

1. This grant authorizes the conversion of an existing 12,997 square foot furniture warehouse to a 4,836 square foot adult cabaret and attached 8,161 square foot indoor parking facility. This grant authorizes a parking permit for (8) tandem parking spaces located within the indoor garage with a total of (50) parking spaces (28 indoor and 22 outdoor) on approximately 25,571 square feet parcel located within the Carson Zoned District. The use of the subject property, with tandem parking, as depicted on the approved Exhibit "A" and subject to all of the following conditions:
2. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation, or other entity making use of this grant.
3. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Department of Regional Planning their affidavit stating that they are aware of, and agree to accept, all of the conditions of this grant and that the conditions of the grant have been recorded as required by Condition No. 8.
4. The permittee shall defend, indemnify and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009. The County shall notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense.
5. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing pay the Department of Regional Planning an initial deposit of \$5,000, from which actual costs shall be billed and deducted for the purpose of defraying the expenses involved in the department's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance to permittee or permittee's counsel. The permittee shall also pay the following supplemental deposits, from which actual costs shall be billed and deducted:
 - a. If during the litigation process, actual costs incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of the initial deposit. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.

- b. At the sole discretion of the permittee, the amount of an initial or supplemental deposit may exceed the minimum amounts defined herein.

The cost for collection and duplication of records and other related documents will be paid by the permittee in accordance with Los Angeles County Code Section 2.170.010.

6. This grant will expire unless used within 60 days from the date of approval.
7. If any provision of this grant is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse.
8. Prior to the use of this grant, the property owner or permittee shall record the terms and conditions of the grant in the office of the County Recorder. In addition, upon any transfer or lease of the subject property during the term of this grant, the property owner shall promptly provide a copy of the grant and its terms and conditions to the transferee or lessee of the subject property.
9. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions.
10. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission or a hearing officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or hearing officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance.
11. Upon approval of this grant, the permittee shall contact the Fire Prevention Bureau of the Los Angeles County Forester and Fire Warden to determine what facilities may be necessary to protect the property from fire hazard. Any necessary facilities shall be provided to the satisfaction of and within the time periods established by said Department.
12. All requirements of the Zoning Ordinance and of the specific zoning of the subject property must be complied with unless specifically modified by this grant, as set forth in these conditions or shown on the approved plans.

13. All structures shall comply with the requirements of the Division of Building and Safety of the Los Angeles County Department of Public Works.
14. All structures, walls, and fences open to public view shall remain free of extraneous markings, drawings, or signage. These shall include any of the above that do not directly relate to the use subject to this grant or that do not provide pertinent information about the premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization. In the event such extraneous markings occur, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.
15. If project changes are required, then within sixty (60) days of the approval date of this grant, the permittee shall submit to the Director for review and approval three (3) copies of a revised Exhibit "A", similar to that presented at the public hearing, that clearly depicts all project changes required in the conditions of approval, including fourteen standard parking spaces, enumerated 1 through 14. The property shall be developed and maintained in substantial conformance with the approved revised Exhibit "A". All revised plot plans must be accompanied by the written authorization of the property owner.
16. If project changes are required, then within sixty (60) days of the approval date of this grant, the permittee shall submit to the Director for review and approval three (3) copies of a landscape plan, which may be incorporated into the revised Exhibit "A" described in Condition No. 16. The landscape plan shall show the size, type, and location of all plants, trees, and watering facilities. For the life of this grant, the permittee shall maintain all landscaping in a neat, clean and healthful condition, including proper pruning, weeding, removal of litter, fertilizing and replacement of plants when necessary.
17. If project changes are required, then within sixty (60) days of the approval date of this grant, the permittee shall submit to the Director for review and approval three copies of dimensioned sign elevations for all proposed signs, if any, on the subject property. Proposed signs shall be developed in accordance with Section 22.44.118.C.3 of the County Code.
18. The permittee shall comply with all conditions set forth in the attached County of Los Angeles Department of Public Works memorandum dated June 30, 2008, except as otherwise required by said Department.

19. **This grant will terminate on December 10, 2018.**
Upon termination of this grant, entitlement to the use of the property shall be subject to the regulations then in effect. If permittee intends to continue operations after such date, a new Conditional Use Permit application shall be filed with the Department of Regional Planning at least six months prior to the termination of this permit, whether or not any modification of the use is requested at that time.
20. This parking permit shall terminate and cease to be in effect at the same time the use of the subject property for an adult-oriented business with live entertainment terminates. In addition, this parking permit shall automatically terminate and the required parking must be provided except as otherwise authorized by a new parking permit if any of the following should occur: (1) the proposed adult-oriented business building use substantially changes its mode or character of operation so as to require additional parking; (2) the current or any subsequent owner or tenant changes the use or occupancy of the subject property.
21. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity in violation of any such law, statute, ordinance, or other regulation shall be a violation of these conditions. Prior to the use of this grant, the permittee shall deposit with the County of Los Angeles the sum of **\$750.00**. The monies shall be placed in a performance fund, which shall be used exclusively to compensate the Department of Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval, including conformance with the approved site plan on file. The fund provides for **5 biennial (every other year)**. Inspections shall be unannounced.
- If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any condition of this grant, the permittee shall be financially responsible for and shall reimburse the Department of Regional Planning for all additional inspections and for any enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be the amount equal to the recovery cost at the time of payment. The current recovery cost is \$150.00 per inspection.
22. The operation and maintenance of the adult-oriented business shall be further subject to all of the following restrictions:

- a. The permittee shall continuously maintain a minimum of 47 on-site parking spaces, including three handicap accessible spaces, one of which shall be van accessible;
- b. Parking facilities using tandem spaces will employ valets or will utilize other means to insure a workable plan;
- c. The permittee shall maintain the property in a neat and orderly fashion;
- d. The permittee shall maintain all areas free of litter of the premises under which the permittee has control;
- e. The permittee shall post signs stating that only customers of the current business establishments are allowed to park in this parking lot;
- f. The permittee shall post signage on the subject property with a contact number for reporting complaints to the County Sheriff and Regional Planning Zoning Enforcement Section; and
- g. Any exterior lights shall be directed away from adjacent properties to prevent direct illumination and glare.
- h. The permittee shall post signs stating that only customers of the business establishments on the subject property are allowed to park;
- i. Within sixty days of the approval date of this grant, the property owner shall furnish to the Department of Regional Planning and record in the office of the County Recorder an agreement, as a covenant running with the land for the benefit of the County of Los Angeles, providing that should this parking permit terminate, the owner or his successor in interest shall either terminate the use of the adult-oriented business or develop the on-site parking spaces needed to bring such use and/or occupancy into conformance with Chapter 22.52 of the County Code;
- j. The hours of operation for the adult-oriented business and live entertainment shall be 11 a.m. to 2 a.m. seven days a week;
- k. The adult-oriented business with live entertainment may have a maximum of (10) employees, two shifts per day, (2) security guards, (2) bartenders (juice bar) and (6) performers;

- k. No adult business shall be operated in any manner that permits the observation of any persons or material depicting, describing or related to specified sexual activities or specified anatomical areas, inside the premises, from any public way or from any location outside the building or area of such establishment. This provision shall apply to any merchandise, display, decoration, sign, show window or other opening.
- l. All exterior areas of the adult business, including buildings, landscaping, and parking areas shall be maintained in a clean and orderly manner at all times.
- m. Any business license required pursuant to Title 7 of the Los Angeles County Code shall be kept current at all times.
- n. Each adult business shall conform to all applicable laws and regulations.
- o. The adult business shall not operate or be open between the hours of 2:00 a.m. and 9:00 a.m.
- p. The premises within which the adult business is located shall provide sufficient sound-absorbing insulation so that sound generated inside said premises shall not be audible anywhere on any adjacent property or public right-of-way or within any other building or other separate space within the same building.
- q. The adult business will not conduct any massage, acupuncture, tattooing, acupressure or escort services, and will not allow such activities on the premises.
- r. At least one security guard shall be on duty patrolling the premises at all times while the business is open. If the occupancy limit of the premises is greater than 50 persons, an additional security guard shall be on duty. The security guard(s) shall be charged with preventing violations of law, with enforcing compliance by patrons with the requirements of this chapter and with notifying the sheriff of any violations of law observed. Security guard(s) required by this subsection shall be uniformed in such a manner so as to be readily identifiable as a security guard by the public and shall be duly licensed as a security guard as required by applicable provisions of state or local law. No security guard required pursuant to this subsection shall act as a doorman, ticket seller, ticket taker, or admittance person while acting as a security guard hereunder.

- s. The adult business shall not sell or display obscene matter, as that term is defined by Penal Code Section 311 or its successors, and shall not exhibit harmful matter, as that term is defined by Penal Code Section 313 or its successors, to minors. (Ord. 2003-0067 § 50, 2003: Ord. 96-0004 § 1 (part), 1996.)
24. The permittee and/or owner shall hereby agree to construct the following right of way and road Improvements as specified in the Zoning Ordinance in accordance with the standards of Public Works:
 - a. Dedicate the right to restrict vehicle access on Del Amo Boulevard;
 - b. Reconstruct driveways on Del Amo and Hamilton Avenue to meet current Americans with Disabilities Act requirements to the satisfaction of Public Works. Limit driveway width to 26 feet on Del Amo Boulevard and Hamilton Avenue.
 - c. Provide adequate sight distance from the driveway exits to the sidewalk (both directions) to the satisfaction of Public Works. Line of sight shall not be impaired by any proposed wall and/or landscaping adjacent to the driveway exit, and line of sight easement dedication may be required.
 - d. Provide additional right of way for corner cut-off to meet current guidelines of the Americans with Disabilities Act to the satisfaction of Public Works.
 - e. Plant street trees on Del Amo Boulevard and Hamilton Avenue along the property frontage to the satisfaction of Public Works.
 - f. Acquire street improvement plan approval or direct check status before obtaining grading permit.
 - g. Execute an Agreement to Improve for the street improvements prior to issuance of a building permit.
 - h. Comply with all required traffic mitigations per Public Works, Traffic, and Lighting Division letter dated April 3, 2008 (copy attached).
 - i. Comply with Street Lighting Requirements as stated on Department of Public Works document dated June 30, 2008 (copy attached)
 25. It is further agreed that the occupancy of building(s) to be constructed, altered, or enlarged as shown on the plans filed with Public Works, Building and Safety

Division; occupancy will not be granted until all requirements are met and the required deeds have been executed. The owner also agrees to enter into a new secured Agreement to guarantee the aforementioned road improvements should the County agree to issue occupancy prior to the completion of said road improvements.

26. The permittee and/or owner shall hereby agree to submit (2) complete architectural drawings to the Fire Prevention Engineering Section Building Plan Check Unit in accordance with the standards attached.

PE:DA
11/25/2008