



DEPARTMENT OF BUSINESS AFFAIRS AND CONSUMER PROTECTION
CITY OF CHICAGO

PLAN OF OPERATION

Licensee: 12 West Elm LLC
d/b/a: Hopscotch

Premises: 12 West Elm St.
Chicago, IL 60610

Application Type: Tavern and Public Place of Amusement

Account Number: 391926

The City of Chicago Department of Business Affairs & Consumer Protection/Local Liquor Control Commission (“BACP/LLCC”) and the above-named Licensee have agreed to the following conditions regarding the use and operations of a Tavern and Public Place of Amusement (“PPA”) license at the premises located at 12 West Elm St, Chicago, IL 60610:

1. **Events and Promoters.** The Licensee shall not use the premises for leasing out to promoters or outside companies. All events, if any, will be booked internally with ownership. All of the entertainment shall be overseen by the owners of the business. The Licensees shall not allow any event to take place where ownership is not present and permits any individual or entity to hire their own staff (bartenders, servers, hosts, and security).
2. **Nightclub.** The Licensee shall not operate the premises as a nightclub. The Licensee shall not operate a business model to create a nightclub atmosphere.
3. **Dance Floor.** Patrons are permitted to dance, but the Licensee shall not have a dance floor nor build a dance floor.
4. **Music.** All music shall be played at a level that facilitates normal conversation between patrons. The Licensee shall maintain music levels to “easy listening” or “soft background music.” Licensee shall never utilize the services of a guest disc jockey.



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5. **Cover Charge.** The Licensee shall not use the PPA license to generate revenue by charging a cover for admittance to the premises.
6. **Noise Abatement and Litter.**
- a. Licensee shall comply, if required, with its lease regarding all the purchase of sound attenuation materials.
 - b. The Licensee shall have security personnel working at the entrance to remind patrons to maintain respect for our surrounding neighbors. Area residents shall have a direct line of communication with Licensee to facilitate the prompt resolution of any noise/litter complaints.
 - c. Licensee shall regularly monitor the exterior area around the premises during all of its business hours in order to address and abate noise, loitering and littering complaints about Licensee's patrons or employees.
 - d. Licensee shall take steps to prevent the accumulation of litter by making an employee responsible for the outside cleaning duties throughout the day and at the end of each night. The employee will be part of the full time staff and will be responsible for picking up any trash that is located in front of, and adjacent to the premises of the establishment.
 - e. The Licensee shall maintain sufficient trash containers to accommodate any additional waste generated in the unlikely event that extra waste is generated.
 - f. The Licensee shall ensure that all trash containers shall be locked and secured at all times. The Licensee shall have trash pick-up occur at least once per day of operations, and more frequently should the need arise.
 - g. Licensee will display a sign in a conspicuous location near the front door inside the Premises that reads, "Please Respect Our Neighbors, Please Exit Quietly and Do Not Loiter."



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7. **LLCC Complaints.** Licensee agrees that in the event the LLCC receives a complaint, the Licensee shall cooperate fully with any investigation, including, but not limited to, submitting any records requested by the LLCC. The Licensee shall, upon request of the LLCC, produce any records the LLCC has requested within ten (10) days of such request.
8. **Queuing.** Licensee shall disallow the formation of lines on the exterior of the premises.
9. **Disturbances.** Licensee shall take steps to prevent fighting, disturbances of the peace, public intoxication, unruly behavior, or any other criminal activity by the presence of adequate exterior lighting, and the presence of security personnel to deter patrons from participating in these types of activities. Security personnel shall be strategically placed at the entrance to survey the premises and prevent problems. Security personnel at the entrances shall enforce occupancy limits at all times. In the event that any criminal activity occurs, the incident shall be documented in a log and the police department shall be contacted.
10. **Nuisances.** Licensee shall immediately address any public nuisance issues which adversely impact the health, safety, and welfare of the community.
11. **Late Hour License.** The Licensee agrees that it will not, at any time, apply for a City of Chicago Late Hour Liquor License.
12. **Expansion of Use.** The Licensee agrees not to expand the Premises without first applying to the City of Chicago for the right to expand the Premises.
13. **Notification.** Licensee shall immediately notify the Police of any illegal activity viewed in and around the Premises.
14. **Alcohol Server Training.** All bar and wait staff will be BASSET or TIPS certified, and will be trained with respect to the detection of fraudulent identification. All bartenders and wait staff will be trained to identify intoxicated patrons and will take pro-active steps to prevent the intoxication of patrons.
15. **Packaged Goods.** Licensee will not sell packaged goods.



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16. **Parking.** Licensee shall discourage any illegal parking of vehicles by its patrons in front of and around the Premises by refusing to service to any such person who is parking their vehicle illegally and Licensee's security personnel will monitor the exterior of the Premises to prevent and deter patrons from parking illegally.
17. **Valet.** Licensee will not utilize the services of a valet company to relocate patrons' vehicles. Licensee will not request dedicated parking, including but not limited to, a loading zone, standing zone, or a tow-away zone, to be used at a "valet loading zone."
18. **Bottle Service.** Licensee will not offer for sale "bottle service" of spirits products for on-premises consumption.
19. **Unlicensed Promoters.** While Licensee may enlist the services of traditional PR firms, ad agencies, event planners and the like, Licensee will not employ so-called "promoters" or unlicensed persons or entities to market or promote any entertainment activities conducted at the premises.
20. **Public Transportation.** The Licensee shall encourage public means of transportation by posting appropriate signage.
21. **Limited Live Entertainment.** Licensee stipulates a Public Placement of Amusement (PPA) license is requested to provide live entertainment. The Licensee agrees to use the PPA under the following conditions:
 - a. Licensee will not employ more than three or four piece bands; and/or a piano player as entertainment.
 - b. Licensee will not operate as a nightclub or dance club.
 - c. Licensee will never utilize a disc jockey (DJ).
 - d. Licensee shall not charge a cover or any other fee for entrance into the premises.



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22. **Video Surveillance.** Licensee shall maintain video surveillance cameras (the “Cameras”) of a number, type, placement and location confirming to the following:

- a. The Cameras can view and record all activity where alcoholic beverages are displayed for sale and at all points where transactions involving alcoholic beverages will be conducted;
- b. The Cameras are sufficiently light sensitive and provide sufficient image resolution to produce easily discernible images;
- c. The images recorded by the Cameras are capable of being viewed through use of compact disc, electronic file transfer and other digital media and are capable of being transferred to a variety of portable form of media, including but not limited to, compact disc and digital video disc;
- d. All Camera recordings are indexed by date and time and will be preserved on the Licensee’s computer system for at least seven (7) days after recording;
- e. All Camera recordings will be maintained on hard drives for a minimum of 72 hours from record date. The cameras will be recording 24 hours a day 7 days a week;
- f. All Camera recordings will be stored at the Licensed Premises in a secure manner within its offices, the access to which shall be limited only to authorized Licensee personnel; and
- g. All Camera recordings will be made available to the City of Chicago Police upon request.

23. **Community Meetings.** Licensee shall regularly attend CAPS Beat meetings and CAPS hospitality meetings and agrees to set up and/ or attend meetings with the alderman, police commander, and community residents or groups to discuss any concerns regarding the



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operations of the Licensee's business.

24. Non-Smoking Laws. The Licensee will enforce all applicable City and State non-smoking laws as they relate to both the interior and the exterior of the Premises.

The conditions of the licenses issued pursuant to this plan of operation are legally binding and may be enforced by the City of Chicago enforcement authorities under Section 4-60-040 (h) of the City of Chicago Municipal Code. All other conditions of the license are governed by the City of Chicago Municipal Code. Violation of the above stated conditions may result in the imposition of a fine and/or suspension or revocation of all business licenses issued to the Licensee. Violation of the above stated conditions may also result in the issuance of Cease and Desist Orders prohibiting the activity which violates the conditions of the liquor license.

The conditions of the licenses issued pursuant to this plan of operation shall apply to the business address and License and to all officers, managers, partners, and direct or indirect owners of the licensed entity. The sale of the business to other persons purchasing the stock or membership units of the licensed entity does not void the conditions of the license. Any and all potential new owners of the licensed entity shall be subject to the same conditions set forth in this plan of operation.

It shall be the duty of every person conducting, engaging in, maintaining, operating, carrying on or managing the above mentioned business entity to post this plan of operation next to the license certificates in a conspicuous place at the business address.

Licensee: 12 West Elm LLC

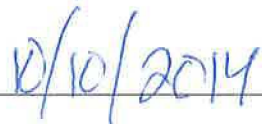
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Jason Freiman—Manager & Member



Gregory Steadman
City of Chicago
Local Liquor Control Commissioner



Date