06-0068	186 N Atchison St	032E	OMC 9.16.020
6/3/21 12:09	21-06-0114	100 N Atchison St	032E	24610
6/1/21 14:30	21-06-0031	194 N ATCHISON	032E	11350 (A)
6/7/21 9:45	21-06-0270	194 N Atchison St	032E	11377 (A)
6/10/21 3:50	21-06-0374	W Maple Ave @ N Lemon St	032E	23222 (B)(1)

6/12/21 19:52	21-06-0491	LEMON @ WALNUT	032E	VC 22450(A)
6/12/21 0:17	21-06-0461	N CYPRESS ST @ W CHAPMAN AVE	032E	23152 (A)
6/18/21 0:26	21-06-0663	W MAPLE AVE @ N OLIVE ST	032E	23152 (A)
6/21/21 1:07	21-06-0750	401 W Chapman Ave	032E	647 (F)
6/23/21 12:49	21-06-0835	194 N Atchison St	032E	OMC 9.16.020
6/30/21 10:36	21-06-1065	194 N Atchison St	032E	11364 (A)
6/25/21 22:35	21-06-0914	207 W Chapman Ave	032E	23152 (A)
6/26/21 2:01	21-06-0921	N LEMON ST @ W PALM AVE	032E	23152 (A)
7/1/21 8:52	21-07-0016	194 N Atchison St	032E	118286 (B)
7/7/21 8:05	21-07-0227	130 N Lemon St	032E	11364 (A)
7/7/21 8:05	21-07-0227	130 N Lemon St	032E	11350 (A)
7/7/21 15:31	21-07-0247	194 ATCHISON ST	032E	11350 (A)
7/9/21 10:55	21-07-0324	194 ATCHISON ST	032E	11364 (A)
7/11/21 1:41	21-07-0381	125 N BATAVIA ST	032E	23152 (A)/(B)
7/14/21 17:55	21-07-0496	GLASSELL ST @ MAPLE AVE	032E	OMC 9.16.020
7/19/21 9:33	21-07-0635	100 N Atchison St	032E	11377 (A)
7/20/21 9:53	21-07-0686	194 N Atchison St	032E	OMC 12.48.030
7/21/21 15:16	21-07-0751	N PIXLEY ST @ W CHAPMAN AVE	032E	23152 (A)/(B)
7/23/21 13:36	21-07-0807	194 N Atchison St	032E	11364 (A)
7/30/21 10:20	21-07-1047	100 N Atchison St	032E	11377 (A)
7/28/21 18:50	21-07-0991	110 N Olive St	032E	308 (A)(1)(A)(I)
8/1/21 20:15	21-08-0024	480 N Glassell St	032E	CITY
6/17/21 22:44	21-06-0660	N Clark St @ W Palm Ave	032E	14601.2(A)
8/7/21 15:23	21-08-0236	385 N Clark St	032E	496 (A)
8/12/21 10:54	21-08-0410	194 N Atchison St	032E	11350 (A)

8/16/21 21:47	21-08-0551	835 W Chapman Ave	032E	18715 (A)(1)
8/17/21 9:05	21-08-0561	100 N ATCHISON	032E	CITY
8/18/21 10:55	21-08-0610	194 N ATCHISON	032E	11350 (A)
8/19/21 23:26	21-08-0684	835 W CHAPMAN AVE	032E	23152 (A)/(B)
8/20/21 1:37	21-08-0687	N LEMON ST @ W PALM AVE	032E	23152 (A)
8/20/21 1:30	21-08-0686	100 N ATCHISON ST	032E	CITY
8/22/21 18:30	21-08-0802	150 N Cypress St	032E	11364 (A)
8/25/21 22:57	21-08-0916	470 N GLASSELL ST	032E	CITY
8/18/21 15:32	21-08-0622	60 Plaza Sq	032E	11377 (A)
8/26/21 8:25	21-08-0929	100 N Atchison St	032E	11364 (A)
9/1/21 23:53	21-09-0039	W Chapman Ave @ N Parker St	032E	11350 (A)
9/1/21 2:11	21-09-0002	138 N Olive St	032E	23152 (A)
9/2/21 21:32	21-09-0075	N BATAVIA ST @ W WALNUT AVE	032E	23152 (A)/(B)
9/3/21 15:37	21-09-0098	412 N Olive St	032E	602 (M)
9/8/21 0:02	21-09-0242	1 Plaza Square	032E	14601.1(A)
9/5/21 3:01	21-09-0159	N OLIVE ST @ W CHAPMAN AVE	032E	VC 12500(A)
9/9/21 9:08	21-09-0283	194 N Atchison St	032E	118286 (B)
9/12/21 0:50	21-09-0391	223 W CHAPMAN AVE	032E	11377 (A)
9/15/21 7:30	21-09-0474	N Lemon St @ W Palm Ave	032E	594 (B)(1)
9/9/21 15:44	21-09-0301	194 N Atchison St	032E	CITY
9/19/21 11:10	21-09-0618	194 N Atchison St	032E	11364 (A)
10/2/21 17:16	21-10-0056	W Chapman Ave @ N Lemon St	032E	VC 4000(A)(1)
10/1/21 0:07	21-10-0001	N LEMON ST @ W MAPLE AVE	032E	23152 (A)
10/8/21 1:45	21-10-0232	207 W CHAPMAN AVE	032E	23152 (A)/(B)
10/9/21 8:40	21-10-0280	194 N Atchison St	032E	OMC 9.16.020

10/15/21 7:15	21-10-0489	541 W Chapman Ave	032E	CITY
10/14/21 13:25	21-10-0461	100 N ATCHISON ST	032E	11350 (A)
10/22/21 21:47	21-10-0743	N CYPRESS ST @ W PALM AVE	032E	23152 (A)/(B)
10/22/21 13:10	21-10-0724	194 N ATCHISON	032E	OMC 9.16.020
10/21/21 8:52	21-10-0689	194 ATCHISON ST	032E	11364 (A)
10/21/21 8:40	21-10-0688	194 N ATCHISON	032E	11364 (A)
10/27/21 4:18	21-10-0850	W WALNUT AVE @ N CYPRESS ST	032E	148 (A) (1)
10/28/21 8:41	21-10-0903	Main St @ W Chapman Ave	032E	11550 (A)
10/30/21 13:21	21-10-0975	623 W Chapman Ave	032E	166 (C)(1)
11/6/21 2:11	21-11-0173	207 W. Chapman Ave.	032E	69
11/6/21 1:54	21-11-0172	N Olive St @ W Palm Ave	032E	23152 (A)/(B)
11/10/21 6:00	21-11-0287	515 W Maple Ave	032E	11364 (A)
11/10/21 21:35	21-11-0319	501 W Maple Ave	032E	11364 (A)
11/18/21 8:50	21-11-0576	194 N Atchison St	032E	11364 (A)
11/16/21 9:16	21-11-0499	194 N Atchison St	032E	11364 (A)
11/19/21 12:16	21-11-0617	194 N Atchison St	032E	OMC 9.16.020
11/26/21 9:22	21-11-0826	194 N Atchison St	032E	11364 (A)
11/26/21 16:52	21-11-0844	539 W Walnut Ave	032E	555
11/26/21 9:35	21-11-0828	194 N Atchison St	032E	11350 (A)
11/26/21 9:35	21-11-0828	194 N Atchison St	032E	11350 (A)
11/27/21 23:16	21-11-0874	N Lemon St @ W Sycamore Ave	032E	470 (D)
12/1/21 15:52	21-12-0034	194 ATCHISON ST	032E	11364 (A)
12/5/21 21:20	21-12-0160	207 W Chapman Ave	032E	CITY
12/8/21 11:58	21-12-0254	605 W Chapman Ave	032E	11364 (A)
12/9/21 10:30	21-12-0293	194 N Atchison St	032E	CITY
12/16/21 16:28	21-12-0528	194 ATCHISON ST	032E	11377 (A)
8/24/21 22:30	21-08-0881	457 N Batavia St	032E	CITY