

The project authorized by this Conditional Use Permit includes the creation and operation of the proposed restaurants, with the criteria listed below:

HOURS OF OPERATION

Resturant 'A' shall be limited to the following hours of operation:

Sunday - Tuesday: 10:00 AM to 2:00 AM
Wednesday - Saturday: 10:00 AM to 5:00 AM

The outdoor areas shall be closed no later than 12:00 AM, with allowable background music ceasing by 11:00 pm

Resturant 'B' shall be limited to the following hours of operation:

Sunday - Tuesday: 8:00 AM to 11:00 PM
Wednesday - Thursday: 8:00 AM to 2:00 AM
Friday - Saturday: 8:00 AM to 6:00 AM

The outdoor areas shall be closed by 12:00 AM (11:00 PM Sunday-Tuesday), with allowable background music ceasing by 11:00 pm

OCCUPANCY

Up to 75 seats may be located on the exterior of the premises, on private property, as proposed.

The maximum occupancy load of the combined restaurants shall not exceed 525, or such lesser number as approved by the Fire Marshall.

ENTERTAINMENT

Entertainment, as defined in City Code Section 114-1, shall be strictly prohibited in all outdoor areas.

The only entertainment permitted on the property shall consist of one DJ in each of the two restaurants, who shall only be permitted to operate within the interior of the building. Days/hours of operation for the DJ shall be limited to the following:

Restaurant 'A', Wednesday- Saturday, 11:00 PM to 5:00 am
Restaurant 'B', Wednesday - Saturday, 8:00 PM to 1:00 am

Only the house sound system for each restaurant shall utilized. The use of a third party/portable speakers shall not be permitted at any time.

The house sound system shall be installed and set in such a manner as to limit the acoustical output of the system and have password protected security on all controls at all times. The equipment and installation plan for the sound system, including the location of all speakers and sound level controls shall be submitted for the review and approval of the Planning Department. Before entertainment is approved and added to the Business Tax Receipt (BTR), a field visit with the applicants and Planning staff shall be required to verify the sound system operations.

All operable windows, including but not limited to the proposed folding glazing system facing Alton Road of 'Restaurant A', shall be closed at all times that entertainment is occurring. Ingress and egress for patrons and staff shall be limited to the existing swing doors during this time.

Televisions, and projectors shall not be located anywhere in the exterior areas of the property.

Exterior speakers may only be permitted for fire or life safety purposes, and/or for background music played at a volume that does not interfere with normal conversation (i.e. at an ambient volume level).

TRASH

Trash collections may occur daily between 6:00 AM and 2:00PM.

Adequate trash room space, air conditioned and noise baffled, shall be provided, in a manner to be approved by the Planning and Public Works Departments. Sufficient interior space must be provided so that doors can remain closed while trash and trash bags are being deposited in dumpsters. Doors shall remain closed and secured when not in active use.

Trash room(s)/garbage room(s) shall be large enough, or sufficient in number to accommodate enough dumpsters so that more than one pick-up of garbage per day will not be necessary.

Garbage dumpster covers shall be closed at all times except when in active use.

DELIVERY TRUCKS

Deliveries may only occur between 6:00 AM and 2:00 PM, daily.

Delivery trucks shall only be permitted to load and unload within the alley or other city designated freight loading zones.

Delivery trucks shall not be allowed to idle in loading zones, including the alley.

Delivery trucks shall not block other vehicles from fully traversing through the abutting alley at any time.

OTHER RULES

A full menu shall be made available for each restaurant during all hours of operation.

Equipment and supplies shall not be stored in areas visible from streets, alleys or nearby buildings.

Outdoor cooking anywhere on the premises is prohibited. Kitchen and other cooking odors shall be contained within the premises. Owner agrees to install an exhaust system, if required by code, for the kitchens on the premise that will substantially reduce grease and smoke that would otherwise escape to the surrounding area. This may include the installation of a fan in connection with kitchen exhaust systems within the footprint of the building in order to reduce noise levels at the exhaust outlet substantially in compliance with the plans as approved.

Street flyers and handouts shall not be permitted, including handbills from third-party promotions.

As proposed by the applicant, security staff shall be onsite between 9:00 PM to closing. Security staff shall monitor patron circulation and occupancy levels in order to adjust crowds according to occupant loads.

Patrons shall not be allowed to queue on any public rights-of-way or on the exterior of the premises. Security staff shall monitor the crowds to ensure that they do not interfere with the free-flow of pedestrians on the public sidewalk.

The Operators shall be responsible for maintaining the areas adjacent to the facility, such as the sidewalks, curb and gutter and around the perimeter of the property in excellent condition, keeping these areas in a clean condition, free of all refuse, at all times.

The applicant shall coordinate with the Parking Department to designate a minimum of two (2) spaces for passenger loading along 16th Street.