



DEPARTMENT OF BUSINESS AFFAIRS AND CONSUMER PROTECTION
CITY OF CHICAGO

AMENDED AGREED LICENSEE PLAN OF OPERATION

Licensee: RAFFAELLO HOTEL OPERATIONS, LLC. D/B/A RAFAELLO
HOTEL DRUM BAR

Premises: 201 East Delaware Place, 18th Floor
Chicago, IL 60611

License Type: Tavern and Outdoor Patio Liquor Licenses
Account Number: 309122
Site Number: 1

Pursuant to MCC 4-4-313, The City of Chicago Department of Business Affairs & Licensing /Local Liquor Control Commission (BACP/LLCC) and the above named Licensee has agreed to the following license conditions concerning the operation of the business:

1. Cooperation With Police, Alderman and Community

- a. Licensee shall immediately address any public nuisance issues which adversely impact health, safety and welfare of the community.
- b. Licensee hereby designates Tim Nardi, General Operations Manager, to serve as liaison representative. Liaison will hear all complaints (if any) filed by the community and seek to resolve all public nuisance matters. A log of all complaints or issues shall be kept and a record of the resolution or action taken.
- c. Licensee or his representative shall attend all CAPS meetings for the precinct in which the Premises is located, and all community and aldermanic meetings at which Licensee is invited. Licensee shall maintain a log of meetings attended that includes the date and time of the meeting, the identity of the person or organization conducting the meeting, and the name of Licensee's representative at meeting. Said log shall be available to CPD or BACP upon request.



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2. SECURITY

- a. Licensee shall engage the services of a licensed and bonded security company; This requirement is subject to BACP review in One hundred and eighty days (180).
- b. The Licensee's security staff shall, while working, wear distinctive shirt or jacket with the word "Security" to identify him or her as Licensee's security;
- c. Bartenders, managers, and security will all have radios to communicate in the event that an emergency arises;
- d. Licensee's security persons shall have the following duties and responsibilities:
 - Act to prevent excessive noise when patrons leave the premises.
 - With management, keep a count of patrons in the Premises to insure that the maximum occupancy is not exceeded using hand clickers to monitor the number of patrons entering and exiting.
 - Wanding all patrons entering the licensed premises for safety.
 - Not permit intoxicated persons to enter the premises.
 - Security will be posted in the front and back of the premises and parking lot to eliminate loitering and maintaining volume control.
 - Observe the actions of Licensee's patrons on and adjacent to the premises, including the parking lot area adjacent to the premises.
 - Within one hour after closing, Licensee shall police the areas in front and back of the premises to remove litter resulting from the Licensee's operation and patrons. Licensee shall maintain a daily clean-up log, identify the time or times of clean up and the names of the employees doing the clean-up. The clean-up log shall be made available to CPD and BACP upon request.

3. Occupancy Limit

While the Premises are in operation, Licensee shall monitor both the interior of the Premises and the outdoor patio and shall not allow the number of persons to exceed the occupancy limit certified by the Department of Buildings and as set forth on the respective occupancy placards for those areas. Plan of Operation must be posted next to licenses.



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4. **Hours of Operation**

The Licensee agrees that it shall not apply for a Late Night Hour Liquor License.

A portion of the 18th floor story hotel/restaurant business premises has an outdoor terrace associated with the Licensed Premises operating as an outdoor patio. The Licensee agrees to only sell and serve, and allow the sale of and service of, alcohol liquor on the 18th floor outside patio of the Licensed Premises pursuant to Chapter 4-60-130 © of the City of Chicago Municipal Code concerning the hours of operation of an outdoor patio liquor license. No patrons will be seated in the 18th floor terrace after the aforementioned closing times.

5. **Rules of Operation for Outdoor Patio**

The Licensee agrees that it shall abide by Chapter 4-60-140 (g) and 40-60-050 © of the City of Chicago Municipal Code concerning the prohibition of any live or recorded music being played or performed in any outdoor patio. Licensee agrees to take reasonable abatement measures to prevent noise from directly emanating into the open airspace of the licensed Premises.

6. **Noise level and Community Concerns**

The Licensee agrees to monitor noise levels emanating from the premises to ensure compliance with Chicago Environmental Noise Ordinance. The doors to the outdoor patio shall remain closed at all times when music is playing in the interior of the premises. At no time will the Licensee play any live or amplified music on the outdoor patio, and any televisions located on the outdoor patio shall be operated on a “mute” setting. Licensee agrees to comply with applicable provisions of Chapter 8-32 of the Municipal Code including, but not limited to:

While the Premises are in operation, Licensee shall have an on-site manager who will monitor music noise levels emanating from the Premises and shall take reasonable action to alleviate and abate any excessive noise including music or bass emanating from the Premises. Licensee shall provide a direct phone/text number to the residents to facilitate



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Communication with the licensee and operators of the business. The licensee shall timely respond to any complaints received from the residents. See attached Noise Control Plan.

7. **Smoking:**

Licensee agrees to post an area within 15 feet of the door on the outdoor patio depicting the area for “No Smoking” per the City of Chicago Municipal Code. Patrons who leave premises shall not be allowed to return, unless they pay additional cover charge, or are returning from the established smoking area.

8. **EMPLOYEES:**

- a. All bartenders, bouncers, and servers shall be BASSET or TIPS certified and shall produce certificates upon request of CPD or BACP.
- b. All bartenders, bouncers, and servers shall be trained with respect to the detection of fraudulent identification.
- c. All bartenders, bouncers, and servers will be trained to identify intoxicated patrons and will take pro-active steps to prevent the intoxication of patrons.
- d. All staff members will be given a prevention plan on how to deal with intoxicated guests, numbers for cab companies, what to do if you expect a customer becomes violent, and how to prevent internal/external theft.
- e. All staff members will wear a Raffaello Hotel Operations/ Drum Bar shirts or red or black. No baggy pants or hats will be permitted.



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9. CAPS and Community Meetings

Licensee agrees to attend regular CAPS beat meetings and CAPS hospitality meetings including the Chamber of Commerce and agrees to set up and or attend meetings with Alderman, police commander and community residents or groups to discuss any problematic concerns regarding the operations of the business including activities at the patio bar.

10. SIGNAGE

- a. Signs will be posted by the front door, side of the building, back door, and parking lot that display “ No Guns” “ No Loitering” and “ Please be courteous to our neighbors and keep the volume down”
- b. Signs will be posted by the back kitchen doors for staff members to keep the volume down when leaving the building for any reason.

11. PATRONS

- a. Licensee shall have a published dress code that shall be consistently imposed on all patrons.
- b. No patrons will be allowed to enter the building with a backpack or large purse unless they allow security to search it. This will prevent drugs, weapons, and alcohol from entering the establishment.
- c. All patrons must have valid form of ID.
- d. Security will be given names and photos of any banned patrons. These patrons will not be allowed in the building at any time, for any reason. If the patron refuses to leave, the police will be called ASAP.



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12. ILLEGAL PARKING

Licensee shall discourage any illegal parking of vehicles by its patrons in front of and around the Premises by refusing service to any such person who parks their vehicle illegally. Licensee's security personnel shall monitor the exterior of the Premises to prevent and deter patrons from parking illegally.

13. PROMOTERS

While Licensee may enlist the services of traditional PR firms, ad agencies and event planners. Licensee will not employ "promoters" or unlicensed persons or entities to market and promote entertainment activities conducted at the premises.

The agreed conditions of this Plan of Operation are legally binding and may be enforced by City of Chicago enforcement authorities. Violation of the above stated agreed conditions may result in the imposition of a fine and/or suspension or revocation of all business licenses issued to the licensee.



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The agreed conditions of this Plan of Operation shall apply to the business address and Licensee and to all officers, managers, members, partners and direct or indirect owners of the licensed entity. The sale of the business to other persons purchasing the stock of the licensed entity shall be subject to the same agreed conditions set forth in this Plan of Operation.

It shall be the duty of every person conducting, engaging in, operating, carrying on or managing the above-mentioned business entity to post this Plan of Operation next to the City of Chicago License Certificates issued to Licensee in a conspicuous place at the Premises.

Licensee: **RAFFAELLO HOTEL OPERATIONS, LLC D/B/A "DRUMBAR"**

Business Address: **201 East Delaware Place, 18th floor, Chicago, Illinois 60611**

By:  Date: 6/27/18
Tomer Bitton
Managing LLC Member of Raffaello Hotels Operation, LLC

By:  Date: 6/18/18
Shannon K. Trotter
Local Liquor Control Commissioner
City of Chicago
Department of Business Affairs and Consumer Protection, (BACP)

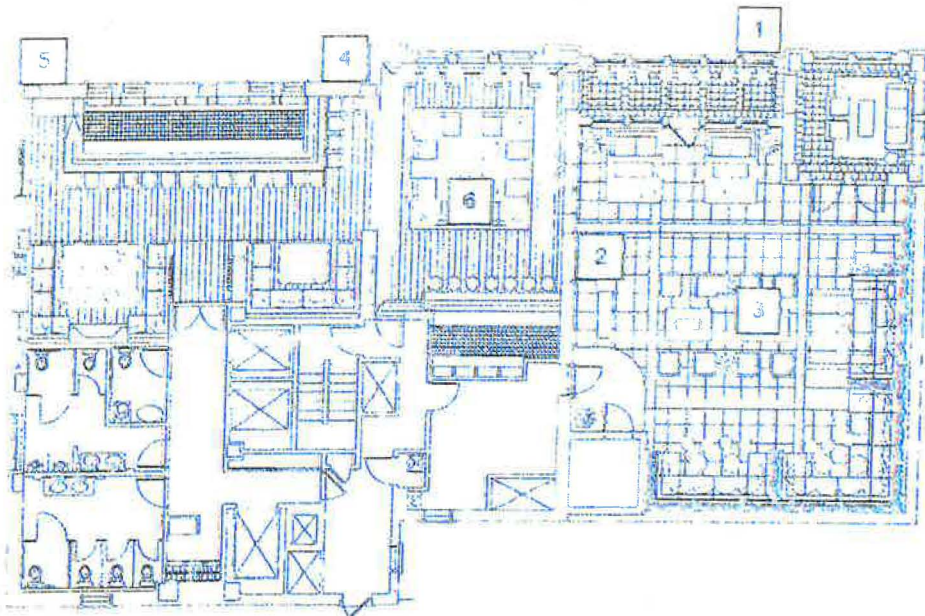
RAFFAELLO DRUMBAR NOISE CONTROL PLAN

Overview

Background and Description

This Addendum to the January 3, 2013 Liquor License Plan of Operation between Licensee Raffaello Hotel Operations, LLC d/b/a Drumbar and City of Chicago Local Liquor Control Commissioner is to materially reduce community noise complaints, if any in the future, concerning licenses. Licensee agrees to the following described measures. In the event of a conflict between the January 3, 2013 Plan and this Addendum to 3. Noise Level-Community Complaints & Noise Ordinance Compliance, this Addendum shall control. Further, it may be modified after one (1) year upon approval of the Local Liquor Control Commissioner, with input by the local Alderman and neighborhood organization.

- i. **Physical Premises:** (Note the numbered boxes identify the location of security video cameras.)



- 1) North hall windows – have been adjusted in order to prevent them from opening. These windows are double paned/gas filled and face directly towards Delaware Pl.
- 2) East patio doors – Heavy duty door closers installed to prevent doors from being propped open.
- 3) East patio – without any speakers and/or music whether live or recorded. This is in place 24/7.
- 4) Building walls – Built in 1929, including 3 ft back enclosed structure (virtually sound proof).
- 5) Northwest terrace – No access allowed either by employees or guests.
- 6) Speakers – volume controls installed and set at 85 maximum decibels. According to Purdue University [www.chem.purdue.edu](http://wwwchem.purdue.edu) 85 decibels is slightly lower than a food blender. The speakers are part of an indoor system which are inside the enclosed lounge area.

2. Staffing/Security

- Bassett Certification – All Drumbar staff, Raffaello Supervisors, security personnel, Operations Manager and hotel General Manager have been Bassett certified.
- Outside security shall be within 40 feet of the lobby entrance.

- The appropriate number of staff, up to five (5) individuals, will be stationed at street level/hotel entrance during hours of operation of the Licensed Premises, to curtail community disturbance.
- The appropriate number of staff, up to five (5) individuals, will also be stationed on the 18th floor during hours of operation of the Licensed Premises to curtail community disturbance.
- Staffing numbers will correspond appropriately with the time of day, season and level of activity
- Video tapes from security cameras will be maintained for 60 days, and the Chicago Police Department (CPD) shall be afforded prompt access to the tapes for CPD investigations.

3. Training/Accountability

- Licensee has instituted an internal incident report process. See attached, an incident report form, example.
- All hotel and Drumbar staff will be trained/refreshed on a monthly basis. The scope of training will be proper handling of any and all disturbances that occur within the hotel and its perimeter. Training will be conducted by the General Manager; agenda and minutes will be documented.
- Hotel and Drumbar management will hold any and all employees accountable if he/she fails to put effort towards keeping noise and disturbances to a minimum. Disciplinary action will be documented and recorded.

4. Procedures & Processes

- Outside patio doors will be closed nightly by 10:00pm to mitigate the travel of any excessive noise
- Hotel/security management and personnel will ensure all outside disturbances are alleviated in the following ways:
 - a) Individuals lingering out front and/or near the hotel will be asked to depart the premises.
 - b) Individuals waiting for transportation (whether Uber, taxi or other method) will be asked to wait within the lobby/hotel.
 - c) Parking/traffic disturbances such as double parking, automobile noise, vehicle obstructions, vendor deliveries, etc. will be addressed directly. All participants will be given directives, by staff, to immediately rectify issues.
 - d) Any and all individuals being loud, or making a disturbance of any kind, whether outside or within the hotel/bar, will be immediately asked to maintain noise at an acceptable level.
 - e) Any non-compliance with the above mentioned steps, will result in hotel and/or security personnel contacting the Chicago Police Department for immediate remediation.

5. Community Involvement:

- Raffetto management has reached out to SOAR (Streetsville Organization of Active Residents) to establish a membership and active relationship with our local community.
- Management has also joined the HEAT (Chicago Hospitality and Tourism Security Association) team, and we have enrolled to receive the direct email/emergency alerts from the Chicago Police Department.
- The General Manager/management team has joined, and actively participates in, the bi-monthly CAPS (Chicago Alternative Policing Strategy) meetings.
- The General Manager/management team has joined, and actively participates in, the CPD sponsored community BEAT meetings.

Approved By _____

Date _____

Approved By _____

Date _____