

**MODIFIED CONDITIONS APPROVED BY  
THE PLANNING AND LAND USE COMMITTEE ON NOVEMBER 20, 2012**

1. The business owner/operator and/or the property owner shall file a Plan Approval application with associated application fees as set forth in Section 19.01-I of the Municipal Code and public hearing notification mailing fees, within **6 months** from the effective date of this determination to allow for a review of the effectiveness in implementing the Conditions established herein and to determine whether the public nuisance problems identified in the "Findings" section below have been reduced or eliminated. A public hearing shall be conducted. Notice of the public hearing shall be to all property owners and occupants located within 500 feet of the property. In addition, all persons who were mailed a copy of the instant determination shall be notified. Failure to file the Plan Approval application may result in revocation of the use.

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.

2. The use of the property 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 such Conditions are proven necessary for the protection of the neighborhood. The Zoning Administrator may also add, modify or delete Conditions if they are no longer necessary or have proven ineffectual.
3. A copy of these terms and Conditions shall be maintained on the subject premises, and shall be made available to all enforcement personnel upon request.

The conditions of the subject grant shall be provided to employees including security personnel for their review. Employees shall be notified that the violation with the required conditions herein may result in disciplinary action including up to termination of employment.

Within 30 days from the effective date of this grant, a statement signed by the employees stating that they reviewed and agree to comply with the conditions shall be submitted to the Zoning Administrator.

4. The property, including the parking area and sidewalk areas adjacent to the subject premises, shall be maintained free from trash and debris. The owner/operator shall keep the premises and any area adjacent to the premises,

over which he[she] has control clear of litter, newspaper racks, benches, furniture, boxes or objects that encourage loitering.

5. All graffiti on the site shall be removed and painted over to match the color of the surface to which it is applied with anti-graffiti paint within 24 hours of its occurrence.

Within 30 days from the effective date of this determination, the property owner/business owner/operator shall submit evidence of compliance with this condition to the Zoning Administrator such as photographs and receipts of graffiti removal, etc.

6. Should there be a change in the ownership of the property/the business and/or the business operator, the property owner and the business owner/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. Prior to the closing of escrow for a potential change in the ownership of the property/business owner or operator, evidence showing that a copy of this determination including the conditions required herewith has been provided to

the prospective owner/operator, shall be submitted to the satisfaction of the Zoning Administrator.

7. The business operator shall post professionally prepared signs in English and Spanish, at visible and conspicuous locations on the property, containing the following language in lettering of at least 2 inches in height: [LAPD]

“NO NARCOTICS USE OR DEALERS, NO LOITERING, NO WEAPONS, NO TRESPASSING, NO PROSTITUTION. THIS PROPERTY IS PATROLLED REGULARLY AND FREQUENTLY BY THE LAPD.”

8. The property owner shall, within 10 days of the effective date of this determination, sign and deliver to the Los Angeles Police Department (“LAPD”), Southeast Vice Unit, a “Trespass Arrest Authorization” form, which authorizes the LAPD to arrest individuals unlawfully loitering on the property pursuant to LAMC Section 41.24. A copy of the executed form shall also be provided to the Zoning Administrator within the same 10 days. [LAPD]
9. There shall be no public telephones, automated teller machines (ATM’s) or vending machines on the property. [LAPD]
10. The property owner shall install and maintain exterior lighting in the parking or other areas in consultation with the Los Angeles Police Department [LAPD], Southeast Vice Unit, to provide sufficient illumination so as to render objects or persons on the property and adjoining sidewalk clearly visible. All exterior lighting shall be shielded and directed onto the site to prevent the light source from illuminating adjacent properties. [LAPD]

Within 30 days from the effective date of this determination, evidence of compliance with this condition shall be submitted to the Zoning Administrator. A letter or an e-mail from the LAPD stating that the required exterior lighting has been installed in compliance with this condition will satisfy this condition.

11. The hours of operation shall be limited to the following: [LAPD]
  - Sunday through Thursday; 8:00 a.m. to 10 p.m.
  - Friday and Saturday: 8:00 a.m. to 11:00 p.m.
12. The following security measures shall be provided to mitigate loitering, and any nuisance/criminal activity on the subject premises. [LAPD]
  - a. The business owner/operator shall retain a minimum of one California State licensed uniform security guard from 5 p.m. until the business is closed for the day.

The property owner and/or the business owner/operator shall provide a copy of a valid contract for such service to the Zoning Administrator within 30 days of the effective date of this action.
  - b. The security guard shall request the assistance of the Los Angeles Police Department if, based upon their training, the situation so warrants. The security guard shall cooperate with all law enforcement personnel during any investigations or inspections on the property.
  - c. The guard shall be fluent in English and will have clear instructions to enforce applicable conditions and uphold the law. The business operator and/or guard shall not follow, impede, obstruct or delay any law enforcement personnel conducting inspections or official business at the location. The guard shall be responsible for securing not only the subject fast food establishment but the adjacent parking lot and perimeter.
  - e. A log for security patrol and calls to the LAPD shall be maintained by the guard at the property, indicating the dates and times of security guard on duty and nature and resolution of any security incidents and calls to the LAPD, and shall be provided when requested by any law enforcement personnel.
  - f. The on-site manager shall be available to meet with the Police Department upon any inspection and be allowed access to the property when requested. Cooperate with any law enforcement agencies in their investigations related to the property and do not impede or interfere with their investigation.
13. A camera surveillance system shall be installed and maintained, which covers a parking lot area, the adjoining sidewalks and all common areas as well as high-

risk areas in consultation with the Los Angeles Police Department, Southeast Vice Unit. Video tapes shall be maintained for 30 days and shall be made available to the Police Department or other enforcement agency upon request. [LAPD]

The surveillance monitors shall be located in an area where the monitors are regularly monitored by staff and/or security personnel.

Signs indicating the use of a 24-hour video surveillance system shall be posted at the driveway entrance, parking lot area and on the exterior walls facing the adjoining streets. The signs shall state the following: [LAPD]

WARNING  
THIS PREMISE IS UNDER 24-HOUR SURVEILLANCE  
BY THE MANAGEMENT AND THE LAPD.  
ALL CRIMINAL ACTIVITIES WILL BE DIRECTLY  
REPORTED TO THE LAPD.

The sign(s) shall be at least two square feet with 2-inch block lettering. The sign(s) shall be in English and Spanish.

Within 30 days from the effective date of this determination, the business owner/operator or property owner shall submit evidence that shows compliance with this condition including, but not be limited to, photographs of such a posting and a

letter from the LAPD, which states that the required surveillance cameras and signs have been installed/posted as required.

14. The business operator shall not allow access onto the property by persons known to them to be prostitutes, pimps, prostitution customers, parolees with prior narcotic or prostitution offenses, narcotics users, narcotics possessors, narcotics sellers or manufacturers of illegal controlled substances.
15. The business operator shall inform the Police Department immediately if any person on the property is engaging in narcotics activity, or if narcotics paraphernalia is observed on the property. All trespassers and loiterers on the property shall be immediately reported to the Police Department. [LAPD]
16. The property owner and/or the business operator shall identify a contact person and provide a 24-hour "hot line" telephone number for any inquiries or complaints from the community regarding the subject facility. Prior to the utilization of this grant, the phone number shall be posted on the site so that is readily visible to any interested party. The hot line shall be:
  - posted at the driveway entrance, and the ordering counter,
  - responded to within 24-hours of any complaints/inquiries received on this

- hot line, and
- documented in a log and available for review by the Los Angeles Police Department and the Zoning Administrator upon request on when the calls were received, returned and the action taken at a minimum.

17. No employee/security guard shall be involved in criminal activity or encourage or allow patrons to remain on the premises for more than 15 minutes. [LAPD]
18. The property owner and/or the business owner/operator shall install a 6-foot high wrought iron fence around the subject premise including the area between the rear parking lot and the front of the business near the ordering windows such that the entire parking lot is secured. The driveway entrances and the drive-thru are allowed to remain open for vehicular access during the permitted operating hours.

The driveways including the drive-thru shall remain closed during non-operating hours such that no vehicular/pedestrian access is permitted to the parking lot during those hours.

Within 30 days from the effective date of this determination, evidence of compliance with this condition shall be submitted to the Zoning Administrator.

19. The business owner/operator shall join and actively participate in the efforts of any local business neighborhood watch, and shall meet with Southeast Area Vice Unit representatives on an as-needed basis to receive appropriate training and information regarding vice and nuisance related crimes and activity in the area. [LAPD]
20. Trash bins and greaser shall be covered and shall be located within an enclosed area, which shall be maintained with only access to the restaurant staff. The trash bins and greaser enclosure area shall be maintained in clean condition at all times.

Within 30 days from the effective date of this determination, evidence of compliance with this condition shall be submitted to the Zoning Administrator for inclusion in the file.

21. The property owner and/or the business owner/operator shall reimburse the City of Los Angeles applicable fees and surcharges for the subject application, as set forth at Los Angeles Municipal Code Section 19.01, within 60 days of the effective date of this determination.
22. Within 15 days of the effective date of this determination, the property owner shall record a covenant acknowledging and agreeing to comply with all the terms and conditions established herein in the County Recorder's Office. The agreement (standard master covenant and agreement form CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to the Zoning

Administrator for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided to the Zoning Administrator for attachment to the subject case file.