

CONDITIONS OF APPROVAL

As modified by the City Planning Commission on June 8, 2017.

The following conditions are hereby imposed upon the use of the subject property:

Entitlement Conditions

1. **Site Development.** The use and development of the property shall be in substantial conformance with the plans submitted with the application and marked Exhibit "A", stamped May 19, 2017, except as may be revised as a result of this action.
2. **Floor Area.** The total floor area shall not exceed 102,679 square feet of commercial development, as shown on Exhibit "A", stamped-dated May 19, 2017.
3. **Height.** The building shall not exceed a height of 131 feet.
4. **Parking.**
 - a. **Electric Vehicle Parking.** Of the total parking provided, five percent of spaces shall be dedicated for electric vehicles and provide charging stations. In addition, twenty percent of spaces shall be pre-wired for the future installation of electric charging stations. When the application of the five or twenty percent results in a fractional space, round up to the next whole number.
 - b. **Valet Parking.** Valet parking shall be required to obtain all applicable licenses and/or permits from the Department of Transportation and the Los Angeles Police Department. Proof of licenses and/or permits shall be submitted to the Department of City Planning. Valet parking shall be available during all hours of business operation and for at least one-half hour following the close of business.
 - c. Automobile parking provided in excess of the requirements of the Los Angeles Municipal Code shall be open to the public during business hours.
5. **Solar Ready Buildings.**
 - a. The project shall comply with the Los Angeles Municipal Green Building Code, Section 95.05.211, to the satisfaction of the Department of Building and Safety.
 - b. A minimum of 2,085 square feet of the roof area, as shown on Exhibit A, shall be reserved for the installation of solar panels. The solar panels shall be installed prior to the issuance of a certificate of occupancy.
6. **Mechanical Equipment.** All mechanical equipment shall be fully screened from view of any abutting properties and the public right-of-way.
7. **Trash/Storage.** All trash collecting and storage areas shall be located on-site and not visible from the public right-of-way.
 - a. Trash receptacles shall be enclosed and/or covered at all times.
 - b. Trash/recycling containers shall be locked when not in use.

8. **River Implementation Overlay (LA-RIO).** Prior to the issuance of building permits, the applicant shall obtain approval of a LA-RIO Administrative Clearance from the Department of City Planning.
9. **Construction.** The project 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.
10. **Community Liaison.** During hours of occupancy, the project shall designate a community liaison responsible for responding to any concerns regarding amplified noise during operations. Signage shall be posted on the site with the phone number and contact information of the liaison. The phone shall be staffed by a live person.
11. **Outdoor Terraces.** Outdoor terraces shall be enclosed with a six- to eight-foot tall perimeter wall of transparent material and shall include landscaping (i.e., shrubbery or trees) to minimize noise levels at off-site locations to the maximum extent feasible.
12. **Bicycle Parking.** The project shall provide short-term bicycle parking storage to accommodate a minimum of 10 bicycle parking spaces within the public right-of-way, ground floor courtyard along 2nd Street, or valet/lobby area along Vignes Street. These spaces shall be in addition to the amount of Code-required bicycle parking provided through the automated parking system.
13. **Railroad Spurs.** Any area outside of an interior footprint shall restore and integrate the existing railroad spur along the western edge of the property into the outdoor courtyard.
14. **Above Grade Parking.** Garage lights shall not be seen from the street.
15. **Steel Framing.** The project shall maintain the steel framing structure along the building façade, as shown in the renderings stamp-dated May 19, 2017 and included in Exhibit "A".

Conditional Use for the Sale and Dispensing of Off-Site and On-Site Alcoholic Beverages

16. The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the Zoning Administrator to impose additional corrective Conditions, if, in the Administrator's opinion, such Conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
17. 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.
18. Each individual venue shall be subject to an Approval of Plans determination pursuant to Section 12.24-M of the Los Angeles Municipal Code in order to implement and utilize the Conditional Use authorization granted herein as follows;
 - a. The off-site and on-site sale and consumption of a full line of alcoholic beverages in connection with a food market/restaurant use;
 - b. The on-site sale and consumption of beer and wine in connection with a café use;
 - c. The on-site sale and consumption of a full line of alcoholic beverages in connection with a private club use;

- d. Beer and wine sales may be provided in lieu of a full line of alcoholic beverages at any of the approved venues.
 - e. The purpose of the Approval of Plans determination is to review each proposed venue in greater detail and to tailor site-specific conditions of approval for each of the premises including but not limited to hours of operation, seating capacity, size, security, live entertainment, the length of a term grant and/or any requirement for a subsequent Approval of Plans application to evaluate compliance and effectiveness of the conditions of approval.
 - f. A public hearing for any Approval of Plans request may be waived at the discretion of the Chief Zoning Administrator.
19. Maximum cumulative square footage for all three (3) venues shall not exceed the following:
 - a. For the three (3) venues with on-site sales – 80,933 square feet
 - b. For the one (1) venue with off-site sales – 6,054 square feet.
 20. Live entertainment shall be permitted at the private club use. As applicable, a café and entertainment permit shall be obtained from the Police Commission prior to the conduct of any live entertainment.
 21. Notwithstanding Exhibit A, this grant recognizes that there may be changes resulting from identified tenants, which may result in larger or smaller venues than those identified in Exhibit A, different locations and/or in a reduced number of venues than those originally proposed. Such outcome is permitted provided that the other conditions noted herein, specifically those related to maximum square footage, maximum seating, maximum number of venues and maximum number of approved allocation of on-site and off-site sale venues are not exceeded.
 22. Any future change in the tenant/operator of any of the individually approved venues conducting the sale of alcohol shall require the filing of an Approval of Plans to evaluate the applicability of existing conditions and review any potential changes in the mode and character of the development complex.
 23. Prior to the utilization of this grant and the filing of an Approval of Plans for the first venue, the applicant shall prepare a security plan which shall be submitted to the Police Department's Central Area's Vice Section for review and approval. A copy of the security plan approved by the Police Department shall be included with the application materials submitted for an Approval of Plans. The security plan shall address security measures applicable to all the venues as well as any measures specific to the individual venue reviewed under each corresponding Approval of Plans.
 24. Prior to the utilization of this grant, surveillance cameras shall be installed which cover all common areas of the venues, including all high-risk areas, entrances and exits to each tenant space, including cameras that provide a view of the street.
 25. There shall be no use of the subject premises which involves Section 12.70 of the Los Angeles Municipal Code uses (Adult Entertainment).

26. All venue tenants shall be provided with a copy of these conditions which shall also be referenced in any lease or contract and which shall be maintained and posted on the premises and available upon request by any enforcement agency.
27. All employees shall also be made familiar with these conditions and any others which are identified specifically in the corresponding Approval of Plans determination. Additionally, a copy shall be provided to all employees who shall sign an acknowledgement form stating that they have read and understood all of the ABC and conditional use permit conditions. These conditions of approval shall be retained on the property at all times and shall be produced immediately upon the request of the Zoning Administrator, Police Department, or Department of Building and Safety.
28. The applicant, tenants and on-site managers shall comply with all applicable laws and conditions of this action and any corresponding Approval of Plans determination and shall properly manage the facility to discourage illegal and criminal activity on the subject property and any accessory parking area over which they exercise control.
29. The applicant shall maintain on the premises and present upon request to the Police or other enforcement agency, a copy of the Business Permit, Insurance Information, and valid emergency contact phone number for any Valet Service utilized and for any Security Company Service employed.
30. The applicant shall be responsible for maintaining the area adjacent to the premises over his/her control free of litter.
31. The applicant and tenants shall monitor the areas under their control to prevent loitering of persons around their venues.
32. The property owner/operator shall keep a log of complaints received, the date and time received, and the disposition of the response. This shall be available for inspection by the Department.
33. 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 will have the right to require the petitioner(s) to file for a plan approval application together with the associated fees, to hold a public hearing for review the petitioner's compliance with and the effectiveness of the conditions of the grant. The petitioner(s) shall submit a summary and supporting documentation of how compliance with each condition of the grant has been attained.

Environmental Conditions – Project Design Features (PDF)

34. **PDF-AES-1.** The ground floor plaza along 2nd Street shall include attractive landscaping. It shall be maintained in accordance with a landscape plan, including an automatic irrigation plan, prepared by a licensed landscape architect to the satisfaction of the decision maker.

Enforcement Agency: Los Angeles Department of City Planning

Monitoring Agency: Los Angeles Department of City Planning

Monitoring Phase: Prior to occupancy; Post-occupancy

Monitoring Frequency: Once, at plan check; Ongoing during project operation

Action Indicating Compliance: Field inspection sign-off

35. **PDF-AES-2.** Every building, structure, or portion thereof, shall be maintained in a safe and sanitary condition and good repair, and free from graffiti, debris, rubbish, garbage, trash, overgrown vegetation or other similar material, pursuant to Municipal Code Section 91.8104.

Enforcement Agency: Los Angeles Department of City Planning

Monitoring Agency: Los Angeles Department of City Planning

Monitoring Phase: Prior to occupancy; Post-occupancy

Monitoring Frequency: Ongoing, during project operation

Action Indicating Compliance: Field inspection sign-off

36. **PDF-AES-3.** During construction of the Project, the exterior of buildings and fences shall be free from graffiti when such graffiti is visible from a public street or alley, pursuant to Municipal Code Section 91.8104.15.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Construction

Monitoring Frequency: Ongoing, during construction

Action Indicating Compliance: Field inspection sign-off; Compliance certification report by Project contractor

37. **PDF-AES-4.** Outdoor lighting shall be designed to shine downward and installed with shielding and be directed onto the Project Site, so that the light source does not directly illuminate any adjacent properties or the above night skies.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Construction

Monitoring Frequency: Pre-construction; Construction

Action Indicating Compliance: Field inspection sign-off; Compliance certification report by Project contractor

38. **PDF-AES-5.** Automobiles parked within the stacked parking system would not be permitted to have headlights turned on thereby eliminating the potential for illumination on adjacent uses.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Construction; Post-occupancy

Monitoring Frequency: Ongoing, during project operation

Action Indicating Compliance: Field inspection sign-off; Compliance certification report by Project contractor

39. **PDF-AES-6.** The exterior of the proposed building shall be constructed of materials such as high-performance low reflectivity glass and pre-cast concrete or fabricated wall surfaces.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Construction

Monitoring Frequency: Once, at plan check; during project construction

Action Indicating Compliance: Approval of Building Permit; Written compliance certification prior to issuance of Certificate of Occupancy

40. **PDF-CULT-1.** The Project shall incorporate design features that include preservation or in-kind replacement of the Building's windows, board-formed reinforced concrete exterior, and decorative cornice and frieze, as well as restoration of the original loading bay openings and primary (south and east) elevations in compliance with the Secretary of the Interior's Standards for Rehabilitation. The Project's plan for restoration of the Building's exterior features shall be developed in conjunction with a qualified architectural historian, historic architect, or historic preservation professional who satisfies the Secretary of the Interior's Professional Qualifications Standards for History, Architectural History, or Architecture, pursuant to 36 CFR 61.

Enforcement Agency: Los Angeles Department of City Planning

Monitoring Agency: Los Angeles Department of City Planning; Office of Historic Resources; Los Angeles Department of Building and Safety

Monitoring Phase: Construction

Monitoring Frequency: Once, at plan check; during project construction

Action Indicating Compliance: Compliance report by qualified archaeological monitor

41. **PDF-GHG-1.** The Project shall incorporate the following GHG reduction measures:
1. The use of materials and finishes that emit low quantities of volatile organic compounds, or VOCs;
 2. The installation of modern heating, ventilation, and air conditioning (HVAC) systems that utilize ozone-friendly refrigerants;
 3. High-efficiency Energy Star® appliances;
 4. Drought-resistant landscaping, stormwater retention, and the incorporation of water conservation features (i.e., dual-flush toilets, low-flow faucets); and
 5. The provision of bicycle parking.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Construction

Monitoring Frequency: During project construction

Action Indicating Compliance: Field inspection sign-off

42. **PDF-HAZ-1.** If construction activities affect access to portions of the streets adjacent to the Project Site, the Project would implement traffic control measures, such as construction flagmen or installation of signage to maintain flow and access in the vicinity of the Project.

Enforcement Agency: Los Angeles Department of Transportation

Monitoring Agency: Los Angeles Department of Transportation

Monitoring Phase: Construction

Monitoring Frequency: During project construction, if needed

Action Indicating Compliance: Compliance certification report submitted by Project contractor

43. **PDF-HAZ-2.** The Project would develop a Construction Traffic Management Plan, in accordance with City Requirements, during Project construction, which would include the designation of a haul route, to ensure that emergency access is maintained during construction.

Enforcement Agency: Los Angeles Department of Transportation

Monitoring Agency: Los Angeles Department of Transportation

Monitoring Phase: Pre-construction; Construction

Monitoring Frequency: Once, at plan check; during project construction

Action Indicating Compliance: Approval of Construction Traffic Management Plan from the Los Angeles Department of Transportation prior to issuance of Building Permit (Pre-construction); compliance certification report submitted by Project contractor (Construction)

44. **PDF-HYDRO-1.** The Project shall install a dry infiltration well system that would be designed in accordance with City of Los Angeles Guidelines to pretreat and infiltrate storm runoff before entering the storm drain system.

Enforcement Agency: Los Angeles Regional Water Quality Control Board; Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Construction

Monitoring Frequency: Once, at plan check; once, during project construction

Action Indicating Compliance: Field inspection sign-off; Compliance certification report by project contractor and owner

45. **PDF-HAZ-2.** The Project would develop a Construction Traffic Management Plan, in accordance with City Requirements, during Project construction, which would include the designation of a haul route, to ensure that emergency access is maintained during construction.

Enforcement Agency: Los Angeles Department of Transportation

Monitoring Agency: Los Angeles Department of Transportation

Monitoring Phase: Pre-construction; Construction

Monitoring Frequency: Once, at plan check; during project construction

Action Indicating Compliance: Approval of Construction Traffic Management Plan from the Los Angeles Department of Transportation prior to issuance of Building Permit (Pre-construction); compliance certification report submitted by Project contractor (Construction)

46. **PDF-LU-1.** Of the total parking provided, five percent of spaces would be dedicated for electric vehicles and provide charging stations. In addition, twenty percent of spaces would be pre-wired for the future installation of electric charging stations.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Construction

Monitoring Frequency: Once, during project construction; during project operation, if needed at some future time

Action Indicating Compliance: Field inspection sign-off within compliance report

47. **PDF-NOISE-1.** The Applicant shall designate a construction relations officer to serve as a liaison with surrounding residents and property owners who is responsible for responding to any concerns regarding construction noise and vibration. The liaison's telephone number(s) shall be prominently displayed at the Project Site. Signs shall also be posted at the Project Site that includes permitted construction days and hours.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Construction

Monitoring Frequency: Ongoing during project construction

Action Indicating Compliance: Field inspection sign-off within compliance report

48. **PDF-NOISE-2.** All mechanical equipment used would be designed with appropriate noise control devices, such as sound attenuators, acoustics louvers, or sound screen/parapet walls to comply with noise limitation requirements provided in Section 112.02 of the LAMC.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Construction

Monitoring Frequency: Pre-construction; ongoing during project construction

Action Indicating Compliance: Field inspection sign-off within compliance report

49. **PDF-NOISE-3.** The proposed facility shall incorporate noise-attenuating features (physical as well as operational) designed by a licensed acoustical sound engineer to minimize operational sounds beyond the property line. Measure shall include, but are not limited to, the use of wall and floor-ceiling assemblies separating commercial tenant spaces and public places that shall have a Sound Transmission Class (STC) value of at least 50, as determined in accordance with ASTM E90 and ASTM E413.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Construction

Monitoring Frequency: Pre-construction; ongoing during project construction

Action Indicating Compliance: Field inspection sign-off within compliance report

50. **PDF-NOISE-4.** During construction, the contractor shall install and maintain at least two continuously operational automated vibrational monitors on the on-site historic building. The monitors must be capable of being programmed with two predetermined vibratory velocities levels: a first-level alarm equivalent to a level of 0.45 inches per second at the face of the building and a

regulatory alarm level equivalent to a level of 0.5 inches per second at the face of the building. The monitoring system must produce real-time specific alarms (via text message and/or email to on-site personnel) when velocities exceed either of the predetermined levels. In the event of a first-level alarm, feasible steps to reduce vibratory levels shall be undertaken, including but not limited to halting/staggering concurrent activities and utilizing lower-vibratory techniques. In the event of an exceedance of the regulatory level, work in the vicinity shall be halted and the on-site historic building visually inspected for damage. Results of the inspection must be logged. In the event damage occurs to historic finish materials due to construction vibration, such materials shall be repaired in consultation with a qualified preservation consultant, and if warranted, in a manner that meets the Secretary of the Interior's Standards.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Construction

Monitoring Frequency: Ongoing during project construction

Action Indicating Compliance: Field inspection sign-off within compliance report

51. **PDF-PS-1.** The Project would incorporate a security program to ensure the safety of employees and site visitors. The design considers guidelines per the "Design out Crime Guidelines: Crime Prevention Through Environmental Design" published by the Los Angeles Police Department's Crime Prevention Section (located at Parker Center, 150 N. Los Angeles Street, Room 818, Los Angeles, (213) 485-3134. This measure would be approved by the LAPD prior to issuance of building permits.

Enforcement Agency: Los Angeles Police Department

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Pre-construction; Post-occupancy

Monitoring Frequency: Once, at plan check; during project construction; during project operation, on an as needed basis

Action Indicating Compliance: Written approval by the Los Angeles Police Department prior to issuance of building permits

52. **PDF-PS-2.** Private security personnel would monitor vehicle and pedestrian access to the construction areas and patrol the Project Site.

Enforcement Agency: Los Angeles Department of City Planning

Monitoring Agency: Los Angeles Department of City Planning

Monitoring Phase: Post-occupancy

Monitoring Frequency: Ongoing during project construction

Action Indicating Compliance: Compliance certification report by Project contractor

53. **PDF-PS-3.** Construction fencing with gated and locked entry would be installed around the perimeter of the construction site to minimize trespassing, vandalism, short-cut attractions and attractive nuisances.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Construction

Monitoring Frequency: Ongoing during project construction

Action Indicating Compliance: Compliance certification report by Project contractor; Field inspection sign-off

54. **PDF-PS-4.** Security measures would include controlled access to the private membership club and retail areas to assist in crime prevention efforts and to reduce the demand for police protection services.

Enforcement Agency: Los Angeles Department of City Planning

Monitoring Agency: Los Angeles Department of City Planning

Monitoring Phase: Post-occupancy

Monitoring Frequency: Ongoing during project construction

Action Indicating Compliance: Compliance certification report by Project contractor

55. **PDF-PS-5.** The Project Site would be well-illuminated by security lighting in entryways, public areas, and parking facilities.

Enforcement Agency: Los Angeles Department of City Planning

Monitoring Agency: Los Angeles Department of City Planning

Monitoring Phase: Construction; Post-occupancy

Monitoring Frequency: Ongoing during project operation

Action Indicating Compliance: Compliance certification report by Project contractor

56. **PDF-PS-6.** Security would also include the provision of a 24-hour video surveillance system at key locations and security staff stationed within the lobby of the private membership club.

Enforcement Agency: Los Angeles Department of City Planning

Monitoring Agency: Los Angeles Department of City Planning

Monitoring Phase: Post-occupancy

Monitoring Frequency: Ongoing during project operation

Action Indicating Compliance: Compliance certification report by Project contractor

57. **PDF-PS-7.** Valet staff would also be present to assist in parking vehicles and to monitor site activity, and vehicles would be parked within a controlled-access area not open to the public, visitors, or guests.

Enforcement Agency: Los Angeles Department of City Planning

Monitoring Agency: Los Angeles Department of City Planning

Monitoring Phase: Post-occupancy

Monitoring Frequency: Ongoing during project operation

Action Indicating Compliance: Compliance certification report by Project contractor

58. **PDF-PS-8.** The Project proposes to provide closed-circuit television camera security systems, onsite security guards posted at the proposed alcohol uses, an alarm system installed as needed, pedestrian appropriate illumination at entryways, alleys, etc., and controlled access into and out of the parking garage.

Enforcement Agency: Los Angeles Department of City Planning
Monitoring Agency: Los Angeles Department of City Planning
Monitoring Phase: Post-occupancy
Monitoring Frequency: Ongoing during project operation
Action Indicating Compliance: Compliance certification report by Project contractor

59. **PDF-PS-9.** All alcohol sales employees will receive STAR training in responsible alcohol sales; age verification devices and prompts will be part of the Point of Sale system to assist cashiers in prevention of sales to minors.

Enforcement Agency: Los Angeles Department of City Planning
Monitoring Agency: Los Angeles Department of City Planning
Monitoring Phase: Post-occupancy
Monitoring Frequency: Ongoing during project operation
Action Indicating Compliance: Compliance certification report by Project contractor

60. **PDF-PS-10.** Potential effects on adjacent accessibility would be reduced with flagging and traffic control personnel.

Enforcement Agency: Los Angeles Department of City Planning
Monitoring Agency: Los Angeles Department of City Planning
Monitoring Phase: Post-occupancy
Monitoring Frequency: During project construction, as needed
Action Indicating Compliance: Compliance certification report by Project contractor

61. **PDF-TRAF-1.** The Applicant shall prepare a detailed Construction Traffic Management Plan that shall include, but not be limited to, the following elements, as appropriate:

- Advance, bilingual notification of adjacent property owners and occupants of upcoming construction activities, including estimated duration of construction and daily hours of construction.
- Prohibition of construction worker or equipment parking on adjacent streets.
- Temporary pedestrian, bicycle, and vehicular traffic controls during all construction activities adjacent to Vignes Street and E. 2nd Street to ensure traffic safety on public rights of way. These controls shall include, but not be limited to, flag people trained in pedestrian and bicycle safety at the Project Site's Vignes Street and E. 2nd Street driveways.
- Temporary traffic control during all construction activities adjacent to public rights-of-way to improve traffic flow on public roadways (e.g., flag men).
- Scheduling of construction activities to reduce the effect on traffic flow on surrounding arterial streets.
- Potential sequencing of construction activity for the Project to reduce the amount of construction-related traffic on arterial streets.
- Containment of construction activity within the Project Site boundaries.

- Prohibition on construction-related vehicles/equipment parking on surrounding public streets.
- Safety precautions for pedestrians through such measures as alternate routing and protection barriers shall be implemented.
- Scheduling of construction-related deliveries, haul trips, etc., so as to occur outside the commuter peak hours.
- 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.
- Temporary pedestrian facilities should be adjacent to the project site and provide safe, accessible routes that replicate as nearly as practical the most desirable characteristics of the existing facility.
- Covered walkways shall be provided where pedestrians are exposed to potential injury from falling objects.
- 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.

Enforcement Agency: Los Angeles Department of Transportation

Monitoring Agency: Los Angeles Department of Transportation

Monitoring Phase: Pre-construction; Construction

Monitoring Frequency: Ongoing during project construction

Action Indicating Compliance: Approval of Construction Traffic Management Plan from the Los Angeles Department of Transportation prior to issuance of Building Permit (Pre-construction); compliance certification report submitted by Project contractor (Construction)

62. **PDF-USS-1.**

Prior to the issuance of any demolition or construction permit, the applicant shall provide a copy of the receipt or contract from a waste disposal company providing services to the Project, specifying recycled waste service(s), to the satisfaction of the Department of Building and Safety. The demolition and construction contractor(s) shall only contract for waste disposal services with a company that recycles demolition and/or construction-related wastes.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Pre-construction

Monitoring Frequency: Once, at plan check

Action Indicating Compliance: Copy of receipt or contract prior to issuance of demolition or construction permit

63. **PDF-USS-2.**

All waste shall be disposed of properly. Use appropriately labeled recycling bins to recycle demolition and construction materials including: solvents, water-based paints, vehicle fluids, broken asphalt and concrete, bricks, metals, wood, and vegetation. Non-recyclable materials/wastes

shall be taken to an appropriate landfill. Toxic wastes must be discarded at a licensed regulated disposal site.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Construction

Monitoring Frequency: Ongoing during project construction

Action Indicating Compliance: Field inspection sign-off

64. **PDF-USS-3.** To facilitate onsite separation and recycling of demolition and construction-related wastes, the contractor(s) shall provide temporary waste separation bins on-site during demolition and construction. These bins shall be emptied and recycled accordingly as a part of the Project's regular solid waste disposal program.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Construction

Monitoring Frequency: Ongoing during project construction

Action Indicating Compliance: Field inspection sign-off

65. **PDF-USS-4.** Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material. These bins shall be emptied and recycled accordingly as a part of the Project's regular solid waste disposal program.

Enforcement Agency: Los Angeles Department of City Planning

Monitoring Agency: Los Angeles Department of City Planning

Monitoring Phase: Post-occupancy

Monitoring Frequency: Ongoing during project operation

Action Indicating Compliance: Compliance certification report by Project contractor

Environmental Conditions – Mitigation Measures (MM)

66. **MM-AES-1.** 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.

Enforcement Agency: Los Angeles Department of Building and Safety and Los Angeles Department of City Planning

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Pre-construction

Monitoring Frequency: Once, at plan check; Once, at field inspection prior to Certificate of Occupancy

Action Indicating Compliance: Approval of Lighting Plans prior to issuance of applicable building permit (Pre-construction)

67. **MM-AIR-1.** The project shall limit daily application of architectural coatings applied on-site to 170 gallons per day with an average of 50 grams VOC per liter of coating, less water and less exempt compounds, or equivalent usage resulting in similar or less VOC emissions. For example, stains, specialty primers, and industrial maintenance coatings allowed by Rule 1113 that contain VOCs at a level of 100 grams per liter of coating, less water and less exempt compounds would be limited to 85 gallons per day on site. Compliance with this measure would result in approximately 71 pounds of VOC emissions per day, which would be less than the threshold of 75 pounds per day.

Enforcement Agency: Los Angeles Department of Building and Safety;
SCAQMD

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Construction

Monitoring Frequency: Periodic field inspections during construction

Action Indicating Compliance: Field inspection sign-off

68. **MM-BIO-1a.** Any construction activities that occur during the nesting season (February 15 to August 31) shall require that all suitable habitat (i.e., street trees and shrubs) be surveyed for the presence of nesting birds by a qualified biologist, retained by the Applicant as approved by the City of Los Angeles Building and Safety, before commencement of clearing and prior to grading permit issuance. The survey shall be conducted within 72 hours prior to the start of construction. A copy of the pre-construction survey shall be submitted to the City of Los Angeles Building and Safety.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Construction

Monitoring Frequency: Once, prior to issuance of building permit; or, if vegetation removal, building demolition or grading is initiated during the nesting season, as determined by a qualified biologist

Action Indicating Compliance: If vegetation removal, building demolition, or grading is initiated during the nesting season, submittal of a survey report by a qualified biologist.

69. **MM-BIO-1b.** If the required pre-construction survey detects any active nests, an appropriate buffer as determined by the biological monitor, shall be delineated, flagged, and avoided until the qualified biological monitor has verified that the young have fledged or the nest has otherwise become inactive.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Construction

Monitoring Frequency: Once, prior to issuance of building permit; or, if vegetation removal, building demolition or grading is initiated during the nesting season, as determined by a qualified biologist

Action Indicating Compliance: If vegetation removal, building demolition, or grading is initiated during the nesting season, submittal of a survey report by a qualified biologist.

70. **MM-CULT-1.** Prior to Project initiation, a recordation document prepared in accordance with Historic American Buildings Survey (HABS) Level III requirements shall be completed for the existing Building. The recordation document shall be prepared by a qualified architectural historian or historic preservation professional who satisfies the Secretary of the Interior's Professional Qualification Standards for Architectural History pursuant to 36 CFR 61. This document shall include a historical narrative on the architectural and historical importance of the Building, the Building's construction history, history of occupancy and use, association with the potential Los Angeles Industrial Historic District, and record the existing appearance of the Building in professional large format photographs. The Building's exteriors, representative interior spaces, character-defining features, as well as the property setting and contextual views shall be documented. All documentation components shall be completed in accordance with the Secretary of the Interior's Standards and Guidelines for Architectural and Engineering Documentation (HABS standards). Copies of the completed report shall be distributed to the South Central Coastal Information Center at the California State University, Fullerton, City of Los Angeles Office of Historic Resources, and the City of Los Angeles Public Library Special Collections (Central Library).

Enforcement Agency: Los Angeles Department of City Planning, Office of Historic Resources

Monitoring Agency: Los Angeles Department of City Planning, Office of Historic Resources; Los Angeles Department of Building and Safety

Monitoring Phase: Pre-construction

Monitoring Frequency: Prior to issuance of building permit

Action Indicating Compliance: Compliance report by qualified archaeological monitor

71. **MM-CULT-2.** The Applicant shall retain a qualified archaeologist who meets the Secretary of the Interior's Professional Qualifications Standards to oversee an archaeological monitor who shall be present during construction excavations such as demolition, clearing/grubbing, grading, trenching, or any other construction excavation activity associated with the Project. The frequency of monitoring shall be based on the rate of excavation and grading activities, proximity to known archaeological resources, the materials being excavated (younger alluvium vs. older alluvium), and the depth of excavation, and if found, the abundance and type of archaeological resources encountered. Full-time monitoring may be reduced to part-time inspections, or ceased entirely, if determined adequate by the archaeological monitor.

Enforcement Agency: Los Angeles Department of City Planning

Monitoring Agency: Los Angeles Department of City Planning; Los Angeles Department of Building and Safety

Monitoring Phase: Construction

Monitoring Frequency: Ongoing during construction, per recommendation of archaeologist

Action Indicating Compliance: Compliance report by qualified archaeological monitor

72. **MM-CULT-3.** In the event that archaeological resources are unearthed, ground-disturbing activities shall be halted or diverted away from the vicinity of the find so that the find can be evaluated. An appropriate buffer area shall be established around the find where construction activities shall not be allowed to continue. Work shall be allowed to continue outside of the buffer area. All archaeological resources unearthed by Project construction activities shall be evaluated by a qualified archaeologist. The Applicant shall coordinate with the archaeologist and the City to develop an appropriate treatment plan for the resources if they are determined to be potentially eligible for the California Register of Historical Resources or potentially qualify as unique archaeological resources as defined in §15064.5(a) and §21083.2(g) of the Public Resources Code, respectively. If the archaeological resources are prehistoric or Native American in origin, the Applicant shall consult with a representative from the Gabrielino Tribe(s) to determine whether the resource qualifies as a tribal cultural resource pursuant to §21074(a) of the Public Resources Code and to determine appropriate treatment. If preservation in place or avoidance is not feasible, treatment may include implementation of archaeological data recovery excavations to remove the resource along with subsequent laboratory processing and analysis of the artifacts. Any archaeological material collected shall be curated at a public, non-profit institution with a research interest in the materials, such as the Natural History Museum of Los Angeles County or the Fowler Museum, if such an institution agrees to accept the material. If no institution accepts the archaeological material, they shall be donated to a local school or historical society in the area for educational purposes.

Enforcement Agency: Los Angeles Department of City Planning, Office of Historic Resources

Monitoring Agency: Los Angeles Department of City Planning, Office of Historic Resources; Los Angeles Department of Building and Safety

Monitoring Phase: Construction

Monitoring Frequency: At the time of resource discovery, should it occur

Action Indicating Compliance: If archaeological resources are unearthed, submittal of compliance certification report and treatment plan by a qualified archaeological monitor

73. **MM-CULT-4.** The archaeological monitor shall prepare a final report and appropriate California Department of Parks and Recreation Site Forms at the conclusion of archaeological monitoring. The report shall include a description of resources unearthed, if any, treatment of the resources, results of the artifact processing, analysis, and research, and evaluation of the resources with respect to the California Register of Historical Resources. The report and the Site Forms shall be submitted by the Applicant to the City of Los Angeles, the South Central Coastal Information Center, and representatives of other appropriate or concerned agencies to signify the satisfactory completion of the Project and required mitigation measures.

Enforcement Agency: Los Angeles Department of City Planning

Monitoring Agency: Los Angeles Department of City Planning

Monitoring Phase: Post-construction

Monitoring Frequency: Once upon completion of excavation

Action Indicating Compliance: Compliance report by qualified archaeological monitor

74. **MM-CULT-5.** If human remains are encountered unexpectedly during implementation of the project, State Health and Safety Code Section 7050.5 requires that no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to PRC Section 5097.98. If the remains are determined to be of Native American descent, the coroner has 24 hours to notify the Native American Heritage Commission (NAHC). The NAHC shall then identify the person(s) thought to be the Most Likely Descendent (MLD). The MLD may, with the permission of the land owner, or his or her authorized representative, inspect the site of the discovery of the Native American remains and may recommend to the owner or the person responsible for the excavation work means for treating or disposing, with appropriate dignity, the human remains and any associated grave goods. The MLD shall complete their inspection and make their recommendation within 48 hours of being granted access by the land owner to inspect the discovery. The recommendation may include the scientific removal and nondestructive analysis of human remains and items associated with Native American burials. Upon the discovery of the Native American remains, the landowner shall ensure that the immediate vicinity, according to generally accepted cultural or archaeological standards or practices, where the Native American human remains are located, is not damaged or disturbed by further development activity until the landowner has discussed and conferred, as prescribed in this mitigation measure, with the MLD regarding their recommendations, if applicable, taking into account the possibility of multiple human remains. The landowner shall discuss and confer with the descendants all reasonable options regarding the descendants' preferences for treatment.

Whenever the NAHC is unable to identify a MLD, or the MLD identified fails to make a recommendation, or the landowner or his or her authorized representative rejects the recommendation of the descendants and the mediation provided for in Subdivision (k) of Section 5097.94, if invoked, fails to provide measures acceptable to the landowner, the landowner or his or her authorized representative shall inter the human remains and items associated with Native American human remains with appropriate dignity on the property in a location not subject to further and future subsurface disturbance.

Enforcement Agency: Los Angeles Department of City Planning; Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Construction

Monitoring Frequency: At the time of discovery, should it occur

Action Indicating Compliance: If human remains are encountered unexpectedly, submittal of written evidence to the Los Angeles Department of City Planning of compliance with State Health and Safety Code Section 7050.0 and Public Resources Code Section 5097.98

75. **MM-GEO-1.** All recommendations included in the Geotechnical Report prepared for the Project (provided in Appendix D of this MND) shall be followed. In regards

to the foundation design, the existing foundations will need to be enlarged or strengthened as a result of the proposed addition and renovation. Where the existing footings will need to be enlarged, the new footings shall be designed to match the depth of the existing footings and shall bear into the underlying dense native soils. The proposed foundation plan shall be reviewed and approved by the geotechnical engineer and be in compliance with the City's Building Code. In regards to the slabs on grade, the concrete floor slabs should be a minimum of 5 inches in thickness. They should be cast over undisturbed natural geologic materials or property controlled fill materials. Any materials loosened or over-excavated should be wasted from the site or properly compacted to 95 percent of the maximum dry density.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Post-construction; construction

Monitoring Frequency: Ongoing during construction

Action Indicating Compliance: Issuance of grading permits; Field inspection sign-off; Geotechnical Engineers site visit reports as needed

76. **MM-NOISE-1.** Noise-generating equipment operated at the Project Site shall be equipped with the most effective and technologically feasible noise control devices, such as mufflers, lagging (enclosures for exhaust pipes), and/or motor enclosures. All equipment shall be properly maintained to assure that no additional noise, due to worn or improperly maintained parts, would be generated.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Construction

Monitoring Frequency: Ongoing during construction

Action Indicating Compliance: Field inspection sign-off within compliance report

77. **MM-NOISE-2.** Construction and demolition activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Construction

Monitoring Frequency: Ongoing during demolition and construction

Action Indicating Compliance: Field inspection sign-off within compliance report; compliance certification report submitted by Project contractor

78. **MM-NOISE-3.** Temporary noise barriers (e.g., sound blankets) shall be used to block the line-of-site between construction equipment and noise-sensitive receptors (residences) during Project construction. Noise barriers shall be a minimum of 20-feet tall along the west, and 10-feet tall along the south and east boundaries, which are adjacent to residential uses.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Construction

Monitoring Frequency: Ongoing during construction

Action Indicating Compliance: Field inspection sign-off within compliance report

79. **MM-NOISE-4.** Amplified music from speakers located in the outdoor seating area at the southwest corner of the project may not exceed 75 dBA during the daytime or 63 dBA during the nighttime as measured at the southwestern property line adjacent to the Garey Building. Measurements shall be taken using a calibrated handheld or in-place noise monitor that meets the American National Standard Institute (ANSI) S1.4 specification for sound level meters or equivalent. Sound system or speaker volume settings should be tested prior to the installation of permanent speakers or prior to the beginning of an event for temporary speakers. The maximum allowed sound system or speaker volume settings, based on the results of the measurements, shall be labeled on the settings controls and on-site personnel shall be required to comply with the maximum allowed volume settings. Speakers shall not be directed towards the Garey Building and shall be directed towards the interior of the Project Site.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Construction

Monitoring Frequency: Ongoing during operation

Action Indicating Compliance: None – ongoing operational compliance required

80. **MM-NOISE-5.** Heavy equipment shall not be used within 60 feet of the neighboring residential structures. Heavy equipment is defined as equipment with an engine size of 600 horsepower or greater and includes large dozers, large excavators, and large loaders).

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Construction

Monitoring Frequency: Ongoing during construction

Action Indicating Compliance: Field inspection sign-off within compliance report

81. **MM-NOISE-6.** High vibratory construction equipment, such as use of a pile driver, shall not be used.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Construction

Monitoring Frequency: Ongoing during construction

Action Indicating Compliance: Field inspection sign-off within compliance report

82. **MM-PS-1.** Prior to issuance of a building permit, the General Manager of the City of Los Angeles, Department of Building and Safety, or designee, shall ensure that the Applicant has paid all applicable school facility

development fees in accordance with California Government Code Section 65995.

Enforcement Agency: Los Angeles Department of Building and Safety; Los Angeles Unified School District

Monitoring Agency: Los Angeles Department of Building and Safety; Los Angeles Unified School District

Monitoring Phase: Pre-construction

Monitoring Frequency: Once, at plan check

Action Indicating Compliance: Receipt of payment from Los Angeles Unified School District

Administrative Conditions

83. **Approvals, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, reviews 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
84. **Code Compliance.** All area, height and use regulations of the zone classification of the subject property shall be complied with, except wherein these conditions explicitly allow otherwise.
85. **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.
86. **Definition.** Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public offices, legislation or their successors, designees or amendment to any legislation.
87. **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.
88. **Building Plans.** A copy of the first page of this grant and all Conditions and/or any subsequent appeal of this grant and its resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the Development Services Center and the Department of Building and Safety for purposes of having a building permit issued.
89. **Corrective Conditions.** The authorized use shall be conducted at all times with due regard for 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.

90. **Expedited Processing Section.** Prior to the clearance of any conditions, the applicant shall show proof that all fees have been paid to the Department of City Planning, Expedited Processing Section.

91. **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 \$50,000. 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 (ii).
- 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 in paragraph (ii).
- e. If the City determines it necessary to protect the City's interest, 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, commissions, committees, employees, and volunteers.

“Action” shall be defined to include suits, proceedings (including those held under alternative dispute resolution procedures), claims, or lawsuits. Actions include 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.

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 grant, 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.

- There shall be no exterior window signs of any kind or type promoting alcoholic products.
- The alcoholic beverage license for the restaurants shall not be exchanged for “public premises” license unless approved through a new conditional use authorization. “Public Premises” is defined as a premise maintained and operated for sale or service of alcoholic beverages to the public for consumption on the premises, and in which food is not sold to the public as a bona fide eating place.
- There shall be no advertising of any alcoholic beverages visible from the exterior of the premises from the food and beverage areas within the museum, promoting or indicating the availability of alcoholic beverages.
- Alcohol sales and dispensing for on-site consumption shall only be served by employees.
- The venue operator, owner and the venue personnel shall at all times maintain a policy of not serving to obviously intoxicated patrons and shall take preventative measures to help avert intoxication-related problems.
- No person under the age of 21 years shall sell or deliver alcoholic beverages.
- There shall not be a requirement to purchase a minimum number of drinks.
- There shall be no portable self-service bar(s) at either location. A wait person or bartender shall conduct all alcoholic beverage service, which may be from a portable bar.
- No sale of alcohol shall be permitted at any self-service, automated check-out station (checkout conducted primarily by the customer, with assistance by a store monitor) if such

are available on the site. All sales of alcohol shall be conducted at a full-service checkout station directly attended by a cashier/checkout clerk specifically assigned solely to that station.