



CITY OF CHICAGO



DEPARTMENT OF BUSINESS AFFAIRS AND CONSUMER PROTECTION

LIQUOR LICENSE PLAN OF OPERATION

Licensee: DMK Michigan Ave, LLC
DBA: The Exchange – 224 S. Michigan Ave

Premises: 224 S. Michigan Avenue, Floors LL-1
Chicago, IL 60604

Application Type: Retail Food Establishment (1006); Consumption on Premises – Incidental Activity (1475); Public Place of Amusement (1050)

Account Number: 460353

Site Number: 1

Pursuant to City of Chicago Municipal Code (“M.C.C.”) Sections 4-60-040 (h) and 4-156-311 (d)3(A), the Department of Business Affairs and Consumer Protection (“BACP”) / Local Liquor Control Commission (“LLCC”) of the City of Chicago and the above-named Licensee have agreed to the issuance of a Retail Food Establishment, a Consumption on Premises – Incidental Activity license and a Public Place of Amusement license (collectively “Licenses”) under the following conditions:

1. The Licensee shall operate a restaurant where the primary business activity will be the sale and service of food and where the sale of alcoholic beverages will be incidental to the food service. The Licensee shall take reasonable steps in preventing patrons from removing open containers of alcohol from the Premises, subject to the provisions of section no. 16 below in this Liquor License Plan of Operation.
2. Licensee shall maintain sufficient trash containers to accommodate any additional waste generated. The Licensee shall ensure that all trash containers shall be locked and secured at all times.
3. Licensee shall immediately address any public nuisance issues which adversely impact the health, safety, and welfare of the community.
4. Licensee will provide the name and contact number for an on-site manager which can be shared with area neighbors for real-time response to noise concerns during all hours of operation.



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5. The Licensee agrees that it will not, at any time, apply for a City of Chicago Late Hour Liquor License.
6. The Licensee agrees not to expand the Premises without, first, applying to the City of Chicago for the right to expand the Premises.
7. Licensee shall immediately notify, by calling 911, the Police of any illegal activity which it views in and around the Premises.
8. Licensee will display a sign in a conspicuous location which reads, "Please Respect Our Neighbors, Exit Quietly and Do Not Loiter."
9. All bar and wait staff will be BASSET or TIPS certified and will be trained with respect to the detection of fraudulent identification, such training shall be bi-annual regardless of each staff member's term of employment. All bartenders and wait staff will be trained to identify intoxicated patrons and will take pro-active steps to prevent the over intoxication of patrons.
10. Except during private events, the kitchen shall remain open. During all hours that the business is open to the public, the licensee shall offer food preparation and service to its patrons, consistent with Illinois Law and Chicago Ordinance.
11. The Licensee shall only serve spirits by the drink and not otherwise sell bottles of spirits (a trade practice commonly known as "Bottle Service").
12. 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.
13. Licensee's live entertainment shall be under the following conditions:
 - a. Licensee may employ live bands, acoustic or amplified musicians.
 - b. Licensee may employ disc jockeys when conducting a private or ticketed event.
 - c. Licensee will not employ "Guest DJs"
 - d. Licensee will not operate a nightclub or dance club. Licensee will not remove tables or chairs from the Premises to quantity less than provided on its floorplan submitted in conjunction with its occupancy placards, unless the Premises is closed for an event.



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- e. Licensee will not install or otherwise designate a dance floor in its restaurant and lounge areas and shall not charge a cover or any other fee for entrance into the premises, unless the Licensee is conducting a private or ticketed event.
- 14. Licensee shall regularly attend CAPS Beat meetings and CAPS hospitality meetings and agrees to set up and attend meetings with the alderman, police commander, and community residents or groups to discuss any concerns regarding the operations of the Licensee's business.
- 15. 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.
- 16. Licensee agrees to abide by all applicable provisions of the City of Chicago Municipal Code, including not permitting customers to leave the Premises with open containers of alcohol, unless it is a partially consumed bottle of wine for off-premises consumption which has been "resealed" according to the provisions of the Illinois Liquor Control Act.
- 17. Licensee shall abide by Sections 4-60-050(c) and 4-60-140(g) of the M.C.C. concerning the prohibition of any amplified, live or recorded music being played or performed in any outdoor patio.
- 18. Licensee agrees that this plan of operation cannot be modified or amended without input by the local Alderman.



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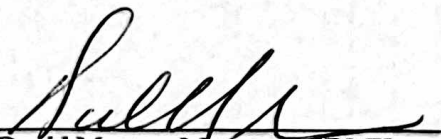
The conditions of the Licenses are legally binding and may be enforced by City of Chicago enforcement authorities under M.C.C. §§ 4-60-040(h) and 4-156-311 (d)3(A). All other conditions of the Licenses are governed by the City of Chicago Municipal Code. Violation of the above stated conditions may result in the imposition of a fine and/or suspension or revocation of all business Licenses issued to the Licensee. Violations 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 Licenses.

The conditions of the business licenses issued pursuant to 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 entity of which is licensed. The sale of the Licensee to other persons purchasing the membership interests of the licensed entity shall be subject to the same conditions set forth in this Plan of Operation. Any and all potential new owners of the licensed entity shall be subject to the same conditions set forth in this Plan of Operation.

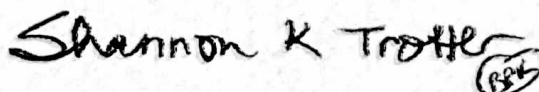
It shall be the duty of every person conducting, engaging in, operating, carrying on or managing the above-mentioned business entity to post this Liquor License Plan of Operation next to the business license certificates in a conspicuous place at the business address.

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Chicago, IL 60604


David Morton, Manager of DMK Management II, LLC, the Manager of DMK Michigan Ave, LLC

4/21/2020
Date


Shannon Trotter, Commissioner
Local Liquor Control Commission
City of Chicago

4/20/2020
Date