

Operating Condition Recommendations for:
6407-6411 West Sunset Blvd **Ivar Gardens Hotel**
Central Planning Commission Case No. CPC-2015-2893-VZC-HD-CUB-ZAA-SPR

1. Approved herein is the following:
 - a. The sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with the maintenance, use and operation of a proposed ground floor restaurant and bar/lounge, a ground floor outdoor dining area, second floor meeting rooms and hotel room controlled-access liquor cabinets.
 - b. The ground floor restaurant and bar/lounge areas may operate from 6am to 2 am, daily. After-hours use of this space, other than routine clean-up and maintenance, is not permitted.
 - c. The outdoor patio area may operate from 9 am to 12 am (Midnight), daily. After-hours use of this space, other than routine clean-up and maintenance, is not permitted.
 - d. Alcoholic beverage service and consumption may occur in conjunction with the use of the second-floor meeting rooms and the second-floor roof-deck between the hours of 9 am to 12 am (Midnight), daily.
 - e. Alcoholic beverage service and distribution as it relates to operation and use of the roof-top garden terrace/pool areas, has not been requested nor approved. Sales and distribution of alcoholic beverages is prohibited in these areas of the hotel facility.
 - f. The second level roof-deck area of the premises may operate from 8 am to 12 am (Midnight), daily. After-hours use of this space, other than routine clean-up and maintenance, is not permitted.
 - g. The roof-top area may operate from 8 am to 12 am (Midnight), daily. After-hours use of this space, other than routine clean-up and maintenance, is not permitted.
2. The hotel manager(s) shall require proof of identification and age for all registered guests at check-in. Rooms where the registered guest is under twenty-one years of age, or where the age of the guest cannot be determined, shall have their in-room liquor cabinet disabled and locked if any such lockers are provided in the room.
3. The applicant shall not sublet any portion of the subject premises to outside "promoters" for nightclub activity. The premises shall not be used exclusively for private parties in which the general public is excluded. Private parties hosted by the applicant, in which the general public is excluded from the entire ground floor restaurant or bar/lounge or second level meeting room areas are permitted provided that an appropriate one-day permit is submitted for approval to LAPD and ABC.
4. No Dancing is permitted. Public dancing shall require the filing of a new Conditional Use Permit pursuant to Section 12.24-W, 18 of the Los Angeles Municipal Code.
5. There shall be no live entertainment of any type, including the employment or feature of karaoke or disc-jockeys.
6. The exterior windows and glass doors of the hotel premises/ground floor restaurant and bar/lounge areas shall be maintained substantially free of signs and other materials from the ground to at least 6 feet in height above the ground so as to permit surveillance into the store by Police and private security.

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7. All exterior portions of the site shall be adequately illuminated in the evening so as to make discernible the faces and clothing of persons utilizing the space. Lighting shall be directed onto the site and no floodlighting shall be located as to be seen directly by persons on adjacent properties.
8. No amplified music is permitted in any portion of the subject premises with the exception of ambient music. Any ambient music, sound, vibration or noise emitted that is under the control of the petitioner(s) shall not be audible or otherwise perceivable beyond the subject premises. Any sound, vibration or noise emitted that is under the control of the petitioner which is discernible outside of the subject premises shall constitute a violation of Section 116.01 of the Los Angeles Municipal Code, including any loud, unnecessary or unusual noise that disturbs the peace and quiet of any neighborhood or that causes discomfort. The establishment will make an effort to control any unnecessary noise made by restaurant staff or any employees contracted by the restaurant or bar facilities located within the hotel facility, or any noise associated with the operation of the establishment, or equipment of the restaurants.
9. The ground floor hotel restaurant shall be permitted to provide ambient background music in the exterior outdoor seating areas only between the hours of 11 am and 12 am (Midnight), daily.
10. The circulation of ambient background music as it relates to the operation of second level roof-deck is permitted only between the hours of 11 am and 11 pm (Nightly).
11. The circulation of ambient background music as it relates to the operation of roof-top area is permitted only between the hours of 11 am and 11 pm (Nightly).
12. There shall be no Adult Entertainment of any type pursuant to L.A.M.C. Section 12.70.
13. The Petitioner(s) shall at all times maintain the abutting sidewalk and any area controlled by the petitioner free of obstruction. Any sidewalk area or patio seating must be approved by a revocable permit from the Department of Public Works. The Petitioner(s) shall additionally ensure that any outdoor seating area that is situated within the property footprint is adequately separated from the abutting sidewalk by installing retaining walls, fencing or some other type of dividing barrier.
14. The applicant shall provide the Zoning Administrator a copy of each license, suspension thereof, or citation issued by the State Department of Alcoholic Beverage Control or the Los Angeles Police Department upon such instance.
15. There shall be no service, sales or possession of an alcoholic beverage on any sidewalk area or adjacent parking lot or alley way. There shall not be off-site sales of Alcohol beverages and the Petitioner(s) shall attempt to dissuade loitering activities and consumption of alcoholic beverages on the public expanses directly adjacent to the subject premises.
16. There shall be no pool tables or billiard tables, coin-operated game machines, video machines permitted on any portion of the premises at any time.
17. Loitering shall be prohibited on or around these premises as well as the properties adjacent to the subject premises. The applicant shall be responsible for ensuring that persons are dissuaded from loitering on or immediately around the subject premises. "No Loitering or Public Drinking" signs shall be posted containing the predominant language of the establishment's clientele. Any outdoor areas under the control of the applicant and those areas which are adjacent to the subject site shall be routinely patrolled by employees of the hotel or security personnel for the purpose of monitoring loitering. Any problems associated with the hotel or restaurant operation shall immediately be reported to the hotel manager who shall correct/remedy the problems.

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18. Signs shall be prominently posted in English and the predominant language of the facility's clientele, if different and a notice shall be placed therein stating that California State Law prohibits the sale of alcoholic beverages to persons under the age of twenty-one years or to intoxicated persons and that no such sales will be made.
19. Smoking tobacco or any non-tobacco substance, including from electronic smoking devices, is prohibited in or within 10 feet of the outdoor dining areas in accordance with Los Angeles Municipal Code Section 41.50 B 2 C. This prohibition applies to all outdoor areas of the establishment if the outdoor area is used in conjunction with food service and/or the consumption, dispensing or sale of alcoholic or non-alcoholic beverages.
20. The business operator and/or the operator's agents shall comply with California Labor Code Section 6404.5(c) which prohibits the smoking of tobacco or any non-tobacco substance, including from electronic smoking devices, within any place of employment.
21. The applicant shall not maintain or construct any type of enclosed room intended for use by patrons or customers for any purpose, except for the restrooms, within the hotel ground floor restaurant and bar/lounge areas.
22. Partitions separating booth/dining areas in the ground floor restaurant and bar/lounge areas shall not exceed 54 inches in height. No obstructions shall be attached, fastened or connected to the booth/dining areas within the interior space for the facility that restrict, limit, or obstruct the clear observation of the occupants.
23. No employee or agent shall be permitted to accept money or any other thing of value from a customer for the purpose of sitting or otherwise spending time with customer while in the premises, nor shall the applicant provide, permit, or make available either gratuitously or for compensation, male or female patrons who act as escorts, companions, or guests of and for the customers.
24. The applicant or establishment operator shall not require an admission or cover charge to the hotel restaurant or bar facilities. Any and all advertisements for admissions or cover charges are likewise prohibited.
25. The applicant or establishment operator shall inform hotel guests and restaurant customers that the primary business of the restaurant facilities is the sale of food, which shall include, but not be limited to providing each customer with a menu, posting of signs on the premises, and advertising food services.
26. Applicant will ensure the continued placement of legible signs throughout the hotel and retained building structures alerting patrons entering and exiting the restaurant to keep noise to a minimum, and to be respectful of the Property's surrounding neighbors.
27. The hotel restaurant facility shall be maintained as bona fide eating place (restaurants) with an operational kitchen. shall provide full menus containing an assortment of foods normally offered in such restaurants. Food service shall be available at all times during all operating hours of the hotel restaurant and bar/lounge facilities.
28. If valet service is used a copy of the contract with the valet company shall be submitted to the Office of Zoning Administration demonstrating that valet service is made available to customers/guests of the petitioner(s). If valet service is implemented the petitioner(s) will additionally be required to provide the Office of Zoning Administration with information pertaining to the valet rates or cost of valet service as it

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relates to customers utilizing said service. The availability of valet parking/service shall be made known to the public via the restaurant menu or hotel brochure, a posting of the information on readily visible locations in the hotel lobby and the hotel restaurant and on any hotel or hotel restaurant website.

29. Petitioner(s) shall install and maintain security cameras and a three-month DVR/video library that covers all common areas of the business, high-risk areas, sidewalk areas, and entrances or exits. The DVRs shall be made available to police upon request.
30. During the hours of 8:00 p.m. and 2:30 a.m., the applicant shall provide a minimum of two (2) security guards in the ground floor hotel restaurant Thursdays, Fridays and Saturdays.

In addition to the security guard requirements delineated above, the applicant shall be required to provide a minimum of three (3) security guards on the premises during the all hours of hotel operation. The applicant shall additionally be required to employ a security guard supervisor to monitor the surveillance cameras of the premises and to coordinate the actions of the other security personnel employed at the facility during all operational hours. The additional security employment required per this provision for the ground floor restaurant and bar/lounge areas, will be employed in addition to and in enhancement of the three security guards and one security supervisor, who are mandated to be employed on the hotel premises during all hours of operation.

The security guards shall not have any other activities other than those that are security related. Security personnel shall be licensed consistent with State law and Los Angeles Police Commission standards and maintain an active American Red Cross first-aid card. The security personnel shall be dressed in such a manner as to be readily identifiable to patrons and law enforcement personnel.

31. **Plan Approval.** The applicant shall file an Approval of Plans application within two (2) years, but not earlier than 18 months from the issuance of the Certificate of Occupancy to assess compliance with the conditions of the instant grant. The purpose of the plan approval will be to review the effectiveness of and the applicant's compliance with the conditions of this grant. Upon review of the effectiveness of and compliance with the conditions, the Zoning Administrator may modify such conditions, delete or add new ones as appropriate and require a subsequent plan approval, as necessary. The applicant shall submit all required documentation of compliance with conditions as part of the application package for the review. Further, at any time during the period of validity of this grant, should documented evidence be submitted showing a violation of any condition(s) of this grant resulting in a disruption or interference with the peaceful enjoyment of the adjoining and neighboring properties, the Zoning Administrator reserves the right to require the applicant to file for a plan approval application together with associated fees, the purpose of which will be to hold a public hearing to review the applicant's compliance with and the effectiveness of these conditions. The applicant/petitioner(s) shall provide a summary and supporting documentation of how compliance with each condition of the grant has been attained. Upon this review the Zoning Administrator may modify, add or delete conditions, and reserves the right to conduct the public hearing for nuisance abatement/revocation purposes.

The applicant shall provide appropriate documentation to substantiate ongoing compliance of the applicant with each of the conditions contained herein at the time of filing the Plan Approval review application.

32. The number of special events permitted on the subject property shall be limited to a maximum of 24 events per year. A special event is any event which is held weekly, monthly or annually or that includes outside advertisement demonstrating a change in the mode and character of the normal hotel operations, including

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but not limited to hours of operation, or any significant live entertainment features that would stipulate an ABC one-day permit application or some other special endorsement. Operational occurrences or arrangements wherein the applicant(s) demands or requests an admission fee from hotel patrons will be considered special events as will any events that involve the exclusion of the general public from gaining admission to the hotel premises or public portion thereof. The applicant shall seek approval from the Hollywood Vice Unit for all special events 14 days in advance of the date of each special event, in writing. LAPD shall respond to requests for special events in writing. Outside advertisement as it pertains to this provision shall include any promotional material or notification commissioned by any entity that is not directly associated with the operation or under the direct employ of the applicant(s).