



**DEPARTMENT OF BUSINESS AFFAIRS AND CONSUMER PROTECTION
CITY OF CHICAGO**

PROPOSED LIQUOR LICENSE PLAN OF OPERATION

Licensee: PATIO THEATER, INC.
Premises: 6008 W. Irving Park Road
Chicago, IL 60634
License Types: Consumption on Premises-Incidental Activity, Public Place of Amusement
("PPA") and Retail Food
Site: 1

Pursuant to Chapter 4-60-040(h) of the City of Chicago Municipal Code, the City of Chicago Local Liquor Control Commission (LLCC), the City of Chicago Department of Business Affairs and Consumer Protection and the above named Licensee have agreed to the issuance of the aforementioned licenses under the following conditions:

1. HOURS OF OPERATION

Licensee will operate during the agreed permissible hours of operation as authorized by the Patio Theater Plan of Operation, including live performances ending before 12:00AM and not offering alcoholic beverages for consumption after 11:30 PM Sunday- Thursday, after 12:30AM Friday-Saturday or before 11:00AM on Sundays.

Hours of Operation: Sunday-Thursday 10:00AM-12:30AM, However all liquor sales shall end at 11:30PM and house lights will be turned up throughout the premises at 12:00AM

Friday-Saturday 10:00AM-1:30 AM, However all liquor sales shall end at 12:30AM and house lights will be turned up throughout the premises at 1:00AM

Liquor sales for all live performances will end at 11:30PM

2. THEATER MODIFICATIONS

Without the prior written consent of the 38th Ward Alderman and approval of the City of Chicago Department of Business Affairs and Consumer Protection ("BACP") The Licensee will not remove/or add any seating or change the current layout of the theater including but not limited to the construction or expansion of a stage for live performances.

The Licensee shall not construct additional VIP rooms to meet talent or use existing apartments for VIP rooms to meet talent.



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The Licensee shall provide an ADA accessible washroom for elderly and disabled patrons at the premises with adequate signage to indicate the location.

3. EQUIPMENT LOADING & DELIVERIES

All vehicles delivering (unloading and loading) talent equipment and other production items or props will enter the loading bay area at the Premises from the alley immediately behind the Premises. At no time shall any vehicle loading or unloading equipment or other items in the rear of the Premises be parked or standing in the alley immediately behind and adjacent to the Premises. In addition bus parking will not be allowed on Irving Park Road in front of the theater.

4. EMPLOYEES

Food staff will be required to hold Serve Safe Food Protection Manager Certification. Alcohol serving staff will be required to hold Beverage Alcohol Sellers and Servers Education and Training (BASSET) certification by the Illinois Liquor Control Commission.

5. ALCOHOL SERVICE POLICIES

All alcohol beverages will be served from the concession area located in the lobby. No waitresses will sell alcohol outside of the concession area. Without the prior written consent of the 38th Ward Alderman (the "Alderman") and approval of BACP and the Local Liquor Commissioner, as well as obtaining all necessary permits, the Licensee shall not construct additional concession areas to serve alcohol within the theater itself or sell alcohol from temporary stands or service stations.

Licensee will be allowed to serve beer, wine and mixed drinks, however "shots" will not be served. All mixed drinks will be mixed with a non-alcoholic product mixer and not served "Straight" or on the "Rocks" without non-alcoholic mixer(s). For purposes of this agreement "Straight" refers to an alcoholic beverage served with no mixers or just over ice. By way of example, Licensee shall not sell or otherwise offer a drink of an alcoholic beverage where ice is the only non-alcoholic mixer. Licensee shall however be allowed to sell alcohol that is mixed with a non-alcoholic mixer(s) (over ice or otherwise).

Patrons must be 21 years old or older to be served alcohol and will be required to produce valid Illinois Liquor Control Commission approved identification. Adequate proof of age and identity of an individual in Illinois is a document issued by a federal, state, county or municipal government including, but not limited to, a driver's license, selective service card or an Armed Services identification card. Prior to and as a condition of their employment, Alcohol serving staff and security staff will have received training to detect fake licenses or identification cards in order to insure that no underage drinking takes place on the premises. The Licensee shall also utilize a taxi company to assist with patrons leaving the premises. The Licensee shall assist patrons requesting taxi services arriving at and departing from the Premises and ensure that taxis and other vehicles dropping off passengers at the licensed premises do so efficiently so that the flow of street traffic is not disturbed. Patrons exiting the Premises who appear to be over served will be encouraged to take a taxi home and will be assisted by security staff into taxis.



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6. SECURITY CAMERA SYSTEM

Licensee will install a Video Surveillance System that will cover critical areas of the interior and exterior of the theater. The system will be centrally monitored and set to record 24 hours of each day. Data will be stored on a 2 TB Digital Video Recorder System. Licensee shall maintain recorded data for a minimum of one week and make such data available upon demand to any law enforcement agency. However, Cameras may be relocated to support operations given that notice is made at least 14 days in advance (provided exterior cameras remain exterior and interior cameras remain inside) and approved by the 16th District Police Commander.

Licensee shall submit a detailed plan for the video security system to the Alderman and the 16th District Police Commander that meets their approval and security cameras will be installed prior to the execution of this Plan of Operation.

7. EXTERIOR SAFETY PLAN

Licensee Exterior Safety Plan incorporated herein, shall prevent or minimize the following conditions:

a.) Excessive Noise - Licensee will prevent excessive noise during business hours from customers entering and leaving the premises by posting signage at the door including "Please Respect our Neighbors, Please Exit Quietly." In addition to signage, security staff will be posted at the front door monitoring customers and respectfully but firmly requesting departing customers to leave quietly. Licensee's security will be managed by personnel whose responsibilities include enforcement of Licensee's security policies, all of which shall be consistent with all local, state and federal laws.

b) Obtrusive Customer Behavior: If a customer is inside the establishment and is acting obtrusively, security staff and/or the manager on duty are instructed to kindly approach the customer and request that the customer leave the premises. In addition, the manager on duty or security staff will assist the customer in getting a taxi, or if with friends, the manager on duty and/or security staff will also kindly request the friend or friends to please leave quietly with the obtrusive customer. In any event, assistance with getting a taxi or taxis will be offered.

c) Exterior Loitering at Front Door, Smoking Area or Other Areas: While there will generally be some customer traffic at the front door, customers and other individuals will not be allowed to loiter in front of the premises. On dates where the Licensee is hosting a live performance, customers will not be allowed to exit & re-enter. Smoking will be prohibited within 15 feet of the front door. During this time they must keep their noise level quiet. If customers are NOT smoking, then security staff will alert them to either present or purchase a ticket to enter or not loiter in the front of the establishment. A designated smoking area will be indicated and a secure exterior ash tray will be provided. Security staff will also walk around the building exterior at regular intervals depending on the night, generally every hour starting at 8pm through close to confirm that no individuals are loitering near the premises or in the alley behind the theater out of direct sight from the front door. The security camera system will also be utilized to monitor record and preserve exterior activity.



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e) Accumulation of Litter: In addition to the secure exterior ash tray, Licensee will control the accumulation of litter from its customers and other individuals by maintaining a routine sweep of litter outside the establishment by its staff. The walk around sweeps will occur at opening and periodically through closing each night. The final sweep each night of operation will include a sweep of litter for a half block on each side of the premises along Irving Park Road, Austin, and around the perimeter of the premises.

The licensee will also maintain the exterior of the theater in a clean and presentable manner at all times. This includes having exterior windows washed at least once a month, Licensee shall also repair the front Patio Theater Marquee within one year from the execution of this Plan of Operation.

f) Fights, Verbal Harassment and Criminal Activity: Proper prevention of fights and other such activity begins with proper security procedures at the front door and proper control and monitoring of alcohol consumption by customers consistent with the BASSET training of all managers and servers. In the event of a fight, verbal harassment incident or criminal activity outside the premises, security staff and the manager on duty are responsible to call, from a house landline, 311 for non-emergency situations and 911 for emergencies. In the event of any such activity occurring within the Premises, the manager on duty and security staff are instructed to immediately contact police, turn up lights, turn off music, intervene in a manner consistent with the safety of all individuals and if possible remove any offenders from the Premises.

g) Security for Live Performances: Licensee shall contract with an outside licensed/bonded/insured security firm with identifiable security clothing for any live performance with attendance at or above 300 people.

h) Parking and Traffic Congestion: The licensee shall contract with area businesses to provide a number of parking spaces equal to 15% of the attendance for live performance events at the Patio Theater. In the event that the Alderman, feels parking for 15% is not sufficient, the Licensee shall meet with the Alderman to discuss additional parking. The licensee will provide security monitoring for parking locations prior to/during/after events. In addition to the requirements of Section 5 herein, customers will be encouraged to utilize public transportation options and provided directions to bus stops and el stations on Licensee's web site.

i) Pedestrian Traffic: Licensee will mitigate interference with pedestrian traffic in front of the Premises by creating a single file line along the exterior window East of the Irving Park entrance to Austin and north on Austin if required for entering patrons and utilizing a two-person entry team of a cashier and security manager to move patrons quickly through the line. In the event that the Premises reach maximum capacity, a short line will be maintained along the exterior window line and all others will be encouraged to depart by security. Licensee is responsible for monitoring individuals in that line at all times.



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8. MEETINGS AND COMMUNITY ORGANIZATIONS

Licensee will become a member of and attend meetings of appropriate community organizations. In addition, Licensee will attend & participate in Beat 1624 & Beat 1633 C.A.P.S. meetings, meetings with the local police commander and other groups to discuss any neighborhood issues or concerns. Additionally, Licensee's President shall provide his name, mobile phone number and email address to the local Alderman's office and to the 16th District Police Commander.

Licensee shall provide credentials for the 38th Ward Alderman and a designee from the Alderman's office to spot check the theater for compliance with this Plan of Operation from time to time without purchasing a ticket.

9. NOTICE OF EVENTS AND EXPECTED ATTENDANCE

Licensee shall provide the 16th District Police Commander and the Alderman the name of the show or performer, the expected attendance at the show, the anticipated start and end times, and the number of security personnel being employed for the show **at least** ten (10) days before the show, such notifications shall be sent via electronic email. This only applies to live events and when movie attendance is expected to be greater than 300 people.

Additionally, the licensee will send a complete list of then known monthly events to the Alderman via electronic email due the 1st of each month.

10. UNACCEPATABLE PERFORMERS/PROMOTERS

Prior to booking any shows or events, Licensee shall research each performer and proposing promoter for any prior negative history by taking the following measures: 1. Researching their social media sites and any alias' they may use or have used; and 2. General internet searches of each. A written report will be sent to the Alderman via Electronic email detailing the findings of this research. Licensee will hold a meeting with the Alderman or his representative in person or by phone to discuss this research before any contracts are offered to performers or promoters.

11. THE LICENSEE SHALL NOT APPLY FOR A LATE HOUR LICENSE AT ANY TIME

The conditions of the Incidental Consumption on Premises Liquor License issued pursuant to this Plan of Operation are legally binding and may be enforced by the City of Chicago enforcement authorities under MCC 4-60-040. 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 license issued pursuant to this Plan of Operation shall apply to the business address and Licensee 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.




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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 liquor license plan of operation next to the Incidental Consumption on Premises Liquor License in a conspicuous place at the business address.

Licensee: PATIO THEATER, INC.

**Premises: 6008 N. W. Irving Park Road.
Chicago, IL 60634**

 8-30-16

Charles Burns, its Manager



**Gregory Steadman
City of Chicago
Local Liquor Control Commissioner**

Signed this Day of August 29th, 2016