



DEPARTMENT OF BUSINESS AFFAIRS AND CONSUMER PROTECTION
CITY OF CHICAGO

LIQUOR LICENSE & PUBLIC PLACE OF AMUSEMENT
LICENSE PLAN OF OPERATION

Licensee: Ubbar, LLC
d/b/a Uptown Underground

Premises: 4703-13 North Broadway
Chicago, Illinois 60640

Application Type: Consumption on Premises – Incidental Activity
Liquor License
Public Place of Amusement License
Account Number: 359883
Site Number: 1

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

- Traffic & Right-of-Way.** During evening business hours and/or when business volume warrants, Licensee shall have at least one employee who will be charged with: ensuring that the public right-of-way, including sidewalks and streets, remain clear of patrons entering or exiting the licensed Premises; assisting patrons requesting taxi services and facilitating the arrival and departure of taxi’s and automobiles serving the patrons of the licensed Premises so that the flow of street traffic is not unduly disrupted. In order to facilitate traffic flow the Licensee shall endeavor to cause vendor deliveries to be made, from vendor vehicles parked in the parking lot located adjacent to and at the rear of the Premises. The Licensee shall encourage its patrons to utilize public transportation by conveying the message via staff and by posting on its website the locations of, and directions to, bus stops (currently the #36 Broadway bus stops at Lawrence and Leland and at Broadway and Lawrence, and the #81 Lawrence bus stop at Broadway and Lawrence) and el stations (currently the Red Line stops at Lawrence Avenue Station and at the Wilson Avenue Station), and by encouraging the use of walking and taxi’s. The Licensee may establish with a reputable parking service provider, and offer to its patrons, the services of a licensed valet parking service from time to time, which shall be promoted on Licensee’s website and appropriate signage



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at the licensed Premises. The Licensee will encourage patrons to utilize available public parking options by conveying the message via staff and by on its website the locations of, and directions to, available public parking lots, including the currently available public lots located at the corner of Lawrence and Clifton Avenues (on the North side of Lawrence Avenue), as well as the parking lot located adjacent to the North side of the Building in which the licensed Premises is located which parking lot runs North to Lawrence Avenue between Clifton on the West and the El tracks on the East; and by notifying its patrons of the street parking available all the way along Broadway and Lawrence Avenues.

2. **Hours of Operation.** Licensee may not be open to the public for business outside the legally permitted hours of operation for the Licensee's Consumption on Premises – Incidental Activity liquor licensee (i.e. legal opening time of: 7 a.m. Monday through Saturday and 11a.m. on Sunday (10.a.m. for restaurants), and legal closing time of 2 a.m. on Monday through Saturday and 3 a.m. on Sunday). All activity under the Licenses (i.e. the Consumption on Premises – Incidental Activity liquor license and the Public Place of Amusement license) shall only occur within the legally permitted hours of operation, and outside the legally permitted hours of operation, no patrons shall be permitted inside the Premises - only owners and/or the employees, agents, vendors and contractors of the Licensee shall be permitted inside the Premises outside the legally permitted hours of operation.
3. **Noise.** The Licensee agrees to monitor the noise levels emanating from the Licensed Premises to ensure compliance with the Chicago Environmental Noise ordinance (the "CENO"), and to take immediate steps to alleviate any violation thereof. From time to time upon the request of the community or the alderman's office, the Licensee will test noise emanating from the Premises (or any portion thereof) to ensure compliance with CENO, which noise testing may be witnessed by representatives of the alderman's office. A written report of any such testing will be provided to the City. If said testing shows that noise emanating from the Premises exceeds those permitted by the CENO, then the Licensee agrees, at its sole cost and expense, to install soundproofing to the extent required to reduce the noise to an acceptable level,.
4. **Signage & Lighting.** Licensee will display signage in a conspicuous and prominent location reminding patrons to not loiter, to Respect the Neighborhood, and to Exit the Premises quietly. In order to discourage illegal activities, Licensee shall install outdoor lighting to the extent the extent necessary to adequately illuminate the entrance(s)/exit(s) of the Premises and the areas adjacent to the Premises.



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5. **Refuse & Litter.** The Licensee agrees to have all trash generated by the business picked up on a regular basis (not less than twice a week) and to strictly adhere to all City of Chicago ordinances concerning litter and garbage. On days that it is open for business, Licensee will sweep the areas located in front of and immediately adjacent to, the licensed Premises, and will regularly monitor said areas for litter and will remove same.
6. **Cooperation & Participation - Community & Chicago Police Department.** Licensee will inquire as to the scheduling of, and shall participate in, all regularly scheduled C.A.P.S. (Community Alternative Policing Strategy) meetings and will set up and/or upon request with reasonable notice shall attend meetings with the local alderman, police commander and community residents or groups to improve awareness of, and to discuss any concerns regarding, the community and/or the operation of the Licensee's business.
7. **Alcohol Server Training/Processing by City.** During hours of operation at least one manager shall be on duty that is BASSET or TIPS certified. All owners of the Licensee, and all persons and/or all owners of entities operating the Licensee's business in lieu of the Licensee, shall be registered with the City as managers and/or shall otherwise be processed by the City for liquor sales, and shall also be BASSET or TIPS certified.
8. **Monitoring of Premises.** During operating hours the Licensee will employ a sufficient number of security personnel with appropriate training to: (i) deter loitering, littering and other unlawful acts in or around the licensed Premises; (ii); deny entry and/or service to any person who is visibly intoxicated; (iii) notify the Chicago Police Department of any and all unlawful acts witnessed by, or reported to, the security personnel and/or any of the Licensee's employees, including instances of public intoxication, vandalism, public urination, or other public disturbance; (iv) monitor the licensed Premises' interior and exterior one hour prior to, during, and one hour after the presentation of any amusement. .
9. **Security Camera.** Licensee will install and maintain a sufficient number of appropriately located video cameras ("Camera(s)") in and around the Premises that are capable of producing easily discernable images, that will monitor the Licensee's staff and patrons, and that will record patrons entering and exiting the Premises from the public right-of-way. The Cameras' recordings will be: (i) indexed by date and time; (ii) preserved for not less than 72 hours after recording, (iii) capable of being transferred to readily available portable media storage devises (e.g.: digital video discs and disc drives, SD Cards, Flash Drives, external



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hard drives, optical discs, and/or whatever readily available portable media storage devices become generally available from time to time); (iv) securely stored and maintained at the Licensee's office located in the Building in which the Premises are located; and (v) made available upon demand to any law enforcement agency having jurisdiction over the Premises.

10. **Promotion & Ticket Sales.** The Licensee shall operate its own box office and maintain an in-house marketing staff to market the shows presented at the licensed Premises. Any and all booking of events will be handled and booked in-house by the Licensee. Shows may be marketed via the Licensee's website, print advertising, social media, radio, television, public relations, e-mail, newsletters, posters, postcards and other forms of marketing, in accordance with applicable laws and ordinances. The Licensee may also utilize the services of traditional ticketing services commonly utilized by the theatre community (e.g. Hot Tix and Goldstar) to sell tickets and may utilize the services of traditional PR firms, ad agencies, event planners and the like, provided, however, that the Licensee shall: (i) directly contract with any and all such service providers; (ii) require such service providers to seek the Licensee's approval of any advertising and/or marketing materials prior to their implementation; and (iii) not employ any so-called "outside promoters" or unlicensed persons or entities to market or promote any events held at the Premises. The Licensee will not allow any outside promotor to lease-out or utilize the Premises or allow any event to take place pursuant to which the Licensee vacates the Premises and allows a promotor to hire its own staff (e.g. bartenders, servers, security, hosts). The Licensee and its staff shall at all times maintain control and manage all public events held at the Premises. The Licensee may permit the Premises to be utilized for not-for-profit fundraisers, community meetings, weddings and similar public and private functions.
11. **Illegal Adult Use Activity.** The Licensee shall not permit the Premises to be utilized for any "Adult Use" as such is defined by the Chicago Municipal Code.

The agreed conditions of the Licenses issued pursuant to this Plan of Operation are legally binding and may be enforced by City of Chicago enforcement authorities under §4-60-040 and §4-156-311 of the Municipal Code of Chicago. All other conditions of the Licenses are governed by the City of Chicago Municipal Code. 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. Violations of the above stated agreed conditions may also result in the issuance of cease and desist orders prohibiting the activity which violates the conditions of either or both of the Licenses.

The agreed conditions of the Licenses shall apply to the business address and the

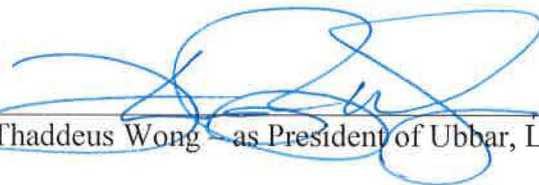


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Licensee, and to all officers, managers, members, partners and direct or indirect owners of the Licensee. The sale of the business to other persons purchasing or otherwise acquiring the stock or membership units of the Licensee does not void the conditions placed on the Licenses and any and all potential new owners of the Licensee 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 License certificates in a conspicuous place at the business address.


Thaddeus Wong as President of Ubbar, LLC


Gregory J. Steadman, Commissioner
City of Chicago
Local Liquor Control Commission


Maria Guerra Lapacek, Commissioner
City of Chicago
Department of Business Affairs and Consumer Protection

February 11th, 2015