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CITY OF
HAYWARD
HEART OF THE BAY

DATE: January 14, 2010
TO: Planning Commission
FROM: Arlyne J. Camire, AICP, Associate Planner
SUBJECT: Conditional Use Permit No. PL-2009-0363- Joeann Pepperell (Applicant)/Beng and Ngan Chan (Owners) - Request to Collect a Cover Charge at an Existing Bar

The Property Is Located at 22554 Main Street in the Central City-Plaza (CC-P) Zoning Subdistrict

RECOMMENDATION

Staff recommends that the Planning Commission determines that conditional use permit application is statutorily exempt from environmental review in accordance with the California Environmental Quality Act (CEQA) guidelines, Section 15270 (Projects Which are Disapproved), and deny the conditional use permit, based on the attached findings.

BACKGROUND

Joeann Pepperrell has owned and operated the Funky Monkey since November 1, 2006. A bar has been operated in this retail space since the 1960s. Castro's Lounge occupied this space until 1991, followed by Club Rumor until 2006. The Zoning Ordinance was amended on May 18, 1993 requiring a conditional use permit for all new bars and night clubs. Since a bar has lawfully existed prior to the effective date of the requirement of a conditional use permit a bar is permitted to continue as a legal non-conforming use allowing change of ownership, tenancy or management.

The applicant, Joeann Pepperrell, requests approval of a Conditional Use Permit to charge admission and has stated that the cover charge is intended to discourage "troublemakers", since they would be required to pay to enter the bar on nights with entertainment. A new conditional use permit application is required because collection of a cover charge is considered an intensification of the activities permitted within the existing bar.

Project Description and Setting - The 11,620-square-foot property, on which the Funky Monkey is Located, is developed with two buildings totaling 12,700 square feet in area containing five commercial units on the ground floor facing Main Street and twelve residential units on the second floor. Funky Monkey occupies the southern 1,400-square-foot retail space along with a 496-square-foot patio. The two adjacent 1,000-square-foot retail spaces are vacant. The occupied commercial units contain Stacman's Shop, and Perfect Petals Florist.

To the south is a small parking lot posted for Funky Monkey parking and a vacant bank building at the corner of B and Main Streets. To the north is Americana Restaurant and Goodyear Tires, at the intersection of A and Main Streets. To the west, across Main Street, are Sapporo Japanese Cuisine Restaurant, Turf Club, Swiss Delices Bakery, Dominos Pizza, L'Amour Shoppe, the Chamber of Commerce, and Gary's Donuts, along with general office space.

The property is located in the Downtown Entertainment Area that encourages a mix of businesses and activities to enhance the economic vitality of the downtown area. A Retail Site Assessment, completed in March 2009 by Buxton Company, indicates that Downtown Hayward is underserved by drinking places. A nightclub requires a conditional use within the Central City-Plaza Zoning Subdistrict to ensure responsible management so an establishment would remain an asset to the Downtown Entertainment Area.

Funky Monkey operates as a bar for patrons 21 years of age and hosts karaoke from 9:00 pm to 1:30 am Sunday, Monday and Wednesday nights. DJs and dancing are offered beginning at 10:00 pm to 1:30 am on Tuesday, Thursday, Friday and Saturday nights. The DJs play Top 40, Old School Hip Hop, Classic Rock, Reggae and R&B. Also offered in the establishment are two bars, a juke box, a big screen television, a pool table, pinball and video game machines, and two electric dart boards. The patrons also have access to an outdoor patio. The applicant proposes to collect admission to the bar for patrons to enjoy the events and amenities.

DISCUSSION AND STAFF ANALYSIS

Staff does not support the approval of the conditional use permit due to the inability to make all of the required findings, as detailed in the paragraphs below. Most significant is that the bar continues to be the major source of police incidents in the Downtown Entertainment Area. Incidents include public intoxication, disorderly conduct, drunk driving, fighting, assault, battery, assault of a law enforcement officer, and use of a deadly weapon. A majority of the calls for service occur on Friday and Saturday nights. It is the opinion of staff that charging a cover for entry would not ensure that the inappropriate behavior of the patrons would cease. Until the bar can be managed in manner to discourage and contain disorderly conduct, granting a privilege to intensify the use cannot be recommended.

Community Prevention of Alcohol Related Problems (CommPre) is opposed to intensifying operations because Funky Monkey is under investigation by the Department of Alcoholic Beverages Control and the Hayward Police Department. The Hayward Police Department has documented a drastic increase in incidents at this location since the change in ownership and entertainment format in 2006 from Club Rumor to Funky Monkey. The Hayward Police Department and the City Attorney's Office met with the applicant and her attorney several times to modify business operations with the goal of establishing a more successful operation that would have less drain on City resources and be an asset to the downtown. At these meetings the Police Department requested that the bar be better managed to reduce the number of violent crimes and the incidents of public drunkenness and suggested that the applicant change security tactics or the type of entertainment. It was the hope of the Police Department that the meetings would result in a decrease in incidents that require law enforcement response. The Police are of

the opinion that the applicant has not been as responsive as agreed upon and that business operations are mismanaged, which has resulted in continued a high number of police incidents that involve violent crimes and public drunkenness.

Alcoholic Beverage Outlet - The City of Hayward Alcoholic Beverages Outlet Requirements define a Night Club as alcoholic beverage sales commercial activity which engages in the sale of alcoholic beverages in conjunction with providing live entertainment, including the playing of recorded music by a disc jockey or dancing between the hours of 6:00 pm and 2:00 am, regardless of whether such establishment is simultaneously offering full restaurant meal service or charges an entry fee or increases the sale price of beverages. Alcoholic Beverage Outlets require the granting of a conditional use permit.

Funky Monkey operates as a full bar with a Type 48 license from the Department of Alcoholic Beverage Control (ABC) and is a legal, nonconforming use since this location has been operated as a bar prior to the adoption of the Hayward Municipal Code Alcoholic Beverage Outlet Requirements were adopted. Because the bar does not have a conditional use permit, the ABC added operating conditions of approval to the applicant's license that was granted in October 2006. The ABC conditions of approval limits alcohol sales, service and consumption to 10:00 am to 1:30 am. Disc jockeys, dancing and karaoke are permitted. The applicant has maintained a valid City of Hayward Dance Permit since 2006.

The applicant agreed to uphold the 18 conditions of approval of the ABC license (Attachment C), which include:

-Require the sales, service and consumption of alcoholic beverages only between the hours of 10:00 am and 1:30 am each day of the week. [*The Funky Monkey opens at 11:00 am and closes at 1:30 am each day of the week.*]

-Permit karaoke and disc jockey playing previously recorded music; live music is not permitted unless a conditional use permit is granted. [*This has allowed the Funky Monkey to host karaoke and dancing during disc jockey provided music.*]

-Requires the approval of a conditional use permit to allow live music. [*The property owner's management company have expressed to staff that they will not allow live music in the bar because the current music that is played is too loud for the upstairs residents and they are concerned that live music would further disturb their peace and quiet.*]

-Require approval of a dance permit by the City of Hayward. [*A Dance Permit was issued in 2006 and has been kept current. It is posted in the bar.*]

-Requires the approval of a conditional use permit to collect a door or cover charge. [*This is the purpose of the application*]

-Prohibits the applicant from contracting outside or independent promoters to provide entertainment. [*"Style Beyond Compare" provides the disc jockeys that provide entertainment for the dance nights. The disc jockeys are compensated directly by the applicant.*]

The applicant has stated that one security staff is provided on Sunday, Monday and Wednesday for karaoke nights from 9:00 pm until 2:00 am, and six uniformed security staff on are provided on Thursday, Friday and Saturday nights from 9:00 pm to 2:00 am. The Police Department states that the security staff of the club has appeared to be reluctant to work in conjunction with the Police Department in that it has failed to adequately monitor the behavior of the patrons, has failed to defuse fights and assaults that have spilled out onto Main Street and in the adjacent parking lot, and has failed to contact the Hayward Police Department when it was clear that police assistance was necessary.

The State Department of Alcoholic Beverage Control is currently investigating the Funky Monkey to assure that the conditions of the Type 48 ABC license have not been violated. If it is determined that the conditions have been violated, a suspension can be issued.

Findings for Denial of the Conditional Use Permit Application - In order to approve a conditional use permit, the Planning Commission must make four findings. If any of those findings cannot be made, the Commission must deny a use permit request. The four findings are:

- a. **The proposed use is desirable for the public convenience or welfare;**
- b. **The proposed use will not impair the character and integrity of the zoning district and surrounding area;**
- c. **The proposed use will not be detrimental to the public health, safety, or general welfare;**
- d. **The proposed use is in harmony applicable City policies and the intent and purpose of the zoning district involved.**

Staff is of the opinion that the findings for approval cannot be made. Although entertainment activities are encouraged and in contributing to the economic vitality of the downtown, police activity as shown in Attachments, D, E, and F, has shown that the number of incidents associated with the Funky Monkey involving public drunkenness, violence, and threats or assaultive behavior directed at police officers has increased over the past two years. The result is a burden Hayward Police Department and law enforcement agencies of neighboring jurisdictions. In addition these types of incidents discourage customers from patronizing businesses in nearby areas resulting in a loss of sales tax revenue and City of Hayward resources.

Funky Monkey is required to adhere to all of the conditions of approval of the ABC license. However, the license also states that "the Hayward Police Department has provided substantial evidence that an identifiable problem which exists." The license is currently under investigation by the Department of Alcoholic Beverage Control. Because it is under investigation and due to the excessive number of police incidents, it is clear that the granting of approval of a cover charge, which is an intensification of use, would be detrimental to the public health, safety and general welfare. Approval of a cover charge would condone the current security mismanagement of the Funky Monkey and the disorderly conduct exhibited by the customers.

The Land Use Policies and Strategies of the City's General Plan require the continuation of the implementation of the Downtown Design Plan and the Core Area Specific Plan.¹ As stated in the Core Area Plan, "The consumption of alcohol is a part of community life. As we look to the future of downtown Hayward, preventive planning to avoid alcohol-related problems must be recognized as an essential element in the revitalization process. It is important to manage alcohol availability in our downtown in a positive way that enhances the economic and social character of this vital area of our City. The successful revitalization of downtown will likely include new restaurants and entertainment facilities, many of which will sell alcoholic beverages and will hopefully become an asset to downtown. Policy makers should be afforded the opportunity to review and impose conditions of approval for certain alcohol related outlets to insure such uses are not a detriment to the downtown. The Police will set forth criteria and regulatory measures for the establishment and operation of certain alcohol related outlets. The Specific Plan Area would be subject to the ordinance. Additional programs, such as responsible server training for business outlets and event sponsors, may also be considered to ensure the effective management of the availability of alcohol."²

The policies encourage Planning Commission review to assure that a commercial alcohol-related business is responsibly managed. Businesses that are mismanaged do not contribute to the revitalization of downtown. The request to intensify a mismanaged security risk and the over-serving of alcoholic beverages would further negatively affect the vitality and revitalization of downtown Hayward. Funky Monkey customers who are ejected by security staff from the bar have been known to loiter and create problems for adjacent businesses and residents. Public intoxication and disorderly conduct also discourages potential patrons of adjacent business and impacts the feeling of safety and security of surrounding residents.

Police Department Review - The Police Department has numerous concerns with allowing the applicant to collect a cover charge because the establishment currently generates an overwhelming number of police incidents that have burdened not only Hayward Police Department, but have involved neighboring law enforcement agencies. The incidents have been detrimental to surrounding uses and to the downtown.

These following case studies represent only three of the 35 violent incidents occurring at the Funky Monkey bar in the past 3 years (2007 through 2009). These case studies are intended show how poor management practices of a public place can negatively impact police service and public safety. The vast majority of all the incidents recorded in Attachment E required between two to six officers to conduct police services and operations. Most of the violent incidents calls have resulted in the arrest of individuals, requiring additional police support services to process the arrest, i.e. jail staff, reproduction of records, district attorney liaison, and investigative follow-up. Each arrest requires officers to leave their assigned beat areas to process the arrestee. Therefore, other officers are required to cover additional assigned beats until assigned officers can return.

The Police Department is of the opinion that the Funky Monkey is operated in an irresponsible manner and that security at the Funky Monkey can be better managed. Until the time that the

¹ City of Hayward General Plan, Land Use Element, Land Use Policies and Strategies, Downtown Area, p. 2-18

² The Core Area Plan, p. 28.

activities substantially cease being a drain on public safety resources, the Police Department recommends denial of the conditional use permit request. At the time the incidents do substantially decrease, the Police Department will once again consider recommending approval. The Police Department suggests that the applicant submit a security plan for review to ensure that the applicant is making a good faith effort to stop the violence and disorderly conduct at her bar.

Case Study 1 - The following incident (Report # 2008-04253) occurred on February 23, 2008, at 12:49 am. The Hayward Police Department dispatch received several calls reporting a large fight in progress in front of the Funky Monkey Bar. Callers told dispatchers that about 30 persons came out of the bar and were fighting in the street. The first officers arrived at the scene and found approximately 50 persons engaged in fighting. The fighting was in the street and spilling out into Municipal Parking Lots 1 and 2. The investigating officer contacted the supervising security guard at the bar who told the officer that four security guards were working, and he didn't know what prompted the fight. He added that Funky Monkey security staff had a hard time maintaining control of the bar patronage on Friday nights, as gang members had begun hanging out there. In response to this call the SDU gang unit drove into the area and stopped a large group of persons who were yelling and arguing with each other. The large group was on the west side of Main Street just south of the bar and was obviously part of the battery/disturbance occurring at the bar. Two members of the group fled to avoid police contact. The SDU unit chased the suspects down as they were entering a nearby parked car. This car was determined to be stolen. One of the two suspects was found to be in possession of cocaine.

In response to this call, eight officers were dispatched, expending a total of 11.5 hours of combined time to investigate the reported fight and restore order.

- Six officers were pulled off their assigned beats to assist in response to this call.
- The only K9 officer working this night was tied up on this call for approximately 2 hours.
- The only Crime Scene Technician working this shift was out of service for 2 hours while processing this scene.

Later on the same day, February 23, 2008, a 24-year-old female came to the Police Department to report a battery and robbery. The victim stated she was at the Funky Monkey earlier in the morning when a large fight broke out; she and her friend left the bar and tried to get to their car to leave. The victim and her friends were followed to her car by a group of gang members who yelled gang taunts. She was then knocked to the ground by the group, kicked and punched repeatedly. The victim had her purse ripped off her arm. The victim said she wanted to tell the police what had happened but "the crowd was so heavily populated with gang members, she wanted to avoid being jumped again, because she was not "gang affiliated." The police officer taking this report documented the following injuries to the victim: black eye, cut lip, bruising on her lower back, sore ribs, and bruising on both arms.

The investigation of this incident required 4 additional hours of officer time.

Case Study 2 - The following incident (Report # 2009-03307) occurred on February 14, 2009, at 11:53 pm. Funky Monkey security staff called the Hayward Police Department dispatch requesting assistance with several bar patrons they had placed under citizen's arrest for

trespassing (refusing to leave). Three officers responded and took custody of their prisoners and began taking statements to process the arrest. While officers were out front of the Funky Monkey, security guards in the bar ran outside requesting further assistance in the bar. Security guards were struggling with a yet un-arrested bar patron. Several Hayward Police Department officers followed security into the bar. According to the officers, approximately 100 persons were in the bar and the crowd was heavily populated with the "Devils Own" motorcycle club and Norteno gang members. Two officers found Funky Monkey security guards fighting with two individuals. When officers took control of the two individuals, the crowd turned hostile and attacked them. Officers noted that large glass drinking glasses and beer bottles began to be thrown across the bar, some directed at other patrons, some directed at the officers. One officer was punched by a bar patron twice in the face knocking him to the ground. Officers at the bar put out an "Expedite Cover" call over their radio. This code is used when officers are in imminent peril and need immediate assistance. Additional officers arrived. Four combatants were arrested, including the suspect that punched the officer. The bar was closed and cleared of all persons, this caused a large crowd control issue in the street and surrounding parking lots.

This call seriously impacted HPD police services for this evening.

- 21 officers from Hayward Police Department, three Hayward Police Supervisors, and 1 BART officer responded to this call, representing 33 hours of police time.
- All beat officers were pulled out of their service areas in response to this call.
- Additionally HPD's gang enforcement team suspended their operations for a 1.5-hour time period.
- The officer that was punched sustained a black eye, bruising, and lacerations to the right side of his head.

Case Study 3 - The following incident (Report # 2002009-16171) occurred on August 8, 2009, at 12:19am. Hayward Police Department dispatch received a call from the Funky Monkey Bar reporting a large fight had broken out inside the bar. Police officers found a lone female patron of the bar, lying on the sidewalk outside the bar. She had a large laceration across her head and told officers she was beaten up inside the bar. An unknown suspect hit her with a bottle, causing her injury. Officers noted the bar was packed with between 100 to 200 people. Hayward Fire Department personnel were summoned as was an ambulance to stabilize and transport the victim. Additional officers were summoned as Hayward Fire Department and Medic Personnel couldn't treat the assault victim as a hostile crowd had formed outside of the bar. Officers formed a defensive perimeter around the assault victim. The situation continued to deteriorate as officers attempted to investigate the assault, looked for witnesses, preserved and processed forensic evidence, and located suspects. Officers quickly learned that any evidence of the assault had been removed; bar employees had cleaned up the crime scene by removing the bottle, glass and blood. No bar employees, including a security guard, said they witnessed the altercation. One security guard stated he heard glass break, found the victim on the floor and then took her outside to the sidewalk. As the bar was cleared of people, a large crowd formed in the street. The crowd refused to clear the street and small groups formed to challenge the police with statements such as "You're all dead" and "Someone's gonna bring a shotgun next time," were recorded in police reports. A total of four individuals were arrested in this incident; all

were in a drunken condition and resisted their arrest. One of the four was found to be in possession of cocaine.

This incident required:

- the Watch Commander assigning all beat officers to respond to the bar to move the unruly crowd and restore order. This suspended police service for approximately 1.5 hours.
- the utilization of 27 officers and with 3 supervisors. All SDU gang enforcement teams and K9 officers suspended their operations and were utilized in this response.
- two California State University, East Bay officers, at Hayward Police Department request.
- 32 hours of police time.

ENVIRONMENTAL REVIEW

It has been determined that the conditional use permit application is statutorily exempt from environmental review in accordance with the California Environmental Quality Act (CEQA) guidelines, Section 15270, Projects Which Are Disapproved.

PUBLIC OUTREACH

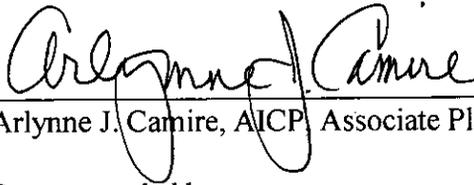
On July 31, 2009, an Official Notice was sent to every property owner and occupant within 300 feet of the subject site, as noted on the latest assessor's records. Staff has received 10 calls from bar patrons and Hayward residents in support of approval of the application request. The callers have indicated that Joann Pepperell contributes to the downtown as a responsible business owner who donates her time to community and Chamber of Commerce activities. However, staff has received five calls in opposition from surrounding property owners and residents who are concerned with the disorderly conduct of the patrons and how it has affected their peace, property values and businesses, and stated that the presence of the Funky Monkey hinders the revitalization of downtown, especially B Street. In addition, staff has received a letter of opposition from Community Prevention of Alcohol Related Problems (CommPre) expressing concerns that the Funky Monkey is under investigation by the Department of Alcohol Beverage Control (Attachment G).

On January 4, 2010, a Notice of Public Hearing for the Planning Commission was mailed to every property owner and occupant within 300 feet of the subject site, as noted on the latest assessor's records, and to interested parties. Staff has not yet received additional responses.

NEXT STEPS

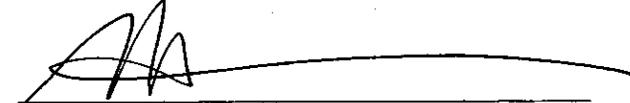
If the application is denied, the Planning Commission's decision can be appealed to the City Council during the ten day appeal period that follows the Planning Commission decision. If appealed, the item would be scheduled for a City Council hearing in March 2010. The decision of the City Council would be final.

Prepared by:



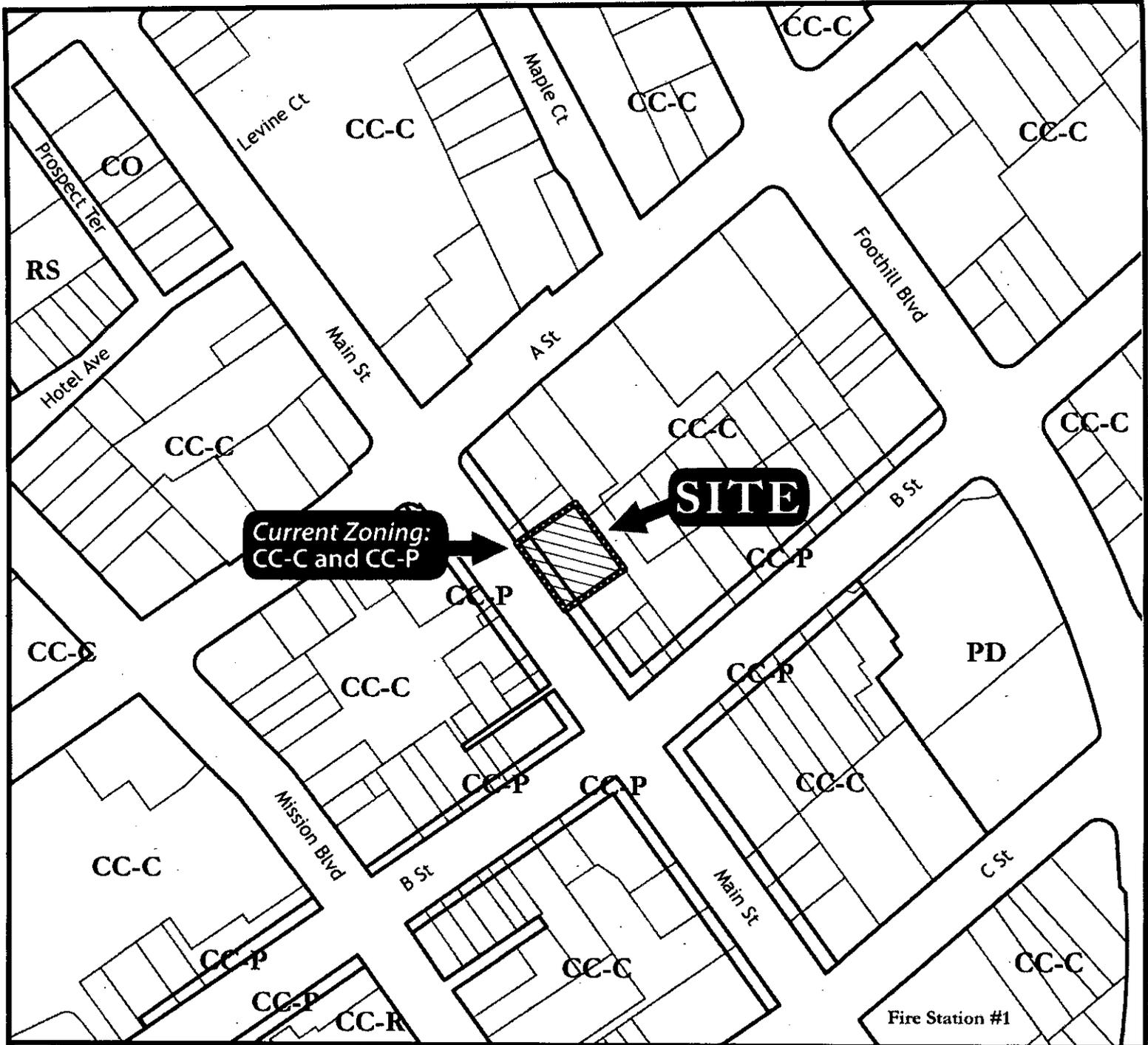
Arlynn J. Camire, AICP, Associate Planner

Recommended by:



Richard E. Patenaude, AICP, Planning Manager

- Attachment A:** Area and Zoning Map
- Attachment B:** Findings for Denial for the Conditional Use Permit
- Attachment C:** Department of Alcoholic Beverage Control Petition for Conditional License
- Attachment D:** Police Department Call Log Legend
- Attachment E:** Police Department Violent Crime Synopsis 2007-2009
- Attachment F:** Police Department Summarization of Orion Reports 2009
- Attachment G:** Letter from CommPre
- Attachment H:** Application Form Plans



Area & Zoning Map

PL-2009-0363 CUP

Address: 22554 Main Street

Applicant: Joeann Pepperell

Owner: Adams & Adams
& Max Morriss

Zoning Classifications

RESIDENTIAL

RS Single Family Residential, min lot size 5000 sqft

CENTRAL CITY

CC-C Central City - Commercial

CC-P Central City - Plaza

CC-R Central City - Residential

OTHER

PD Planned Development



FEET 200 400

ATTACHMENT A

FINDINGS FOR DENIAL

USE PERMIT APPLICATION NO. PL-2009-0363

**Joeann Pepperell (Applicant)
Beng and Ngan Chan (Owners)
22554 Main Street**

Request to Collect a Cover Charge at an Existing Bar Funky Monkey

This project would not cause a significant impact on the environment as it is statutorily exempt from environmental review pursuant to Section 15270, Projects Which Are Disapproved, of the California Environmental Quality Act (CEQA) guidelines.

Findings for Approval of the Conditional Use Permit Application:

- a. The proposed use is desirable for the public convenience or welfare;
- b. The proposed use will not impair the character and integrity of the zoning district and surrounding area;
- c. The proposed use will not be detrimental to the public health, safety, or general welfare;
- d. The proposed use is in harmony applicable City policies and the intent and purpose of the zoning district involved.

Staff is of the opinion that the findings for approval cannot be made. Although entertainment activities are encouraged and in contributing to the economic vitality of the downtown, police activity as shown in Attachments, D, E, and F of the staff report, has shown that the number of incidents associated with the Funky Monkey involving public drunkenness, violence, and threats or assaultive behavior directed at police officers has increased over the past two years. The result is a burden Hayward Police Department and law enforcement agencies of neighboring jurisdictions. In addition these types of incidents discourage customers from patronizing businesses in nearby areas resulting in a loss of sales tax revenue and City of Hayward resources.

Funky Monkey is required to adhere to all of the conditions of approval of the ABC license. However, the license also states that "the Hayward Police Department has provided substantial evidence that an identifiable problem which exists." The license is currently under investigation by the Department of Alcoholic Beverage Control. Because it is under investigation and due to the excessive number of police incidents, it is clear that the granting of approval of a cover charge, which is an intensification of use, would be detrimental to the public health, safety and general welfare. Approval of a cover charge would condone the current security mismanagement of the Funky Monkey and the disorderly conduct exhibited by the customers.

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¹ *City of Hayward General Plan, Land Use Element, Land Use Policies and Strategies, Downtown Area, p. 2-18*

² *The Core Area Plan, p. 28.*

**BEFORE THE
DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL
OF THE STATE OF CALIFORNIA**

In the Matter of the Application of:

BABY DOT, INC.
DBA: The Funky Monkey
22554 Main St.
Hayward, CA 94541-4102

File #: 48-444612

**PETITION FOR
CONDITIONAL
LICENSE**

For issuance of an On-Sale General Public Premises

Under the Alcoholic Beverage Control Act

WHEREAS, petitioner(s) has/have filed an application for the issuance of the above-referred-to license(s) for the above-mentioned premises; and,

WHEREAS, the Hayward Police Department, has provided the Department with substantial evidence of an identifiable problem which exists at the premises or in its immediate vicinity; and

WHEREAS, transfer of the existing unrestricted license would be contrary to public welfare and morals;

WHEREAS, pursuant to Business and Professions Code Section 23800 (e) the Department may grant a license transfer where the transfer with condition will mitigate problems identified by the local governing body or its designee; and,

WHEREAS, petitioner stipulates that by reason of the existence of substantial evidence of identifiable problems at the premises or its immediate vicinity, grounds exists for denial of said license transfer; and,

WHEREAS, petitioner(s) intend to exercise privileges of the license in an exterior patio area; and,

NOW, THEREFORE, the undersigned petitioner(s) do/does hereby petition for a conditional license as follows, to-wit:

1. ~~Entertainment shall not be contracted through any outside or independent promoter.~~
2. ~~Licensee(s) shall not share any profits, or pay any percentage or commission to a promoter based upon monies collected as a door charge, cover charge, or any other form of admission charge, including minimum drink orders, or the sale of drinks. Nothing in this condition shall be construed to restrict the ability of the licensee to sponsor charitable events or organizations, or to assist in efforts to raise money for any particular charity at the licensed premises.~~

Petitioner's Initial: J.P.

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BABY DOT INC.

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3. The premises shall not be rented to an outside or independent promoter.
 4. The sale of alcoholic beverages for consumption off the premises is strictly prohibited
 5. ~~No live entertainment will be allowed in the patio area as defined on the ABC-257, dated 09-13-06.~~
 6. The gate located at the rear of the exterior patio area shall be kept closed at all times except in cases of emergency. This gate shall not be used for routine patron ingress and egress to and from the premises.
 7. The exterior patio dimensions & enclosure, as depicted on ABC-257, dated 09-13-06 shall not be modified in any way unless formal notification is made to the Department.
 8. Signs will be posted on all entrances/exits of the patio area restricting removal of alcoholic beverages.
 9. The patio area shall be under the supervision of the licensee(s) or employee(s) during its operation.
 10. Exterior patio entrances/exits shall be no more than four (4) feet in width.
 11. Sales, service and consumption of alcoholic beverages shall be permitted only between the hours of 10:00 AM and 01:30 AM each day of the week.
 12. ~~There shall be no live bands or other musical entertainment (excluding karaoke and disc jockey playing pre-recorded music) unless the licensee obtains and maintains a valid conditional use permit allowing same from the City of Hayward.~~
 13. ~~There shall be no mandatory door or cover charge (except for charitable events as listed below) unless the licensee obtains and maintains a valid conditional use permit allowing same from the City of Hayward.~~
- *For the purpose of this section, a charitable organization is an organization that has been granted charitable status by the Internal Revenue Service. The licensee shall provide the Hayward Police Department with the name of the charitable organization at least 14 days before the scheduled event. Payment of door or admission charge for entry during such a charitable event shall be voluntary and no person shall be denied admittance solely because they chose not to pay the cover or admission charge.
14. No "happy hour" type of reduced price alcoholic beverage promotion shall be allowed.
 15. Loitering (loitering is defined as "to stand idly about; linger aimlessly without lawful business") is prohibited on any sidewalks or property adjacent to the licensed premise under the control of the licensee(s) as depicted on the ABC-257, dated 09-13-06.

Petitioner's Initial: _____

J.P.

48-444612
BABY DOT INC.

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- 16. The Petitioner(s) shall post and maintain a professional quality sign facing the premises parking lot(s) that reads as follows:

NO LOITERING, NO LITTERING
NO DRINKING OF ALCOHOLIC BEVERAGES

VIOLATORS ARE SUBJECT TO ARREST

The sign shall be at least two feet square with two inch block lettering. The sign shall be in English and Spanish.

- 17. There shall be no topless dancing, nude dancing, or male or female performers on the premises.
- 18. There shall be no dancing allowed on the premises unless the licensee obtains and maintains a valid dance permit from the City of Hayward.

This petition for conditional license is made pursuant to the provisions of Sections 23800 through 23805 of the Business and Professions Code and will be carried forward in any transfer at the applicant-premises. Petitioner(s) agree(s) to retain a copy of this petition on the premises at all times and will be prepared to produce it immediately upon the request of any peace officer.

The petitioner(s) understand(s) that any violation of the foregoing condition(s) shall be grounds for the suspension or revocation of the license(s).

DATED THIS 23 DAY OF Oct., 2006.

Jeanne Pepperell
Applicant/Petitioner

Applicant/Petitioner

HAYWARD POLICE Call Log Legend

| | |
|------------|--------------------------------------|
| ABC | Alcohol Beverage Control enforcement |
| C8(Code 8) | Request for cover |
| CELL | Generates generic incident number |
| FA | Fire Assist |
| FU | Follow up |
| HTC | Hayward traffic code violation |
| H&S | Narcotic/Drug violations |
| LS | Lost/Stolen report |
| OA | Outside agency assistance |
| SStop | Suspect(Person) stop |
| TStop | Traffic stop |
| 10-7/7r | Out of service/report writing |
| 10-14 | Citizen holding suspect |
| 10-19 | Return to station |
| 10-29(r/w) | Warrant check and /or arrest |
| 1033 | Building alarm check |
| 1042 | Welfare check |
| 1056T | Suicide threat |
| 1059/1059x | Patrol check/Extra patrol |
| 1066 | Suspicious person |
| 1154 | Suspicious vehicle |
| 1159 | <i>Does not exist</i> |
| 1194 | Person/Pedestrian stop |
| 148 PC | Resisting arrest |

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| 166 PC | Restraining order violation |
| 211 PC | Robbery |
| 242(j/r) PC | Assault on a person(just occurred/report) |
| 243 PC | Assault on an Officer w injury |
| 245 PC | Assault w/deadly weapon |
| 273.5 PC | Domestic violence with injury |
| 415 PC | Disturbance |
| 415c PC | Ascertain a disturbance |
| 415d PC | Domestic argument |
| 415r PC | Disturbance report |
| 415u PC | Unwanted person(s) |
| 459 PC | Burglary (ar = auto report) |
| 470ID | Identity theft |
| 484 PC | Petty theft / (j=just occurred) |
| 594 PC | Vandalism / (j=just occurred) |
| 594pj PC | Promiscuous Shooting (gun) |
| 647b PC | Prostitution |
| 647f PC | Drunk in public |
| 10851r CVC | Stolen vehicle report |
| R10851 CVC | Recovered stolen vehicle |
| 20002 CVC | Hit and run vehicle accident |
| 23152 CVC | Drinking and driving |

Funky Monkey
22554 Main St
Summarization of Orion Reports 2009

| CAD or Rpt number | Date | Time | Synopsis |
|-------------------|-----------|------|---|
| 2009-01102 | 1/16/2009 | 0033 | Bar security called HPD requesting help with unruly patrons. Off contact (S) who refused to leave. (S) was in drunken condition. Drunk Arrest |
| 2009-01101 | 1/16/2009 | 0033 | Bar security called HPD requesting help with unruly patrons. Off contact (S) who refused to leave. (S) was in drunken condition. Drunk Arrest |
| 2009-01500 | 1/19/2009 | 0130 | (V) parked his vehicle on Main St, while he went to bar. When he returned to his vehicle he found it had been vandalized. Vandalism Investigation |
| 2009-01654 | 1/23/2009 | 2355 | Off conducts security check of bar and watches (S) stagger out of the front door. (S) is found to be in a drunken state. Drunk arrest |
| 2009-02518 | 1/27/2009 | 1130 | (V) contacted HPD the following day, reporting her wallet was stolen while she was in the bar. (V) stated her bank reported fraudulent activity on her bank account. Forgery / Fraud investigation. |
| 2009-02133 | 1/30/2009 | 2322 | Bar security called HPD requesting help with unruly patrons. Off contact (S) who refused to leave. (S) was in drunken condition, who admitted to drinking shots and beer in bar. Drunk Arrest |
| 2009-02245 | 2/1/2009 | 2309 | Off contact (S), who was reported to be an unwanted guest at bar. (S) was found to be in an drunken condition. Drunk arrest |
| 2009-02660 | 2/7/2009 | 0108 | Off dispatched to contact security at bar, regarding an unruly customer. Security had (S) removed from bar. Off determined the (S) was drunk, admitted to drinking at home then consuming three drinks at bar. Drunk arrest |
| 2009-02658 | 2/7/2009 | 0030 | (S) was contacted by HPD, creating a disturbance at bar. (S) was found to have an outstanding warrant for his arrest. Warrant Arrest |

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| 2009-03307 | 2/14/2009 | 2353 | 69 Resisting Executive Officer, 243B Assault Aggravated Officer, 647F Drunk in Public, 242 Assault Simple, 1203.2 Probation Violation, Several HPD units were dispatched to the Funky Monkey, at the scene 2 Subj in custody and transported, as Officers enter TFM the bar full of patrons, Devil's Own Motorcycle Club members and Nortenos, patrons, 100+ majority intoxicated, became unruly, throwing bottles and glasses across bar, officers directed by security into bar because of fight and large unruly crowd, as officer detaining Subj and exiting bar another Subj punched officer. (S) was arrested for assaulting officer. |
| 2009-03305 | 2/14/2009 | 2245 | 11377 H&S Narcotic/ Drug Felony Poss, 1203.2 Probation Violation, Security at the Funky Monkey identified 2 MA in their Veh with suspected Methamphetamine, contacted HPD and notified them of substance, one Subj on probation, both transported to HPD, computer check revealed active probation, substance tested positive for Methamphetamine. |
| 2009-03952 | 2/21/2009 | 2100 | Lost/ Stolen Property Report, Vic contacted HPD to report her credit card and drivers license removed from her purse, while visiting the bathroom of The Funky Monkey VIC left her purse on the doorknob of the bathroom, she exited the bathroom for approx ten minutes, when she returned to get purse items were gone, Vic requested report, did not know numbers of credit card or drivers license. |
| 2009-03913 | 2/22/2009 | 2242 | Info Report, Officer dispatched for disturbance at the Funky Monkey, fight at the bar, Security Guard stated WMA cut off at the beer and asked to leave, as the Subj was leaving the bar he called the HPD, officer unable to confirm incident. |
| 2009-04260 | 2/27/2009 | 103 | 148 Resisting Arrest, HTC, Subj, BMA, contacted in the parking lot of the Funkey Monkey for excessively spinning vehicle wheels, upon contact Subj became combative and resistant, Subj eventually taken into custody by the use of ECD, Subj observed spinning tires in parking lot, Subj refused commands to turn off Veh when approached, during the attempt to handcuff Subj Subj resisted, transported to St Rose Hosp via AMR. |

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| 2009-04675 | 3/4/2009 | 2030 | 647F Drunk in Public, Officer approaches the Funkey Monkey and observed a female patron and a door man in front of bar creating a disturbance, female stated she had gotten into altercation w/ male in bar and threw a drink in his face, as officers were talking to female WMA exits bar, questions officer and became confrontational, Subj asked to move on and Subj refused, Subj had signs of intoxication, transported to HPD. |
| 2009-04882 | 3/7/2009 | 2340 | 1029M Warrant Service, Subj, BMA contacted as a witness to a shooting at The Funkey Monkey, identification and records check revealed bench warrant |
| 2009-05812 | 3/19/2009 | 2311 | 148 Resisting Arrest, In front of the Funky Monkey bar while Officers were detaining 4 Subj, HFA, with signs of intoxication, told to put hand on her head, turned to resist or get free from officers grasp |
| 2009-05815 | 3/20/2009 | 0015 | 647F Drunk in Public, 4 persons contacted for smoking in public, also holding bottle of beer, while proceeding to issue citations and arrest one for drunk in public, FMA became upset and was screaming, causing a disturbance, showed signs of intoxication, arrested, transported to HPD. |
| 2009-05814 | 3/20/2009 | 0015 | 647F Drunk in Public, While conducting a security check at the Funky Monkey Subj observe holding a bottle of beer and smoking in the rear patio area, area contained approx 20 people at time, Subj became agitated while identification was being checked, had signs of intoxication, arrested for another outstanding misdemeanor warrant, transported to HPD. |
| 2009-05813 | 3/20/2009 | 0050 | 1029M Warrant Service-Misd, BMA arrested for outstanding warrant at The Funky Monkey, while drinking and smoking in the patio area of the bar. |
| 2009-05907 | 3/21/2009 | 0027 | 273.5 Domestic Violence Injury, Officers approached while at The Funky Monkey by female to report that she had been slapped 3 times in the face, by her boyfriend, SUS, BMA, denied incident, admitted having several alcoholic beverages in the bar, transported to HPD |
| 2009-06187 | 3/25/2009 | 0140 | 1029M Warrant Service-Misd, Suspect, HMA, transported to HPD after records check revealed he had a warrant. |
| 2009-06463 | 3/29/2009 | 0047 | 148 Resisting Arrest, BMA identified as drunk in public by Officer, during a domestic disturbance investigation, during the arrest another BMA approached Officer w/ closed fists and while yelling, after several verbal commands |

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| 2009-06911 | 4/3/2009 | 1130 | 242 Assault Simple, VIC reports an assault that occurred inside The Funky Monkey, VIC, WFA at bar having drink w/ friend, as she was confronted by another female she turned her back towards SUS, SUS then punched her pulled her hair, SUS identified by VIC, follow-up conducted, report made. |
| 2009-08377 | 4/24/2009 | 1219 | Report of 243 Assault Aggravated, Officer responds to report of assault at The Funkey Monkey, HFD and AMR at scene treating Subj, BMA, Subj beaten up by 3-4 BMA in parking lot, Susp LS headed towards A St, Subj/ Vic transported to Eden Hospital. |
| 2009-08994 | 5/2/2009 | 2306 | 11377 H&S Narcotic/Drug Felony Poss., At the entrance of the bar at 22554 Main St, BMA being searched before entering the bar, while emptying pocket Subj had a pill of Ecstasy contained in a yellow cylindrical container, HPD notified of the |
| 2009-08992 | 5/2/2009 | 2221 | 11350 H&S Narcotic Felony Poss., Officers respond to Funky Monkey regarding disturbance, Security officer at location detaining Subj, BMA, observed w/ white plastic bottle |
| 2009-08942 | 5/2/2009 | 1230 | 647F Drunk in Public, WMA arguing w/ Security, at front door of The Funky Monkey, Subj asked to leave bar refused to do so, while observing Subj Subj had signs of intoxication, transported to HPD. |
| 2009-09280 | 5/6/2009 | 1907 | 647F Drunk in Public, Officer detailed to Muni lot #2, after report of female drinking in public, upon arrival woman seen going into bakery, at exit of bakery female unsteady on feet, staggering towards sidewalk, futher examination revealed obvious signs of intoxication, transported to HPD after being identified by informant. |
| 2009-09757 | 5/8/2009 | 2000 | Lost/ Stolen Property Report, Subject left his black leather jacket on a chair inside The Funkey Monkey, approx value \$200, 'front bridge' valued at \$1000, no witnesses. |
| 2009-09443 | 5/8/2009 | 2300 | Lost/ Stolen Property Report, WMA was at The Funky Monkey Bar and said when he was dancing w/ two BFA, one of them stole his wallet from his back pocket, approx \$32. in wallet and misc items, officer attempted to review survielance camera of incident and told not working, Security told officer he saw VIC dancing w/ two female and asked them if they took wallet, said no, no other evidence. |
| 2009-10511 | 5/24/2009 | 0124 | 1029M Warrant Service-Misd, BMA seen jaywalking IFO The Funky Monkey, computer check determined outstanding warrant, transported to HPD. |
| 2009-10510 | 5/24/2009 | 0120 | 1029M Warrant Service-Misd, 647F Drunk in Public, Officer was notified by citizen, IFO The Funkey Monkey, of a person that was sleeping in car, after contact Subj determined to be |

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| 2009-10509 | 5/24/2009 | 0100 | 647F Drunk in Public, Large group involved in fight in parking lot of The Funkey Monkey, BFA yelling profanities and pushing another female, Subj showed signs of intoxication, transported to HPD. |
| 2009-11034 | 5/30/2009 | 2315 | 148 Resisting Arrest, Officer driving North on Main St observe group of males arguing and yelling, preparing to fight, IFO The Funkey Monkey, argument escalates, BMA begins making racially motivated accusations towards officer while large group gather around, Subj charges officer and resists, transported to HPD. |
| 2009-11042 | 5/31/2009 | 0129 | 647F Drunk in Public, Officers arrive to observe The Funkey Monkey security guards forcefully taking a male and female out, BFA yelling profanities, stumbling, showing signs of intoxication, placed under arrest and taken to HPD. |
| 2009-11041 | 5/31/2009 | 0125 | 647F Drunk in Public, In the parking lot of The Funkey Monkey, BMA yelling at female, then at Officer, telling officer it was none of his business, BMA showed signs of intoxication, stated he had been drinking all night at The Funkey Monkey, transported to HPD. |
| 2009-11039 | 5/31/2009 | 0115 | 1029M Warrant Service-Misd, Subj was contacted because he was smoking IFO The Funkey Monkey, records check determined Subj had warrant from Sonoma County Courts, transported to HPD. |
| 2009-11038 | 5/31/2009 | 0100 | 647F Drunk in Public, Officer observed HMA standing next to the wall, the Funkey Monkey parking lot, preparing to urinate on the wall, after contact Subj said he was about to urinate, Subj had signs of intoxication, transported to HPD. |
| 2009-11494 | 6/6/2009 | 0007 | 242 Assault Simple, WMA assaulted in the parking lot of The Funkey Monkey, suffered a broken right front canine tooth and 17 stitches to his right thumb, transported to Eden Hospital by AMR, The Funkey Monkey Security Guard called HPD to report the incident and stated a male was assaulted, said VIC was intoxicated, other reports state there was a fight between VIC and a male, VIC doesn't remembers. |
| 2009-11552 | 6/7/2009 | 0150 | 1029M Warrant Service-Misd, BMA contacted for Jaywalking IFO The Funkey Monkey, Subj search determined warrant from So San Francisco Municipal Court, Transported to HPD. |
| 2009-11550 | 6/7/2009 | 0138 | 647F Drunk in Public, WFA observed walking/ staggering on Main St and holding onto wall, IFO The Funkey Monkey, to keep from losing her balance, stated she had been drinking at The Funky Monkey, arrested and transported to HPD. |

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| 2009-12107 | 6/14/2009 | 0130 | 647F Drunk in Public, Subj jaywalking across st after leaving front of The Funkey Monkey. BMA observed showing signs of intoxication, uncooperative, unable to stand still, arrested and taken to HPD. |
| 2009-12106 | 6/14/2009 | 0136 | 647F Drunk in Public, BMA staggering and smoking a cigarette, showed signs of intoxication, transported to HPD. |
| 2009-12104 | 6/14/2009 | 0134 | 647F Drunk in Public, Officer saw 2 males arguing in parking lot next to The Funkey Monkey, after separating the two males one BMA showed obvious signs of intoxication, transported to HPD. |
| 2009-12103 | 6/14/2009 | 0131 | 1029M Warrant Service-Misd, BMA observed standing outside The Funky Monkey, Officer runs identification/ records checks and find out BMA is wanted by Oakland, Ca, Arrested and taken to HPD. |
| 2009-12481 | 6/18/2009 | 2033 | 415 Disorderly Conduct, During the Street Fair officer observes HFA standing in IFO The Funkey Monkey yelling and appeared to be fighting w/ group, as male was trying to separate HFA from crowd, Officers later learned HFA was upset due to ex-husband inside bar w/ another woman. Subj detained. |
| 2009-13583 | 7/3/2009 | 0135 | 647F Drunk in Public, BMA exiting The Funkey Monkey, starts yelling at Officer, appears intoxicated, told by Security they had to escort BMA out of the bar, told Subj intoxicated, told to leave but went to parking lot and began yelling while swaying. Transported to HPD. |
| 2009-14053 | 7/11/2009 | 1215 | 1029M Warrant Service-Misd, WMA observed standing outside The Funky Monkey, Officer runs identification/ records checks and find out WMA is wanted by Fremont, Ca, Arrested and taken to HPD. |
| 2009-14517 | 7/17/2009 | 0119 | 647F Drunk in Public, HMA standing to rear of The Funky Monkey smoking. Officer approaches and is met with strong odor of alcohol, and observes Subj has wet clothing, appeared |
| 2009-15259 | 7/26/2009 | 109 | 647F Drunk in Public, 148 Resisting Arrest, BMA, to the rear of TFM, leaning against wall. Subj had a wet spot on the front of his pants, using wall to brace himself up. Check on welfare resulted in determination of intoxication, attempt to arrest met w/ resistance and Subj falling to ground. Continued to resist, uncooperative, refused to provide statement, taken to HPD. |

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| 2009-16175 | 8/8/2009 | 1252 | 148 Resisting Arrest, 69 Resisting Executive Officer, Officer detailed for direct enforcement, HPD Patrol Officers were conducting a 245, during "Dance Club' type venue, patron stuck in face w/ bottle, while bar patrols started exiting and threatening the officers in a riot like manor. During the skirmish Subj exposes herself and yelling at officer, during arrests of other Subj exposing female approaches officer in an attempt to prevent officer from arresting her friend, during arrest Subj resisted, later transported to HPD. |
| 2009-16173 | 8/8/2009 | 1240 | 148 Resisting Arrest, Officer assist on an Assault w/ deadly weapon investigation at the Funky Monkey, BFA approached officer because of an arrest of her sister, told to go to her car several times, Subj swings and hits officer w/ hand, resisted after told she was under arrest, taken to HPD. |
| 2009-16171 | 8/8/2009 | 1219 | 245 Assault Deadly Weapon, Officer arrives on scene at The Funky Monkey, approx 50 Subj in front of bar, group of black females involve in argument that leads to fight, one BFA struck w/ bottle, laceration to face, treated by Medics, both fighting Subj appear to be intoxicated, Subj unsure which female hit her, surveillance footage reviewed. |
| 2009-16272 | 8/9/2009 | 1022 | 1029M Warrant Service, Officer observed Subj smoking IFO The Funky Monkey. A records check revealed Subj had a outstanding warrant, placed into custody and transported to jail. |
| 2009-16252 | 8/9/2009 | 1258 | 647F Drunk in Public, Officers observe Subj jaywalking across Main St from front of The Funkey Monkey. Subj stumbled while walking. Upon contacting Subj obvious signs of intoxication lead to placing Subj under arrest and transporting Subj to jail. |
| 2009-16249 | 8/9/2009 | 1235 | 647F Drunk in Public, Officer driving on Main St observer Hispanic Female standind next to building IFO The Funky Monkey. Subj is swaying back and forth and using the wall to keep herself from falling to the ground. Officers contact Subj, and based on observations, determin Subj ability to safely care for herself. Subj intoxicated, unable to walk, and placed under arrest. |
| 2009-16248 | 8/9/2009 | 1235 | 647F Drunk in Public, Officer conducting security check at The Funky Monkey notice WFA standing next to building. The WFA is circling/ pacing and swaying IFO location. After contacting Subj Officer determined Subj intoxicated. Placed into custody and transported for booking to HPD. |

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| 2009-16779 | 8/16/2009 | 0108 | 1029M Warrant Service, While standing outside the bar Subj was contacted for a violation of the City of Hayward Smoking Ordinance. During a records check discovered Subj had a outstanding warrant. |
| 2009-17164 | 8/21/2009 | 0136 | 647F Drunk in Public, Officer apprehends Susp outside The Funky Monkey for public intoxication. Susp Hispanic male was stumbling after exiting bar, and laid down on bench, and appeared to fall asleep. Susp taken to Jail. |
| 2009-17828 | 8/30/2009 | 1259 | 242 Assault Simple, Officer detailed to Kaiser to investigate a reported Battery that occurred at The Funkey Monkey. Reporting party says he was beat up by a couple of Security Guards at TFM. Subject says he was involved in fight with another patron, was winning, separated by security, then beat up by security. Subj then changed story, Security says they just secured the bar and maintained the peace. |
| 2009-17933 | 8/31/2009 | 0342 | 647F Drunk in Public, Officer apprehends Susp outside The Funky Monkey for public intoxication. |
| 2009-18302 | 9/5/2009 | 1247 | 242 Assault Simple, 647F Drunk in Public, While driving on main street officer approaches Funky Monkey and hears a disturbance, long line at front door and subjects arguing, male is yelling at Security Guard, and a physical altercation occurs. Patron of bar was intoxicated and involved in altercation. Shoving between the Security Guard and a patron ensues, and |
| 2009-18882 | 9/13/2009 | 0140 | 647F Drunk in Public, While monitoring foot traffic Officer observes Male yelling at people and challenging people to fight. Officer was in the rear parking lot and approached Susp to request ID, Susp displayed strong signs of intoxication and placed Susp under arrest. |
| 2009-61580 | 9/19/2009 | 2235 | Patron of the bar was sitting at the bar and put his phone down on the bar while talking to friend. When turned around to retrieve phone, phone was gone, no witnesses. Person called phone, answering party says phone was theirs. Black slider phone w/ red trim, 300 dollar value. |

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| 2009-20889 | 10/10/2009 | 0123 | 647F Drunk in Public, Officer detail for assault in progress, in |
| 2009-20889 | 10/10/2009 | 0123 | 647F Drunk in Public, Officer detail for assault in progress, in parking lot, at arrival 30 people standing near front entrance, w/ 15 in parking lot, as the officer instructs crowd, customers become belligerent and hostile. One patron then exit bar, intoxicated, and leaves with friends, then returns to incite other patrons by being belligerent, yelling, and hostile towards police. Subject arrested. |
| 2009-20884 | 10/10/2009 | 0028 | 647F Drunk in Public, Officer in parking lot observes 4-5 BA persons creating disturbance, screaming and yelling, while a battery had occurred to another person. 1 BFA arrested due to intoxication. |
| 2009-20885 | 10/10/2009 | 1215 | 1029M Warrant Service, While investigating a Battery that occurred outside The Funky Monkey, Officers detained one Suspect. |
| 2009-21062 | 10/13/2009 | 1238 | 647F Drunk in Public, Male subj sitting in one car arguing with another female subj, in another car. Male intoxicated behind wheel w/ child in car. Male also was searched and had addition alcohol. Subject transported to jail for booking. |
| 2009-21285 | 10/16/2009 | 1237 | 647F Drunk in Public, Officer driving thru parking lot observes male staggering to his vehicle, and sit in the driver seat. Due to state of Subj, placed under arrest. |
| 2009-21966 | 10/25/2009 | 0200 | 243 Assault Aggravated, Two related patrons after having drinks at the bar exit and one engages in a physical fight outside, with a group of unk males. The fighting patron is knocked unconscious, his cousin, moves him across the street, where a BMA, the same one that hit the cousin, hit him w/ a closed fist, both related patrons then leave. The result was a broken jaw to the cousin that was not involved in the initial fight, Suspect works as a Security Guard at establishment. |
| 2009-23257 | 11/13/2009 | 1122 | 647F drunk in public, Officer driving south on Main, observes three females walking north, later identified. Behavior of one female caused officer to stop to inquire what was needed. One female extremely intoxicated, created officer to request assistance (fire and ambulance)taken to Eden Hospital. |
| 2009-23264 | 11/14/2009 | 0200 | Drunk in public, 12020 PC Weapons Poss. Unlaw, A male was staggering north on Main St, upon viewing the Subj w/ a knife, folded knife open and tucked in waistband, was observed on the SUBJ. Subj also resisted arrest. |

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| 2009-23260 | 11/14/2009 | 0130 | 242 Assault Simple, Officer sent to Funky Monkey for battery in progress, At arrival 12-15 patrons pushing each other, rapidly dispersing, while officer spoke to Manager on duty. Manager uncooperative, and smelled of alcohol, only vaguely describing incident, two patrons escorted out of bar, and people involved. She tells officers they can leave. |
| 2009-23737 | 11/21/2009 | 0130 | Two males got into a fight inside the bar, the Security Guard attempted to break up the fight, when a girlfriend one of the fighting parties punches the guard. As group of patrons leave bar, officer views group exiting bar, and uniformed Security outside detaining one female yelling loudly at the guard and fall into small planter box, intoxicated patrol transported to St. Rose Hospital. |
| 2009-24363 | 11/29/2009 | 0042 | Off contacts suspicious male in car parked to rear of bar. Subject found to have multiple narcotics warrants for his arrest. Warrant Arrest |
| 2009-24382 | 11/29/2009 | 2336 | Victim left car parked in parking lot behind bar around 2130 hrs. When she returned to hit at 2336 hrs, the car was gone. Stolen Vehicle Report |
| 2009-25611 | 12/6/2009 | 0110 | Off contacts suspicious male in car parked to rear of bar. Subject found to have warrants for his arrest (vandalism & resisting arrest). Warrant Arrest |
| 2009-25668 | 12/20/2009 | 0135 | Off watches large group of customers leave Bar, congregate in Muni #2. A loud argument breaks out among group, necessitating officer to break up group. Off's contact (S) who is source of disturbance. Suspect refuses to ID himself, is drunk argumentative and fails to follow directions of officer. (S) arrested for drunk and resisting arrest. |
| 2009-26111 | 12/28/2009 | 0200 | Off finds (S) passed out in drivers seat of vehicle parked in parking lot to rear of bar. (S) is extremely drunk unable to follow simple directions. (S) admitted to drinking at bar, fell asleep in vehicle. (S) arrested for drunk |

| Rpt# | Date | Time | Crime Class | Synopsis |
|------------|-----------|------|---|--|
| 2007-02322 | 1/27/2007 | 2249 | 242 PC Assault Simple | Officer investigates possible battery call, meets Vic at St Rose Hosp., Assault occurred at the Funky Monkey in the parking lot, Subj sets up meeting at bar via phone, Subj walks Vic to parking lot where Subj punches Vic 2 times, Vic doesn't pursue charges. |
| 2007-11963 | 5/19/2007 | 0115 | 242 PC Assault Simple | Vic reports battery, front lobby HPD, Vic states incident happened at the Funky Monkey on the dance floor, Susp punches Vic with fist in month and nose, claims Security saw incident, Security denies witnessing, no other witnesses. |
| 2007-14956 | 6/16/2007 | 0200 | 242 PC Assault Simple | Officer responds to Kaiser Hosp ER for battery report, incident occurred at the Funky Monkey, Vic said battery occurred at bar a week earlier, could not recall what happened, Vic was drinking alcohol. |
| 2007-15917 | 7/4/2007 | 0047 | 243 PC Assault Aggravated, 69 PC Resisting Executive Officer, 422 PC Criminal Threats | Officer responds to a disturbance at the Funky Monkey, a Security Guard working the bar observed a BMA touching female patrons inappropriately, Security asked BMA to leave, BMA refuses several times, security then escorts BMA outside and to car, BMA returns to assault guard and bites guard, during restraining of BMA guard uses OC peper spray, BMA then threatens guard for being sprayed, and spit at HPD officer, AMR transports BMA to St Rose Hosp. where he bites officer, transported to HPD Jail. |
| 2007-17388 | 7/21/2007 | 0129 | 1029M Warrant Service-Misd, 242PC Assault Simple | Patrons leaving the Funky Monkey engage in fight between 6-10 persons, as officer attempt to separe involved parties and detain one female she falls, sfter records check on female warrant was discovered, transported to HPD. |
| 2008-04253 | 2/23/2008 | 0100 | 242 PC Assault Simple | HFA goes to the HPD to report Assault, assault happenened as Vic was leaving the Funky Monkey due to fight inside bar, Vic assaulted while trying to leave by 3 HFA on the previous night, said she thought the Susp were gang members, and they took purse. |
| 2008-06594 | 3/21/2008 | 0001 | 148 PC Resisting Arrest, 647F PC Drunk in Public | Officer observes BMA grab WFA and determines grabbing unwanted, tells BMA to release her, BMA then advances on officer in aggressive manner, as crown gathers, altercation ensues, BMA intoxicated, transported to HPD. |
| 2008-14050 | 6/22/2008 | 0318 | 242 PC Assault Simple | Officer responds to report of an argument at the Funkey Monkey, Patron says he was sprayed by Security Guard with pepper spray for no reason on the previous night, 2 guards say they were conducting a search of patron then used pepper spray after patron and another patron attempted to fight the guards. |

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| 2008-15053 | 7/5/2008 | 1736 | 647F PC Drunk in Public, 148PC Resisting Arrest | Officer responds to disturbance at the Funkey Monkey, as officers enter bar HFA observed yelling at bar tender, Subj intoxicated, after asked question became disruptive and shouting profanity, transported to HPD. |
| 2008-16085 | 7/17/2008 | 2355 | 242PC Assault Simple | Officer flagged down by citizen outside the Funkey Monkey who stated that a fight just occurred inside the bar and three Susp had fled west across Main St, at the bar manager said three Susp tried to force there way into the bar past security and during the scuffle patron punched and pushed into another patron who was also injured from fall, Suspects at large, Unk, case suspended. |
| 2008-23953 | 10/3/2008 | 2230 | 242 PC Assault Simple | Officer responded to a report of a citizens' arrest on a Suspect, WMA, for a assault that happened three weeks prior at the Funkey Monkey, Vic, WFA, touch by Susp which made her feel uncomfortable, Vic saw Susp downtown near B Street Bistro and place him under Citizens Arrest, then called HPD, Susp released w/Citation to appear. |
| 2008-22954 | 10/11/2008 | 0101 | 242 PC Assault Simple | Security Officer/ doorman at the Funkey Monkey was escorting patron and his friend to parking lot, patron was removed from bar for spitting on a female patron, both subj got into car to leave and hit another car while backing out, guard saw incident and stopped driver, who was intoxicated, BMA, was placing under arrest, struggle ensued, HPD officer arrived to assist, during struggle guard was hit by Subj., arrested accepted by HPD for transport to HPD. Subj was known in CRIMS/CII prior to incident. |
| 2008-24041 | 10/25/2008 | 0108 | 242 PC Assault Simple | Suspect, HMA, was at the Funkey Monkey w/ relatives who got in argument inside bar, Security saw SUSP, HMA, slap female inside bar, HMA escorted outside by Security, HMA then punched one security officer(3) times, Susp transported to HPD. |
| 2008-26199 | 11/22/2008 | 0115 | 242 PC Assault Simple | Officer dispatched to the Funkey Monkey regarding a Susp that Security had detained, as Officers investigate two females exit the bar yelling at each other, talking about being hit, one female said another female had kicked her after arguing inside the bar, both parties refused to press charges on each other, then both parties left. report taken. |
| 2008-28720 | 12/28/2008 | 0006 | 242 PC Assault Simple | BFA pushed Security Guard 5-6 times , as HPD (SDU) passing the Funkey Monkey, security guard flags them down, BFA was agitated, yelling, w/ fists clinched because security at the front door of bar would not allow BFA inside bar, due to capacity reached, and she tried to go in anyway, security wanted Susp arrested. |

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| 2009-03307 | 2/14/2009 | 2353 | 69 PC Resisting Exe Off, 243B Assault Aggravated, 647F Drunk in Public, 242 Assault Simple 1203.2 Prob Violation | Several HPD units were dispatched to the Funky Monkey, at the scene Subjs being put into custody and transported, as HPD Officers enter the bar capacity was full of mixed patrons, Devil's Own Motorcycle Club members and Nortenos, patrons, 100+, majority intoxicated, became unruly, throwing bottles and glasses across bar, officers directed by security into bar because of fight and large unruly crowd, as officer detaining Subj and exiting bar another Subj punched officer in the face, fight ensued, as officer drew ECD crowd dispersed, Subj escorted from bar and transported to HPD. |
| 2009-04260 | 2/27/2009 | 0103 | 148 PC Resisting Arrest, HTC Violation | Officer dispatched to 22650 Main St, in route heard sound of spinning tires and saw plume of smoke coming from parking lot of the Funkey Monkey, as Officer approached Veh, driver, BMA, refused to shut off Veh and exit Veh, driver of veh hostile, and verbally abusive towards officer, physically resistive to arrest, refusing officer commands or to comply w/ request, ECD'd, HFD responded, transported to St Rose Hosp. via AMR, medically cleared, released on a citation. |
| 2009-05812 | 3/19/2009 | 2311 | 148 PC Resisting Arrest | HFA being detained IFO the Funkey Monkey, Susp showed signs of intoxication, refused to comply w/ Officer commands, tried to get free of grasp while being search, transported to HPD. |
| 2009-05907 | 3/21/2009 | 0019 | 273.5 PC Domestic Violence Injury | While conducting a security check at the Funkey Monkey Officer approached by BFA claiming she was slapped in the face by boyfriend, a BMA, while drinking and arguing, at the Funkey Monkey, Vic request EPO and was granted, Susp is known to CRIMS and CII , transported to HPD. |
| 2009-06463 | 3/29/2009 | 0047 | 148 PC Resisting Arrest | Officers conducting a domestic disturbance investigation and placed BFA under arrest, boyfriend, BMA, appeared from parked car in Muni Lot#1 approached w/ both hands in a clinched fist, yelling, refusing commands, officer deployed ECD treated by HFD, transported to St Rose Hosp, released, transported to HPD. |
| 2009-06911 | 4/3/2009 | 2330 | 242 PC Assault Simple | Officers conducting parking enforcement approached by WFA, WFA said she was a VIC of an assault at the Funkey Monkey, Vic having drink w/ friend turned her back on Susp, HFA, Susp grab the back of Vic's hair and began punching her in the face, report, no witnesses. |
| 2009-08377 | 4/24/2009 | 0019 | 243 PC Assault Aggravated | Officer responded to assault report at the Funkey Monkey, upon arrival HFD and AMR treating Vic, BMA, witness saw group of 3-4 BMA's in their 20's beat up a BMA, they were kicking him, Vic lost consciousness, transported to Eden Hosp, incident occurred in parking lot of the Funkey Monkey/ Muni Lot#2, report made. |

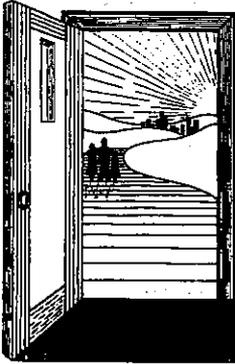
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|------------|-----------|------|---|--|
| 2009-11034 | 5/30/2009 | 2315 | 148 PC Resisting Arrest | Officer of the HPD (SDU) driving north on Main from B St, hear loud yelling, saw group of males, BMA's, on east near the Funkey Monkey, 2 males were within inches of each other escalating into a physical fight, discovered one BMA had a warrant, another started to insight response from crowd watching, one male charges officer as he put cuffs on another male, charging male ignored officer commands, delay arrest, transported to HPD. |
| 2009-15259 | 7/26/2009 | 0109 | 647F Pc Drunk in Public, 148 PC Resisting Arrest | While conducting a security check to the rear of the Funkey Monkey HPD (SDU) observe male leaning against wall w/ wet tank top and front of pants, Susp showed signs of intoxication, angry, shaking his finger in a "no" fashion, as he was being placed in cuffs, he clinched his fists and tried to pull away from officer, transported tyo HPD. |
| 2009-16171 | 8/8/2009 | 0019 | 245 PC Assault Deadly Weapon | Officer dispatched to the Funkey Monkey on a report of an assault, upon arrival 50+ subj in front of bar, BFA on ground being treated by medics, Vic was in argument w BFA that turned into fight, Vic was hit in head w/ bottle, crowd became unruly and would not leave upon police request, Vic transported to Highland Hosp per her request, no witnesses to fight, photos taken. |
| 2009-16173 | 8/8/2009 | 0040 | 148 PC Resisting Arrest | Officer assisting w/ deadly weapon investigation at the Funkey Monkey, instructing patrons to get to their cars and go home, officer was placing BFA into custody when BFA approaches, refused commands, continued advancing, then swung w/ right hand and slapped officer, while being arrested BFA resisted. |
| 2009-16175 | 8/8/2009 | 0052 | 148 PC Resisting Arrest | Officers detailed to work patrol and direct enforcement around the Funky Monkey during "dance club" venue as patrons started to exit the bar, crowd threatening officers in a riot like manor, officer joined skirmish line pushing crowd northbound on Main St, spotted female as she bent over to exposing her bare buttock while yelling, after skirmish female approaches other officer while arresting and loading prisoners in van, attempted to strike officer w/ closed fist, resisted arrest, transported to HPD. |
| 2009-18302 | 9/5/2009 | 0047 | 242 Assault Simple, 647F Drunk in Public | Officer driving on Main St IFO the Funkey Monkey hears a loud disturbance, sees physical fight in progress, sees male laying on his back on the sidewalk, regains consciousness and continues fight w/ subject standing nearby, Security says patron trying to sneak into bar without being searched, after several atempts and pushing match fight developed between Security and Susp, Susp intoxicated which influenced his actions that caused incident, transp. to HPD. |

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|------------|------------|------|--|--|
| 2009-20945 | 10/10/2009 | 2335 | 69 PC Resisting Executive Officer, Non Specific Crime. | Officer while on patrol observe male, HMA, exit the Funkey Monkey and jaywalk in diagonal path towards patrol car, officer exits patrol car to contact Subj, HMA, HMA ignored officer request, called out to Subj 2 more times, Subj speaks in angry tone and denies violation, insists being harassed, refuses to give ID, clinches fist and takes fighting stance, attempts to arrest met w/ resistance, search revealed switchblade type knife, transported to HPD. |
| 2009-21966 | 10/25/2009 | 0200 | 243 Assault Aggravated | Officer dispatched for battery investigation, at Kaiser Hosp. contact w/ Vic and Vic didn't want to talk, at HPD front counter Vic returned to report battery, which happened at the Funkey Monkey when Vic was about to leave bar w/ cousin, outside in parking lot cousin got into fight Vic tried to remove cousin and says he saw BMA Security Guard approach and punch Vic in face w/ closed fist, later that day jaw hurt Vic so he went to Kaiser, Vic had broken jaw, unable to contact Security Guard. |
| 2009-20883 | 10/10/2009 | 0005 | 242 PC Assault Simple | Officer conducting disturbance investigation at 1082 B St approached by several people saying there is a disturbance over there, pointing at the Funkey Monkey, as officer approaches area of disturbance sees 4-5 black males and females all screaming and gathered, officer begins systematically process individuals, arrests one for Drunk in Public, and after talking to Security identifies one patron as striking another with phone, transported to HPD. |
| 2009-23260 | 11/14/2009 | 0004 | 242 PC Assault Simple | Officer goes to the Funkey Monkey for a battery in progress, as he arrives sees 12-15 people leaving bar pushing each other and rapidly disperse, manager at bar uncooperative, did not say what happened, only said some sort of disturbance, and told officer her security could handle things, officer checked for area for Vic's, none. |
| 2009-23271 | 11/14/2009 | 0200 | 245 PC Assault Deadly Weapon | Officer responds to San Leandro Hosp to investigate stabbing, VIC sustained two stab wounds while at the Funkey Monkey bar, after exiting the bar to go to car three unk black males approached and began punching him in the face, Vic then got a ride home from unk black male, car of Vic not located, later Vic watching TV noticed he was bleeding and goes to San Leandro Hosp, Vic refused to give statement regarding suspects, his vehicle, and what the altercation consisted of, Vic's tank-top shirt w/ blood stain and Polo shirt w/ blood stain collected and in evidence. |

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|------------|------------|------|--|---|
| 2009-23737 | 11/21/2009 | 0130 | 242 PC Simple Assault 148 PC Resisting Arrest 647F Drunk in Public | Security Officers break up a fight between two males. Girlfriend of one of the two males punches a security officer. HPD is called to bar to take custody of female, how due to drunken condition falls into a planter box. |
| 2009-25668 | 12/20/2009 | 0135 | 148 PC Resisting Arrest 647F PC Drunk in Public | Officer watched large group of customers leave bar, congregate in Muni #2. A loud argument breaks out among group, necessitating officer to break up group. Officers contact (S) who is source of disturbance. Suspect refuses to ID himself is drunk argumentative and fails to follow directions of officer. (S) arrested for drunk and resisting arrest. |
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August 25, 2009

COMMPRE



Ms. Arlyne J. Camire, AICP
City of Hayward, Planning Division
777 "B" Street
Hayward, CA 94541

**RE: Conditional Use Permit, PL-2009-0363: Joeann Pepperell
(Applicant); Adams & Adams & Max Morriss (Owner)**

Dear Ms. Camire,

1558 B Street, Suite 201
Hayward, CA 94541
(510) 885-8743
(510) 885-1848 fax



A program of
Horizon Services, Inc.

I am writing to express CommPre's opposition to intensify the operations of the existing Funky Monkey bar located at 22554 Main Street, Hayward.

We are opposed to the applicant's requests to add entertainment on the grounds that the establishment is currently under investigation by the California Department of Alcoholic Beverage Control (ABC) and the Hayward Police Department (HPD). To further comment, CommPre needs the investigation to be finalized, and the findings disclosed as to the disposition of the investigation. The findings will allow us to conduct a realistic and thorough analysis as to the impact(s) of expanding the business operations.

As you may know, the Funky Monkey has been operating as a nightclub with live disk jockey and a dance floor without proper permits from the City of Hayward and HPD.

If you have any questions, please feel free to contact me directly at (510) 885-8740.

Cordially,

Alfredo Coria
Prevention Specialist/ Community Organizer



Brandon Chan

CITY OF HAYWARD

PLANNING DIVISION

APPLICATION FOR A DEVELOPMENT PERMIT

777 B STREET, HAYWARD, CA 94541-5007

(510) 583-4200 ♦ TDD (510) 247-3340 ♦ FAX (510) 583-3649

1-650-1-1725

p.2 8683

| | |
|--------------------|--------------|
| APPLICATION NUMBER | PL 2009-0363 |
| TYPE | CUP |
| TAKEN BY | A CLAMINE |
| DATE | 07/17/09 |

APPLICANT(S) Pepperell Joann
LAST NAME FIRST NAME

| | |
|------------------------------------|------------------------|
| INITIAL FEE | \$ 5,000 |
| ADDITIONAL TIME & MATERIAL CHARGES | NOT TO EXCEED NO LIMIT |

COMPANY NAME (IF APPLICABLE) Funky Monkey

STREET 22554 Main St.

CITY Hayward STATE CA ZIP CODE 94541 PHONE NO. (510) 733-2334

FAX NO. (510) 733-3130 E-MAIL N/A CELL PHONE (510) 4101-2063

APPLICANT'S INTEREST IN PROPERTY: OWNER LESSEE OPTIONEE OTHER

INVOICES TO BE DIRECTED TO: OWNER APPLICANT OTHER

(Please provide address if other, see note 2)

PROPERTY OWNER(S) Adams + Adams + Max Morris PHONE NO. 537-4314
LAST NAME FIRST NAME

STREET 3541 Jamison Way #130 CITY Castroville STATE CA ZIP CODE 94546

FAX NO. _____ E-MAIL _____ CELL PHONE _____

TYPE OF PERMIT(S): SITE PLAN REVIEW GENERAL PLAN AMEND. PARCEL MAP TRACT MAP VARIANCE
 USE PERMIT ADMIN. USE PERMIT ZONE CHANGE FROM _____ TO _____ OTHER _____

PROJECT ADDRESS/LOCATION _____

ASSESSOR'S MAP NO. 42800610580 ZONING DISTRICT(S) CCP/CC

PROJECT DESCRIPTION (attach additional sheets if necessary) To be able to charge at door. A cover charge for admission.

I HEREBY CERTIFY THAT I AM THE OWNER OF RECORD OF THE PROPERTY DESCRIBED ABOVE AND, FURTHER THAT I APPROVE OF THE PROPOSED USE CONTAINED HEREIN. SEE NOTE 2.

I HEREBY STATE THAT THE FOREGOING STATEMENTS AND ANSWERS AND ALL DATA, INFORMATION AND EVIDENCE SUBMITTED HERewith ARE IN ALL RESPECTS, TO THE BEST OF MY KNOWLEDGE AND BELIEF, TRUE AND CORRECT.

OWNER SIGNATURE X Bong Jim Chan 7/19/09

APPLICANT SIGNATURE X Joann Pepperell

STAFF REMARKS

NOTE 1: FEES ARE NOT REFUNDABLE AND PAYMENT IS IN FULL UPON RECEIPT OF APPROVAL OF APPLICATION.
NOTE 2: THE OWNER IS RESPONSIBLE FOR PAYING ALL FEE AND MATERIAL CHARGES.

THIS IS YOUR RECEIPT WHEN MACHINE VALIDATED

CK 1863 \$2,000 JOEANN ELIZABETH PEPPERELL

CK 2885 \$3,000 ROSE TAMEZ-MONIZE PAID DEPOSIT ONLY

JUN 17 2009

Pink - Applicant

Goldenrod - Accounting

RECEIVED

JUL 17 2009

PLANNING DIVISION

CODE DATA 2001 CBC

- THE FUNKEY MONKEY 22554 MAIN STREET
- A-3 OCCUPANCY TYPE V-N CONSTRUCTION

SECTION 303 — REQUIREMENTS FOR GROUP A OCCUPANCIES

303.1 General.

303.1.1 Group A Occupancies defined. Group A Occupancies include the use of a building or structure, or a portion thereof, for the gathering together of 50 or more persons for purposes such as civic, social or religious functions, recreation, education or instruction, food or drink consumption, or awaiting transportation [for SFM] or motion picture production studios, sound stages and approved production facilities with live audience stages. A room or space used for assembly purposes by less than 50 persons and accessory to another occupancy shall be included as a part of that major occupancy. Assembly occupancies shall include the following:

Division 1. A building or portion of a building having an assembly room with an occupant load of 1,000 or more and a legitimate stage.

Division 2. A building or portion of a building having an assembly room with an occupant load of less than 1,000 and a legitimate stage.

Division 2.1. A building or portion of a building having an assembly room with an occupant load of 300 or more without a legitimate stage, including such buildings used for educational purposes and not classed as Group B or E Occupancies.

Division 3. A building or portion of a building having an assembly room with an occupant load of less than 300 without a legitimate stage, including such buildings used for educational purposes and not classed as Group B or E Occupancies.

OCCUPANT LOAD CALCULATIONS 2001 CBC

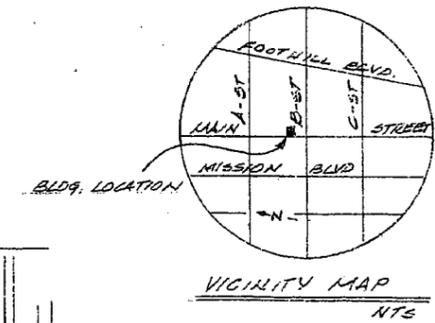
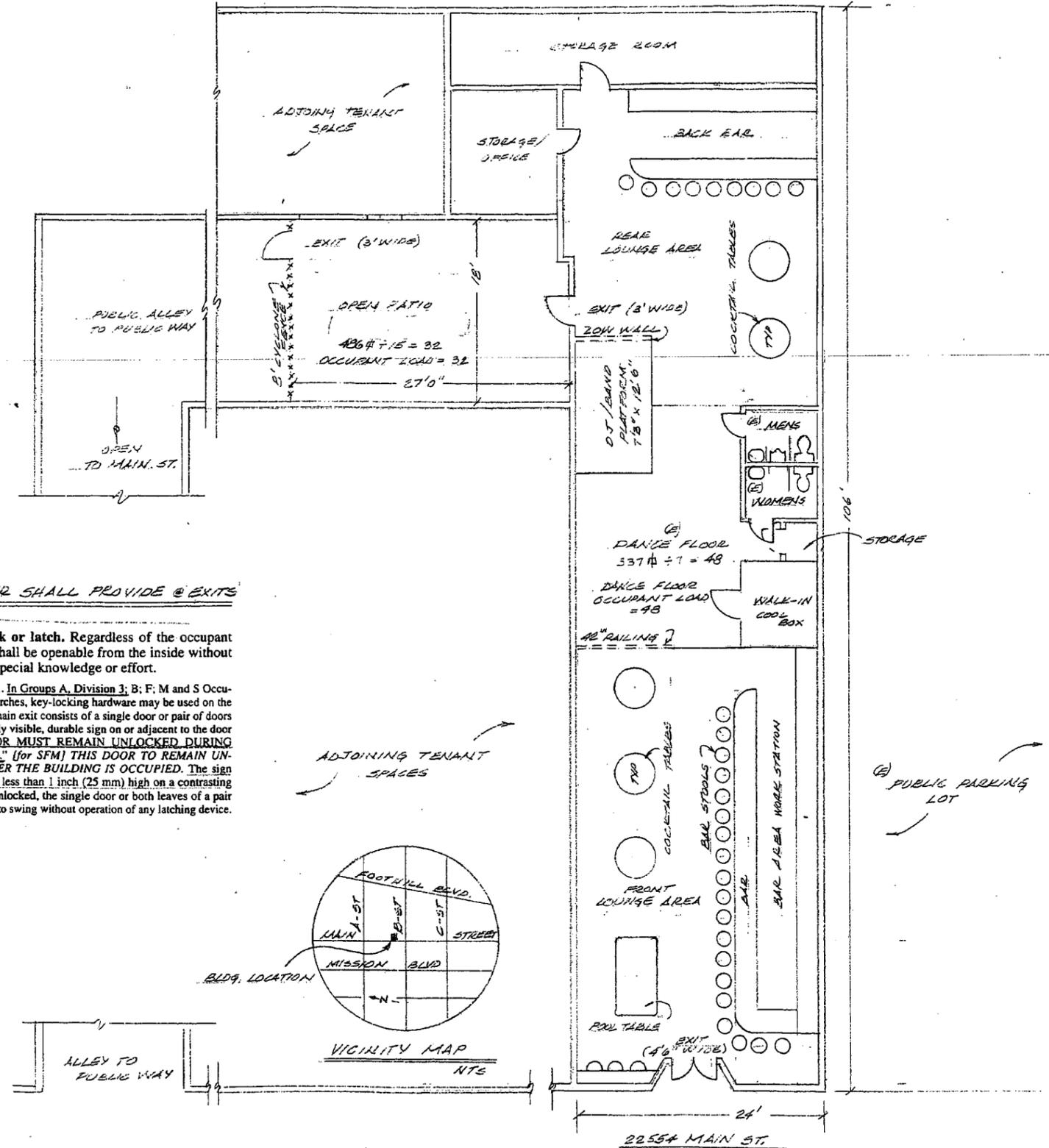
BASED ON 2001 CBC TABLE 10A #31#4.
 BLDG 24 x 196 = 2,544 # ÷ 15# PER PERSON = 170
 PATIO 19 x 27 = 486 # ÷ 15# " " = 32
 DANCE FLOOR = 337 # ÷ 7# " " = 48
 TOTAL OCCUPANT LOAD = 250

TWO EXITS REQUIRED / TWO EXITS PROVIDED

NOTE: OWNER SHALL PROVIDE @ EXITS

1003.3.1.8 Type of lock or latch. Regardless of the occupant load served, exit doors shall be openable from the inside without the use of a key or any special knowledge or effort.

EXCEPTIONS: 1. In Groups A, Division 3; B; F; M and S Occupancies and in all churches, key-locking hardware may be used on the main exit where the main exit consists of a single door or pair of doors where there is a readily visible, durable sign on or adjacent to the door stating, "THIS DOOR MUST REMAIN UNLOCKED DURING BUSINESS HOURS." (for SFM) THIS DOOR TO REMAIN UNLOCKED WHENEVER THE BUILDING IS OCCUPIED. The sign shall be in letters not less than 1 inch (25 mm) high on a contrasting background. When unlocked, the single door or both leaves of a pair of doors must be free to swing without operation of any latching device.



Project #
 PL-2009-0363 CUP

THE FUNKEY MONKEY
 22554 MAIN ST HAYWARD CA 9454
 SCALE 1/8"=1'-0" DRAWN BY J. Kelly
 EATS REVISED
 LARRY NULSE DRAFTING SERVICE
 458 CORNING CT FRESNO CA 93706
 USE PERMIT FOR LIVE MUSIC IN EXISTING BLDG. 10/1