

CONDITIONS OF APPROVAL

Pursuant to Sections 12.24 and 16.05 of the Los Angeles Municipal Code, the following conditions are hereby imposed upon the use of the subject property:

Entitlement Conditions.

1. **Use.** Authorized herein is a seven-story, hotel with 275 guestrooms and 1,400 square feet of ground floor commercial area for a restaurant/café.
2. **Parking.**
 - a. Automobile parking shall be provided in conformance with L.A.M.C. Section 12.21-A,4.
 - b. Electric Vehicle Parking. Electric Vehicle Parking. At least twenty percent (20%) of the total Code-required parking spaces shall be provided with EV chargers to immediately accommodate electric vehicles within the parking areas. When the application of the 20% results in a fractional space, round up to the next whole number. A label stating "EVCAPABLE" shall be posted in a conspicuous place at the service panel or subpanel and next to the raceway termination point.
 - c. Bicycle parking shall be provide in conformance with L.A.M.C. Section 12.21-A,16.
3. **Department of Transportation.**
 - a. A minimum of 20-foot reservoir space be provided between any security gate(s) and the property line.
 - b. Parking stalls shall be designed so that a vehicle is not required to back into or out of any public street or sidewalk.
 - c. A parking area and driveway plan be submitted to the Citywide Planning Coordination Section of the Department of Transportation for approval prior to submittal of building permit plans for plan check by the Department of Building and Safety. Transportation approvals are conducted at 201 N. Figueroa Street Suite 400, Station 3.
4. **Trash/recycling.** Trash and Recycling pick-up and emptying or disposing of trash/recycling into outside containers is permitted to occur only between the hours of 7:00 a.m. and 8:00 p.m., Monday through Friday, and 10 a.m. to 4 p.m., Saturdays and Sundays.
 - a. Trash/recycling containers shall be locked when not in use.
 - b. Trash/recycling containers shall not be placed in or block access to required parking.
5. **Solar Panels.** The project shall install solar panels on the rooftop level.
6. **Lighting.** Outdoor lighting shall be designed and installed with shielding, such that the light source cannot be seen from adjacent residential properties, the public right-of-way, nor from above.
7. **Light and Glare.** Exterior screening shall be installed to minimize the spill light from luminaires within open structure buildings from reaching beyond the Project Site. The screening shall also be installed so as to minimize the views and potential glare of

headlights of motor vehicles within the garage from beyond the Project Site boundary. Screening measures may include, but are not limited to, shielding attached to the luminaire, building, or site structures.

8. **Graffiti.** All graffiti on the site shall be removed or painted over to match the color of the surface to which it is applied within 24 hours of its occurrence.
9. **Landscaping.** The private terraces for the guest rooms on the third floor level shall be separated by permanent planters.

Conditional Use-Beverage Conditions

10. Approved herein is a Conditional Use to allow the sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with a 275-room hotel and 1,400 ground floor commercial area which shall be limited to the following locations:
 - a. A 1,400 square-foot ground floor restaurant area (including outdoor seating area).
 - b. Hotel first floor lobby/lounge;
 - c. Second floor meeting rooms;
 - d. Podium level lounge; and
 - e. Controlled-access liquor cabinets ("mini bars") located inside guest rooms.
11. **Sidewalk dining.** The outdoor seating area located within the public right-of-way shall obtain approval of a revocable permit from the Department of Public Works', Bureau of Engineering (BOE). A copy of the approved permit shall be submitted to the Development Services Center or Conditions Compliance Unit along with a plans showing the layout of tables and chairs approved by BOE.
12. The authorization granted herein for the sale of a full line of alcoholic beverages for on-site consumption on the subject premises is for the duration of establishment. Thereafter, a new authorization shall be required to continue the sale of alcoholic beverages for on-site consumption.
13. If at any time during the period of the grant, should documented evidence be submitted showing continued violation(s) of any condition(s) of the grant, resulting in a disruption or interference with the peaceful enjoyment of the adjoining and neighboring properties, the Zoning Administrator shall have the right to require the applicant to file a plan approval application together with the associated fees and to hold a public hearing to review the applicant's compliance with, and effectiveness of, the conditions of the grant. The applicant shall be required to submit a summary and supporting documentation demonstrating how compliance with each condition of the grant has been attained. Upon review, the Zoning Administrator may modify, add or delete conditions and reserves the right to conduct the public hearing for nuisance abatement revocation purposes if so warranted by documentation.
14. No dancing, live entertainment, karaoke or pool or billiard tables are permitted on the premises.

15. The operator shall be responsible for mitigating the potential negative impacts of its operation on surrounding users, especially, noise derived from patrons exiting and crowd control during entry and exiting.
16. Within six months of the effective date of this action, all employees involved with the sale of alcoholic beverages shall enroll in the Los Angeles Police Department "Standardized Training for Alcohol Retailers" (STAR). Upon completion of such training, the applicant shall request the Police Department to issue a letter identifying which employees completed the training. The applicant shall transmit a copy of the letter from the Police Department to the Conditional Compliance Unit of the Department of City Planning as evidence of compliance. Employees shall attend the training on an annual basis.
17. An electronic age verification device shall be retained on the premises available for use during operational hours at each point of sale location. This device shall be maintained in operational condition and all employees shall be instructed in its use.
18. No cover charge or admission fee shall be charged to enter the premises and the premises shall not be utilized in any manner that would characterize the use as a night club. The subject premises shall not be leased to third-party promoters, rave parties or similar events. There shall be no restricting age to any areas within the hotel.
19. The premises shall maintain a bona fide eating place (restaurant) with operational kitchen and shall provide a full menu containing an assortment of foods normally offered in such restaurants. Food service of the full menu shall be available at all times during all operating hours.
20. The business operator shall maintain on the premises, and present upon request to any law enforcement officer, a copy of the Business Permit, Insurance information, and a valid emergency contact phone number used by the business.
21. The applicant shall be responsible for maintaining free of litter the area adjacent to the premises.
22. The approved conditions shall be retained on the premises at all times and produced immediately upon request of the Police Department or Department of City Planning. All employees working in the restaurant shall be knowledgeable of these conditions and shall sign a document acknowledging receipt of these conditions.
23. **Prior to the beginning of operations**, the applicant shall notify the Condition Compliance Unit via email or U.S. Mail when operations are scheduled to begin and shall submit a copy of the Certificate of Occupancy for the Case File. The notification shall be submitted to planning.ccu@lacity.org, with the subject of the email to include the case number, "**CPC-2016-2466-GPA-ZC-HD-VCU-CUB-SPR /Operation Notification**". The applicant shall also submit (attached or mailed) evidence of compliance with any conditions which require compliance "prior to the beginning of operations" as stated by these conditions.
24. **Prior to the beginning of operations**, the manager of the facility shall be made aware of the conditions and shall inform his/her employees of the same. A statement with the signature, printed name, position and date signed by the manager and his/her employees shall be provided to the Condition Compliance Unit within 30 days of the beginning day of operation of the establishment. The statement shall read as follows,

We, the undersigned, have read and understand the conditions of approval to allow the sale and dispensing of a full line of alcoholic beverages for on-site consumption in

conjunction with the operation of a hotel and/or restaurant, and agree to abide and comply with said conditions.

25. Should there be a change in the ownership and/or the operator of the business, the property owner and the business owner or operator shall provide the prospective new property owner and the business owner/operator with a copy of the conditions of this action prior to the legal acquisition of the property and/or the business.
26. **MViP – Monitoring, Verification and Inspection Program.** At any time, before, during, or after operating hours, a City inspector may conduct a site visit to assess compliance with, or violations of, any of the conditions of this grant. Observations and results of said inspection will be documented and used to rate the operator according to the level of compliance. If a violation exists, the owner/operator will be notified of the deficiency or violation and will be required to correct or eliminate the deficiency or violation. Multiple or continued documented violations or Orders to Comply issued by the Department of Building and Safety which are not addressed within the time prescribed therein, may result in denial of future requests to renew or extend this grant.

Environmental Conditions

27. Air Quality.

- a. All off-road construction equipment greater than 50 hp shall meet US EPA Tier 4 emission standards, where available, to reduce NOx, PM10 and PM2.5 emissions at the Project site. In addition, all construction equipment shall be outfitted with Best Available Control Technology devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations. Require the use of 2010 and newer diesel haul trucks (e.g., material delivery trucks) and if the Lead Agency determines that 2010 model year or newer diesel trucks cannot be obtained, the Lead Agency shall require trucks that meet U.S. EPA 2007 model year NOx emissions requirements.
- b. Require the use of 2010 and newer diesel haul trucks (e.g., material delivery trucks and soil import/export) and if the Lead Agency determines that 2010 model year or newer diesel trucks cannot be obtained, the Lead Agency shall require trucks that meet U.S. EPA 2007 model year NOx emissions requirements.

28. Habitat Modification (Nesting Native Birds, Non-Hillside or Urban Areas).

- a. Proposed project activities (including disturbances to native and nonnative vegetation, structures, and substrates) should take place outside of the breeding season for birds which generally runs from March 1 to August 31 (and as early as February 1 for raptors) to avoid take (including disturbances which would cause abandonment of active nests containing eggs and/or young). Take means to hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill (California Fish and Wildlife Code Section 86).
- b. If proposed project activities cannot feasibly avoid the breeding season, no earlier than 30 days prior to the disturbance of suitable nesting habitat, the Applicant shall:
 - i. Arrange for weekly bird surveys to detect any protected native birds in the habitat to be removed and any other such habitat within properties adjacent to the proposed project site, as access to adjacent areas allows. The survey shall be

conducted by a Qualified Biologist with experience in conducting breeding bird surveys. The surveys shall continue on a weekly basis with the last survey being conducted no more than three days prior to the initiation of clearance/construction work.

- ii. If a protected native bird is found, the Applicant shall delay all clearance/construction disturbance activities within 300 feet of suitable nesting habitat for the observed protected bird species until August 31.
- iii. Alternatively, the Qualified Biologist could continue the survey in order to locate any nests. If an active nest is located, clearing and construction (within 300 feet of the nest or as determined by a qualified biological monitor) shall be postponed until the nest is vacated and juveniles have fledged, and when there is no evidence of a second attempt at nesting. The buffer zone from the nest shall be established in the field with flagging and stakes. Construction personnel shall be instructed on the sensitivity of the area.
- iv. If the Qualified Biologist determines that a narrower buffer between the construction activities and the observed active nests is warranted, the Qualified Biologist may submit a written explanation as to why (e.g., species-specific information; ambient conditions and bird's habituation to them; terrain, vegetation, and birds' lines of sight between the construction activities and the nest and foraging areas) to the City and, upon request, the CDFW. Based on the submitted information, the City, acting as the Lead Agency (and CDFW, if CDFW requests) shall comply with the buffer zone recommended in the Qualified Biologist report.
- v. The Applicant shall record the results of the recommended protective measures described previously to document compliance with applicable State and federal laws pertaining to the protection of native birds. Such record shall be submitted and received into the case file for the associated discretionary action permitting the proposed project.

29. Increased Noise Levels (Demolition, Grading, and Construction Activities)

- a. Construction and demolition shall be restricted to the hours of 7:00 am to 6:00 pm Monday through Friday, and 8:00 am to 6:00 pm on Saturday.
- b. Demolition and construction activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
- c. The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.
- d. The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices. On-site power generators shall either be plug-in electric or solar powered.

30. Grading (20,000 Cubic Yards, or 60,000 Square Feet of Surface Area or Greater)

- a. A deputy grading inspector shall be on-site during grading operations, at the owner's expense, to verify compliance with these conditions. The deputy inspector shall report weekly to the Department of Building and Safety (LADBS); however, they shall immediately notify LADBS if any conditions are violated.

- b. "Silt fencing" supported by hay bales and/or sand bags shall be installed based upon the final evaluation and approval of the deputy inspector to minimize water and/or soil from going through the chain link fencing potentially resulting in silt washing off-site and creating mud accumulation impacts.
- c. "Orange fencing" shall not be permitted as a protective barrier from the secondary impacts normally associated with grading activities.
- d. Movement and removal of approved fencing shall not occur without prior approval by LADBS.

31. Severe Noise Levels (Residential Fronting on Major or Secondary Highway, or adjacent to a Freeway).

- a. All exterior windows having a line of sight of a Major or Secondary Highway shall be constructed with double-pane glass and use exterior wall construction which provides a Sound Transmission Class (STC) value of 50, as determined in accordance with ASTM E90 and ASTM E413, or any amendment thereto.
- b. The applicant, as an alternative, may retain an acoustical engineer to submit evidence, along with the application for a building permit, any alternative means of sound insulation sufficient to mitigate interior noise levels below a CNEL of 45 dBA in any habitable room.

32. Public Services (Fire). The following recommendations of the Fire Department relative to fire safety shall be incorporated into the building plans, which includes the submittal of a plot plan for approval by the Fire Department prior to the approval of a building permit. The plot plan shall include the following minimum design features: fire lanes, where required, shall be a minimum of 20 feet in width; all structures must be within 300 feet of an approved fire hydrant, and entrances to any dwelling unit or guest room shall be no more than 150 feet in distance in horizontal travel from the edge of the roadway of an improved street or approved fire lane.

33. Public Services (Police). The plans shall incorporate the *Design Guidelines* (defined in the following sentence) relative to security, semi-public and private spaces, which may include, but not be limited to, access control to building, secured parking facilities, walls/fences with key systems, well-illuminated public and semi-public space designed with a minimum of dead space to eliminate areas of concealment, location of toilet facilities or building entrances in high-foot traffic areas, and provision of security guard patrol throughout the project site if needed. Please refer to *Design Out Crime Guidelines: Crime Prevention Through Environmental Design*, published by the Los Angeles Police Department. Contact the Community Relations Division, located at 100 West 1st Street, #250, Los Angeles, CA 90012; (213) 486-6000. These measures shall be approved by the Police Department prior to the issuance of building permits.

34. Transportation (Haul Route).

- a. The developer shall install appropriate traffic signs around the site to ensure pedestrian and vehicle safety.
- b. The applicant shall be limited to no more than two trucks at any given time within the site's staging area.
- c. There shall be no staging of hauling trucks on any streets adjacent to the project, unless specifically approved as a condition of an approved haul route.

- d. No hauling shall be done before 9 a.m. or after 3 p.m.
 - e. Trucks shall be spaced so as to discourage a convoy effect
 - f. A minimum of two flag persons are required. One flag person is required at the entrance to the project site and one flag person at the next intersection along the haul route.
 - g. Truck crossing signs are required within 300 feet of the exit of the project site in each direction.
 - h. The owner or contractor shall keep the construction area sufficiently dampened to control dust caused by grading and hauling, and at all times shall provide reasonable control of dust caused by wind.
 - i. Loads shall be secured by trimming and watering or may be covered to prevent the spilling or blowing of the earth material.
 - j. Trucks and loads are to be cleaned at the export site to prevent blowing dirt and spilling of loose earth.
 - k. A log documenting the dates of hauling and the number of trips (i.e. trucks) per day shall be available on the job site at all times.
 - l. The applicant shall identify a construction manager and provide a telephone number for any inquiries or complaints from residents regarding construction activities. The telephone number shall be posted at the site readily visible to any interested party during site preparation, grading and construction.
 - m. Applicant shall plan construction and construction staging as to maintain pedestrian access on adjacent sidewalks throughout all construction phases. This requires the applicant to maintain adequate and safe pedestrian protection, including physical separation (including utilization of barriers such as K-Rails or scaffolding, etc.) from work space and vehicular traffic and overhead protection, due to sidewalk closure or blockage, at all times.
 - n. Covered walkways shall be provided where pedestrians are exposed to potential injury from falling objects.
 - o. Applicant shall keep sidewalk open during construction until only when it is absolutely required to close or block sidewalk for construction staging. Sidewalk shall be reopened as soon as reasonably feasible taking construction and construction staging into account.
35. **Tribal Cultural Resources.** During the course of any ground disturbance activities, the applicant, or their agent, shall retain a professional Native American monitor(s). Ground disturbance activities shall include the following: excavating, digging, trenching, plowing, drilling, tunneling, quarrying, grading, leveling, removing peat, clearing, pounding posts, augering, backfilling, blasting, stripping topsoil or a similar activity. Monitoring of the project site during ground disturbance activities shall comply with the following:
- a. The applicant, or their agent, shall obtain a professional Native American monitor, or monitors, by contacting the Gabrieleno Band of Mission Indians. Prior to the issuance of a

grading permit, evidence shall be provided to the Department of City Planning that monitor(s) have been obtained;

- b. A monitor shall be secured for each grading unit. In the event that there are simultaneous grading units operating at the same time, there shall be one monitor per grading unit;
- c. In the event that subsurface archaeological resources, human remains, or other tribal cultural resources are encountered during the course of ground disturbance activities, all such activities shall temporarily cease on the project site until the archaeological or other tribal cultural resources are assessed and subsequent recommendations are determined by a qualified archaeologist. In the event that human remains are discovered, there shall be no disposition of such human remains, other than in accordance with the procedures and requirements set forth in California Health and Safety Code Section 7050.5 and Public Resources Code Section 5097.98, including the required notification to the County Coroner and the Native American Heritage Commission;
- d. In the event that subsurface resources are encountered during the course of ground disturbance activities, the qualified archaeologist on site shall specify a radius around where resources were encountered to protect such resources until the procedures and requirements set forth in California Health and Safety Code Section 7050.5 and Public Resources Code Section 5097.98 have been fulfilled. Project activities may continue outside of the designated radius area.

36. Utilities (Local Water Supplies - Restaurant, Bar, or Nightclub)

- a. Install/retrofit high-efficiency toilets (maximum 1.28 gpf), including dual-flush water closets, and high-efficiency urinals (maximum 0.5 gpf), including no-flush or waterless urinals, in all restrooms as appropriate.
- b. Install/retrofit restroom faucets with a maximum flow rate of 1.5 gallons per minute.
- c. Install/retrofit and utilize only restroom faucets of a self-closing design.
- d. Install and utilize only high-efficiency Energy Star-rated dishwashers in the project, if proposed to be provided. If such appliance is to be furnished by a tenant, this requirement shall be incorporated into the lease agreement, and the applicant shall be responsible for ensuring compliance.
- e. Single-pass cooling equipment shall be strictly prohibited from use. Prohibition of such equipment shall be indicated on the building plans and incorporated into tenant lease agreements. (Single-pass cooling refers to the use of potable water to extract heat from process equipment, e.g. vacuum pump, ice machines, by passing the water through equipment and discharging the heated water to the sanitary wastewater system.)

Administrative Conditions of Approval

37. Approval, Verification and Submittals. Copies of any approvals, guarantees or verification of consultations, review or approval, plans, etc., as may be required by the subject conditions, shall be provided to the Department of City Planning for placement in the subject file.

38. Code Compliance. Area, height and use regulations of the zone classification of the subject property shall be complied with, except where herein conditions are more restrictive.

39. **Covenant.** Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent property owners, heirs or assign. The agreement must be submitted to the Department of City Planning for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Department of City Planning for attachment to the file.
40. **Definition.** Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public officials, legislation or their successors, designees or amendment to any legislation.
41. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning and any designated agency, or the agency's successor and in accordance with any stated laws or regulations, or any amendments thereto.
42. **Building Plans.** Page 1 of the grants and all the conditions of approval shall be printed on the building plans submitted to the Department of City Planning and the Department of Building and Safety.
43. **Corrective Conditions.** The authorized use shall be conducted at all time with due regards to the character of the surrounding district, and the right is reserved to the City Planning Commission, or the Director pursuant to Section 12.27.1 of the Municipal Code to impose additional corrective conditions, if in the Commission's or Director's opinion such conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
44. **Expediting Processing Section.** Prior to the clearance of any conditions, the applicant shall show that all fees have been paid to the Department of City Planning Expedited Processing Section.
45. **Indemnification and Reimbursement of Litigation Costs.**

Applicant shall do all of the following:

- a. Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of, in whole or in part, the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions or to claim personal property damage, including from inverse condemnation or any other constitutional claim.
- b. Reimburse the City for any and all costs incurred in defense of an action related to or arising out of, in whole or in part, the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages and/or settlement costs.
- c. Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the

initial deposit be less than \$25,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (b).

- d. Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement (b).
- e. If the City determines it necessary to protect the City's interests, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

The City shall notify the applicant within a reasonable period of time of its receipt of any action and the City shall cooperate in the defense. If the City fails to notify the applicant of any claim, action or proceeding in a reasonable time, or if the City fails to reasonably cooperate in the defense, the applicant shall not thereafter be responsible to defend, indemnify or hold harmless the City.

The City shall have the sole right to choose its counsel, including the City Attorney's office or outside counsel. At its sole discretion, the City may participate at its own expense in the defense of any action, but such participation shall not relieve the applicant of any obligation imposed by this condition. In the event the Applicant fails to comply with this condition, in whole or in part, the City may withdraw its defense of the action, void its approval of the entitlement, or take any other action. The City retains the right to make all decisions with respect to its representations in any legal proceeding, including its inherent right to abandon or settle litigation.

For purposes of this condition, the following definitions apply:

"City" shall be defined to include the City, its agents, officers, boards, commission, committees, employees and volunteers.

"Action" shall be defined to include suits, proceedings (including those held under alternative dispute resolution procedures), claims or lawsuits. Actions includes actions, as defined herein, alleging failure to comply with any federal, state or local law.

Nothing in the definitions included in this paragraph are intended to limit the rights of the City or the obligations of the Applicant otherwise created by this condition.

NOTE TO THE STATE OF CALIFORNIA DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL (ABC)

CONDITIONS IDENTIFIED FOR CONSIDERATION BY THE STATE DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL RELATIVE TO THE SALE AND DISTRIBUTION OF ALCOHOLIC BEVERAGES

In approving the instant grants, the City Planning Commission has not imposed Conditions specific to the sale or distribution of alcoholic beverages, even if such Conditions have been volunteered or negotiated by the applicant, in that the City Planning Commission has no direct authority to regulate or enforce Conditions assigned to alcohol sales or distribution.

The City Planning Commission has identified a set of Conditions related to alcohol sales and distribution for further consideration by the State of California Department of Alcoholic Beverage Control (ABC). In identifying these conditions, the City Planning Commission acknowledges the ABC as the responsible agency for establishing and enforcing Conditions specific to alcohol sales and distribution. The Conditions identified below are based on testimony and/or other evidence established in the administrative record, and provide the ABC an opportunity to address the specific conduct of alcohol sales and distribution in association with the Conditional Use granted herein by the City Planning Commission.

They may include those identified during hearing testimony, received as part of correspondence via stakeholder groups, city agency, other responsible agency, Council District, Mayor's office, etc.)

For the hotel lounge/lobby, second floor and podium level lounge:

1. The sale of a full line of alcoholic beverages shall be limited from 6 a.m. to 2 a.m. daily.
2. No "Happy Hour" type of reduced-price alcoholic beverage or "2 for 1" promotion shall be allowed at any time. Discounted food promotions are encouraged.
3. No alcohol shall be allowed to be consumed on any adjacent property under the control of the applicant.
4. There shall be no exterior advertising of any kind or type, including advertising directly to the exterior from within, promoting or indicating the availability of alcoholic beverages. Interior displays of alcoholic beverages or signs which are clearly visible to the exterior shall constitute a violation of this condition.
5. The sale of alcoholic beverages for consumption off the premises is prohibited.
6. The off-site sale of alcoholic beverages as a secondary use (i.e., "take out") is not permitted.
7. The alcoholic beverage license for the restaurant shall not be exchanged for a public premises type license nor operated as a public premises.
8. Signs shall be prominently posted in English and the predominant language of the facility's clientele, if different, stating that California State Law prohibits sale of alcoholic beverages to persons who are under 21 years of age.

For the restaurant:

1. The sale of a full line of alcoholic beverages shall be limited from 6 a.m. to 2 a.m. daily.
2. No "Happy Hour" type of reduced-price alcoholic beverage or "2 for 1" promotion shall be allowed at any time. Discounted food promotions are encouraged.
3. No alcohol shall be allowed to be consumed on any adjacent property under the control of the applicant.

4. There shall be no exterior advertising of any kind or type, including advertising directly to the exterior from within, promoting or indicating the availability of alcoholic beverages. Interior displays of alcoholic beverages or signs which are clearly visible to the exterior shall constitute a violation of this condition.
5. The sale of alcohol shall be incidental to the sale of food.
6. The sale of alcoholic beverages for consumption off the premises is prohibited.
7. The quarterly gross sales of food shall not exceed the quarterly gross sales of alcohol. The business operator shall maintain records which reflect these numbers and make them available to the Police Department upon request.
8. No signs are permitted on the outside of the building or directed from the inside to the outside which display or advertise the availability of alcoholic beverages.
9. The off-site sale of alcoholic beverages as a secondary use (i.e., "take out") is not permitted.
10. All service of alcoholic beverages shall be conducted by a waitress or waiter or bartender.
11. Alcohol may only be served to patrons who are seated at a table or seated at the bar and only in conjunction with a food order. Patrons shall not be served while standing or while waiting to be seated.
12. The alcoholic beverage license shall not be exchanged for a public premises type license nor operated as a public premises.