
PLANNING COMMISSION

CITY OF INDUSTRY

REGULAR MEETING AGENDA
JULY 9, 2019
11:30 A.M.



CHAIRMAN MICHAEL GREUBEL
COMMISSIONER SANDRA DIVERS
COMMISSIONER HILDA RODRIGUEZ
COMMISSIONER BECKY SIMON
COMMISSIONER ANDRIA WELCH

Location: City Council Chamber, 15651 East Stafford Street, City of Industry, California

Addressing the Planning Commission:

- ▶ **Agenda Items:** *Members of the public may address the Planning Commission on any matter listed on the Agenda. In order to conduct a timely meeting, there will be a three-minute time limit per person for any item listed on the Agenda. Anyone wishing to speak to the Planning Commission is asked to complete a Speaker's Card which can be found at the back of the room and at the podium. The completed card should be submitted to the Secretary prior to the Agenda item being called by the Secretary prior to the individual being heard by the Planning Commission.*
- ▶ **Public Comments (Non-Agenda Items):** *Anyone wishing to address the Planning Commission on an item not on the Agenda may do so during the "Public Comments" period. In order to conduct a timely meeting, there will be a three-minute time limit per person for the Public Comments portion of the Agenda. State law prohibits the Planning Commission from taking action on a specific item unless it appears on the posted Agenda. Anyone wishing to speak to the Planning Commission is asked to complete a Speaker's Card which can be found at the back of the room and at the podium. The completed card should be submitted to the Secretary prior to the Agenda item being called by the Secretary and prior to the individual being heard by the Planning Commission.*

Americans with Disabilities Act:

- ▶ *In compliance with the ADA, if you need special assistance to participate in any City meeting (including assisted listening devices), please contact the City Clerk's Office (626) 333-2211. Notification of at least 48 hours prior to the meeting will assist staff in assuring that reasonable arrangements can be made to provide accessibility to the meeting.*

Agendas and other writings:

- ▶ *In compliance with SB 343, staff reports and other public records permissible for disclosure related to open session agenda items are available at City Hall, 15625 East Stafford Street, Suite 100, City of Industry, California, at the office of the City Clerk during regular business hours, Monday through Thursday 8:00 a.m. to 5:00 p.m., Friday 8:00 a.m. to 4:00 p.m. Any person with a question concerning any agenda item may call the City Clerk's Office at (626) 333-2211.*

-
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1. Call to Order
 2. Flag Salute
 3. Roll Call
 4. Public Comments
-
-

5. **ACTION ITEMS**

- 5.1 Consideration of the minutes of the April 9, 2019 regular meeting

RECOMMENDED ACTION: Approve as submitted.

- 5.2 Consideration of Resolution No. PC 2019-03 – A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF INDUSTRY, CALIFORNIA, AMENDING CONDITIONAL USE PERMIT NO. 18-2, TO ALLOW ALCOHOL SERVICE AT AN EXISTING RESTAURANT LOCATED AT 1600 SOUTH AZUSA AVENUE UNIT 174 AND 178, CITY OF INDUSTRY, CALIFORNIA, ADOPTING A NOTICE OF EXEMPTION REGARDING SAME, AND MAKING FINDINGS IN SUPPORT THEREOF

Recommended Action: Adopt Resolution No. PC 2019-03.

6. **ORAL COMMENTS FROM THE PLANNING COMMISSION**

7. **ORAL COMMENTS FROM STAFF**

8. Adjournment. Next regular meeting will be held on Tuesday, August 6, 2019 at 11:30 a.m.

PLANNING COMMISSION

ITEM NO. 5.1

PLANNING COMMISSION REGULAR MEETING MINUTES
CITY OF INDUSTRY, CALIFORNIA
APRIL 9, 2019
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CALL TO ORDER

The Regular Meeting of the Planning Commission of the City of Industry, California, was called to order by Chairman Michael Greubel at 11:30 a.m. in the City of Industry Council Chamber, 15651 East Stafford Street, California.

FLAG SALUTE

The flag salute was led by Chairman Michael Greubel.

ROLL CALL

PRESENT: Michael Greubel, Chairman
Sandra Divers, Commissioner
Hilda Rodriguez, Commissioner
Becky Simon, Commissioner
Andria Welch, Commissioner

STAFF PRESENT: Troy Helling, City Manager; Julie Robles, Assistant Secretary; James Casso, City Attorney; Josh Nelson, City Engineer; Lynn Thompson, Administrative Technician I; and Maria Hagerty, Planning Technician.

PUBLIC COMMENTS

There were no public comments.

5.1 CONSIDERATION OF THE MINUTES OF THE JANUARY 8, 2019 REGULAR MEETING

RECOMMENDED ACTION: Approve as submitted.

MOTION BY COMMISSIONER WELCH, AND SECOND BY COMMISSIONER SIMON TO APPROVE AS SUBMITTED. MOTION CARRIES 5-0, BY THE FOLLOWING VOTE:

AYES:	COMMISSIONERS:	WELCH, SIMON, RODRIGUEZ, DIVERS, GREUBEL
NOES:	COMMISSIONERS:	NONE
ABSENT:	COMMISSIONERS:	NONE
ABSTAIN:	COMMISSIONERS:	NONE

PLANNING COMMISSION REGULAR MEETING MINUTES
CITY OF INDUSTRY, CALIFORNIA
APRIL 9, 2019
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5.2 CONSIDERATION OF RESOLUTION NO. PC 2019-02 - A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF INDUSTRY, CALIFORNIA, MAKING CERTAIN FINDINGS CONCERNING THE SUMMARY VACATION OF CERTAIN PORTIONS OF OLD BREA CANYON ROAD WITH RESPECT TO THE CONSISTENCY OF THE PROPOSED VACATION WITH THE CITY OF INDUSTRY GENERAL PLAN PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 65402

RECOMMENDED ACTION: Adopt Resolution No. PC 2019-02.

City Engineer Josh Nelson provided a handout to the Commissioners with the Legal Description of the Street Vacation.

Project Manager, Mat Hudson from CNC Engineering presented a staff report to the Planning Commission. He mentioned page three of the resolution has the incorrect date of April 11, 2019, and needs to be changed to April 9, 2019. He was available to answer any questions.

Chairman Greubel inquired if anyone wished to comment on this matter. There were none.

MOTION BY COMMISSIONER WELCH, AND SECOND BY COMMISSIONER RODRIGUEZ, TO ADOPT RESOLUTION NO. PC 2019-02. MOTION CARRIES 5-0, BY THE FOLLOWING VOTE:

AYES:	COMMISSIONERS:	WELCH, SIMON, RODRIGUEZ, DIVERS GREUBEL
NOES:	COMMISSIONERS:	NONE
ABSENT:	COMMISSIONERS:	NONE
ABSTAIN:	COMMISSIONERS:	NONE

ORAL COMMENTS FROM THE PLANNING COMMISSION

Chairman Greubel welcomed Commissioner Sandra Divers.

PLANNING COMMISSION REGULAR MEETING MINUTES
CITY OF INDUSTRY, CALIFORNIA
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ORAL COMMENTS FROM STAFF

There were none.

ADJOURNMENT

There being no further business, the Planning Commission adjourned at 11:46 a.m.

MICHAEL GREUBEL
CHAIRMAN

JULIE ROBLES
ASSISTANT SECRETARY

PLANNING COMMISSION

ITEM NO. 5.2



CITY OF INDUSTRY

MEMORANDUM

TO: Planning Commission

FROM: Troy Helling, City Manager *TH*

STAFF: Eduardo Manriquez, Consultant Planning Technician
Nathalie Vazquez, Consultant Assistant Planner II *NV*
Dina Lomeli, Consultant Associate Planner *D.L.*

DATE: July 9, 2019

SUBJECT: Consideration of amendment to Conditional Use Permit No. 18-2 to allow for a previously approved full-service restaurant, located at 1600 South Azusa Avenue, Unit 174 and Unit 178, to serve alcohol for an Alcoholic Beverage Control License (ABC) Type 47

Proposal:

Phi Huyn, representing Haidilao Hot Pot Industry, Inc. (DBA Haidilao Hot Pot Industry) ("Hot Pot"), is requesting an amendment to Conditional Use Permit ("CUP") No. 18-2, to allow for an alcohol beverage control license (Type 47 ABC License) to serve beer, wine, and distilled spirits on-site consumption, at a previously approved full-service restaurant. The Hot Pot restaurant is located at the Puente Hills Mall, at 1600 Azusa Avenue, in Unit 174 and Unit 178.

CUP No. 18-2 was originally approved to allow a full-service hot pot restaurant with no alcohol to occupy Unit 174 and Unit 178 at the Puente Hills Mall. On September 11, 2018 the Planning Commission adopted Resolution No. PC 2018-10 approving CUP 18-2.

The restaurant is approximately 6,758 square feet and accommodates a total of 236 patrons, it operates from 11:30 AM to 11:00 PM, seven days a week, and will employ approximately 40 people. Pursuant to Section 17.12.025.14 of the City's Municipal Code ("Code"), a CUP is required to serve alcohol at a restaurant.

Project Background:

The Hot Pot is a brand new full service restaurant that provides a communal eating experience in which patrons order a variety of meats, chicken and vegetables and boil them in a simmering pot of water. Approved with CUP 18-2, the Hot Pot took occupancy of Unit 174 and Unit 178 to create the restaurant. Now close to opening to the public, the Hot Pot is looking for approval to amend the CUP to allow the sale of alcohol.

Location and Surroundings:

As shown on the location map (Exhibit A), the Hot Pot restaurant is located within the existing Puente Hills Mall. Surrounding the Hot Pot within the mall are approximately 113 other tenants offering a variety of restaurants, retail stores, and commercial uses.

Staff Analysis:

The request for an amendment to serve beer, wine, and distilled spirits for on-site consumption at the previously approved full-service restaurant in an existing commercial space is consistent with the Zoning "C" (Commercial) and General Plan (Commercial) land use designation. There is no expansion of floor area or modification to the structure proposed for this project; and the Hot Pot restaurant currently complies with all previous entitlements. Additionally, the use at this location is permitting under Section 17.12.025 of the City's Code.

Property

The Hot Pot restaurant currently occupies lower level of the Puente Hills mall near the AMC 20 Theater.

Access

The Property is served by multiple street access adequate in width and improved as necessary to carry the kind and quantity of traffic such use would generate. The Property is currently served by the 60 Freeway, Azusa Avenue, Castleton Street, Albatross Road, and Colima which is of adequate capacity to serve the commercial use. In addition, a traffic study was prepared by KOA Corporation as part of DP 16-2, which determined that there will be no significant impacts at this site.

Compatibility

A full-service restaurant with alcohol sales is a compatible use with the surrounding properties and uses because the area is composed of retail stores and restaurants. The proposed use will complement the adjacent uses and will provide a dining service for visitors of the Puente Hills Mall. The uses of the surrounding properties may change, but the character will remain commercial in nature which is consistent with the General Plan and Zoning designations of the site. The proposed full-service restaurant with alcohol sales will also contribute to the economic viability of the mall. There is no expansion of square-footage being proposed.

Parking

The existing site is developed with 5,527 parking spaces. No expansion of the building is being proposed and the approval of this request for an ABC License will not require additional parking spaces.

Environmental Analysis:

The proposed project is exempt from the California Environmental Quality Act (CEQA) per Section 15301 (Class 1 Existing Facilities (a)) of the CEQA Guidelines for the following reasons: (1) The Class 1 exemption allows for the operation, permitting, and minor alternation of existing private structures and facilities when there is negligible expansion of the existing use. The proposed amendment for the sale of alcoholic beverages for on-site consumption is a negligible expansion of the existing use because the licensing for ABC will not be impacting the main use and will only be ancillary to the primary use by not changing the functionality and essence of the restaurant.

Public Hearing:

The required Public Hearing Notice (Exhibit E) was posted on the site, Fire Station 118, City Hall, Council Chambers, distributed to surrounding property owners within 300 feet of the site, and published in the *San Gabriel Valley Tribune* on June 28, 2019, pursuant to Government Code section 65091.

Fiscal Impact:

Amending Conditional Use Permit 18-2 to allow for a previously approved full-service restaurant to serve beer, wine, and distilled spirits for on-site consumption will have no fiscal impact to the City.

Recommendation:

The proposed use complies with the use standards of the City's Code and satisfies the findings noted in the Resolution, therefore Staff recommends that the Planning Commission adopt Resolution No. PC 2019-03 (Exhibit F) approving an amendment to Conditional Use Permit 18-2, the Standard Requirements and Conditions of Approval, and notice of exemption regarding same.

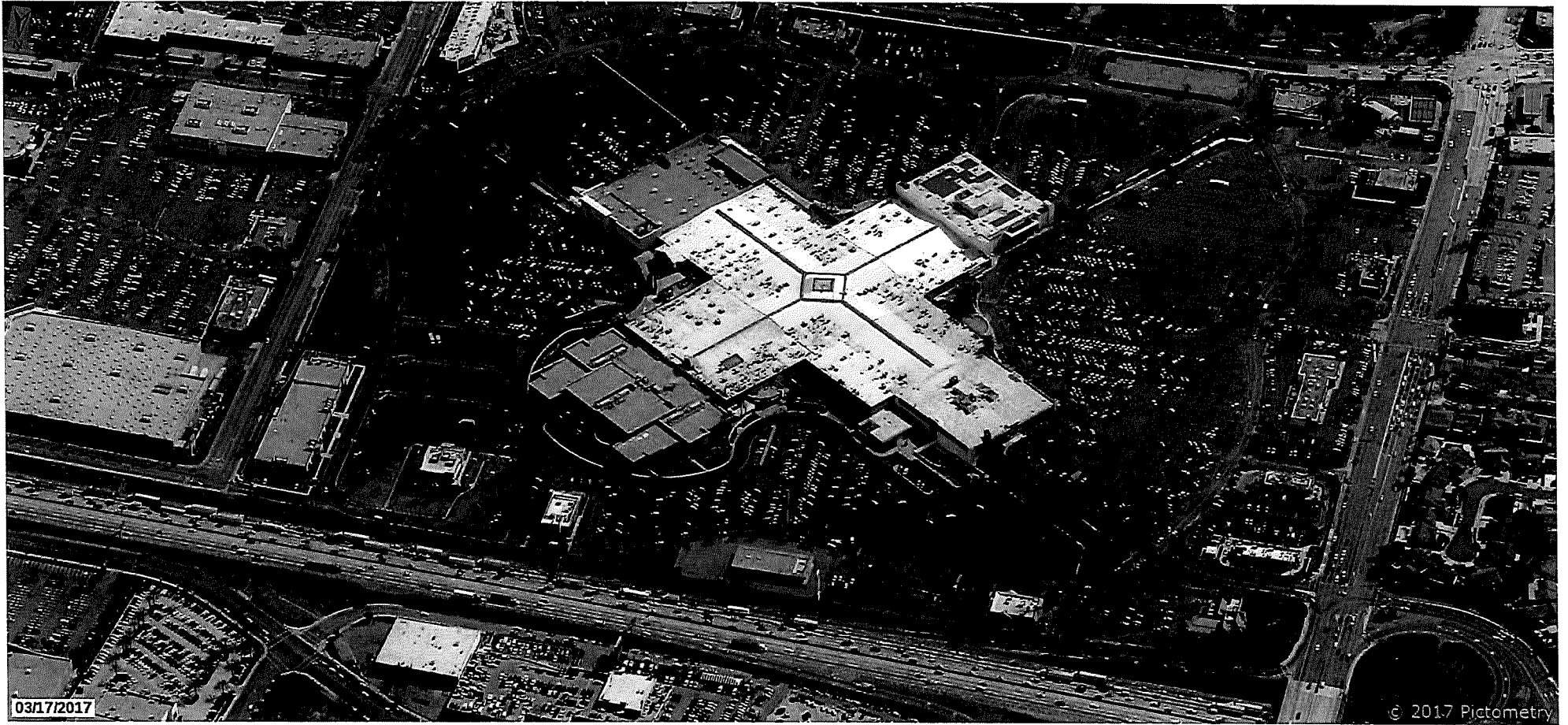
Exhibits:

- A. Location Map - Amendment of CUP 18-2
- B. Site Plan - CUP 18-2
- C. Floor Plan - CUP 18-2
- D. Notice of Exemption CUP 18-2
- E. Public Hearing Notice
- F. Resolution No. PC 2019-03 recommending Planning Commission approval of amending Conditional Use Permit No. 18-2 with findings of approval, Standard Requirements and Conditions of Approval.

EXHIBIT A

Location Map – Amendment of CUP 18-2

[Attached]



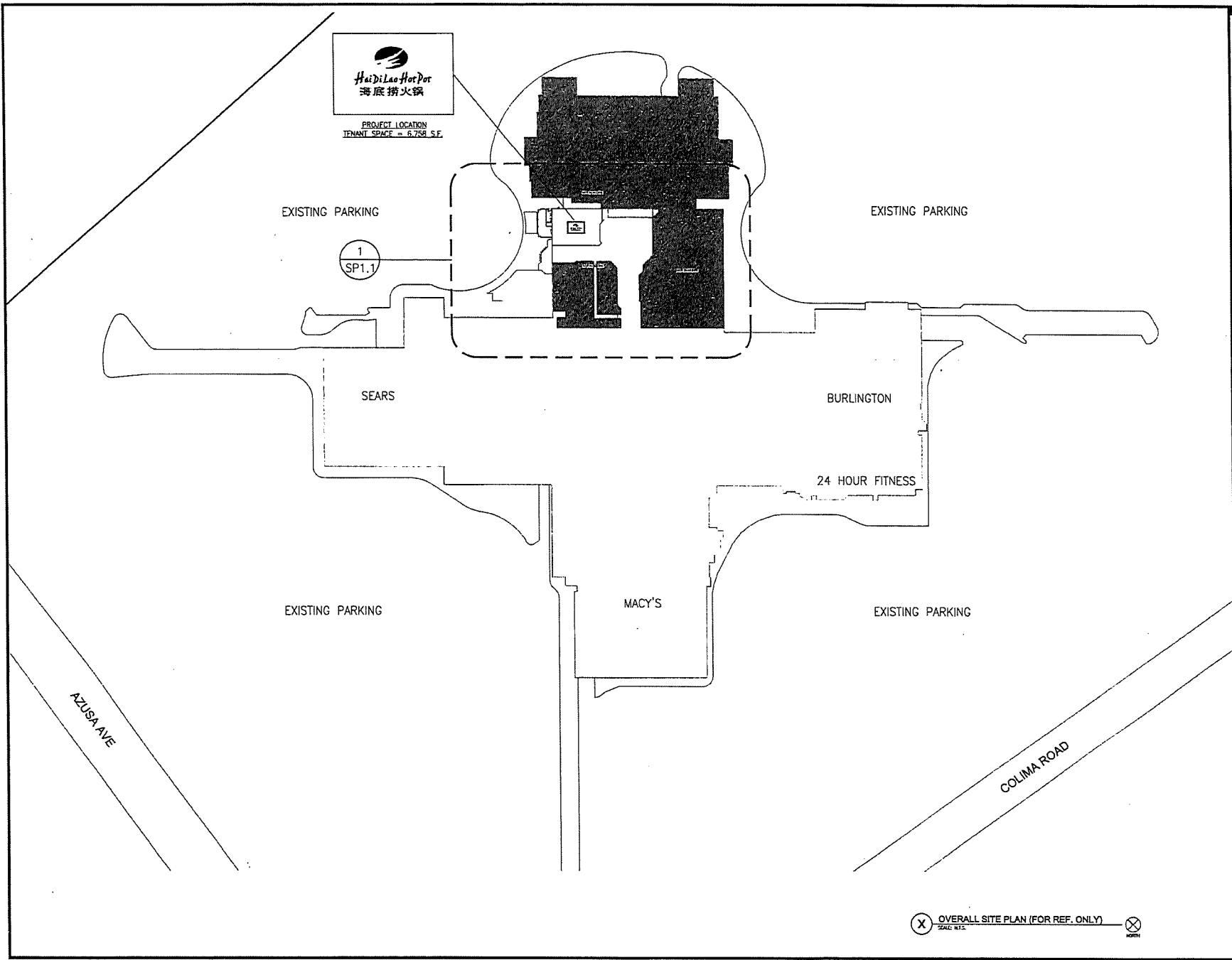
03/17/2017

© 2017 Pictometry

EXHIBIT B

Site Plan – Amendment of CUP 18-2

[Attached]



PROJECT LOCATION
TENANT SPACE = 6,788 S.F.



HAI DI LAO HP
CITY OF
INDUSTRY, CA
1600 AZUSA AVE., SPACE #174
CITY OF INDUSTRY, CA 91746

NO. 002	
DATE	10/07/14
BY	
REVISION	
APPROVED BY	
DATE	11/11



X OVERALL SITE PLAN (FOR REF. ONLY) X
SCALE: N.T.S.

OVERALL SITE PLAN
SP1.0

SCALE, COLORS, AND THE OPERATIONAL RELATIONS, NO. EQUATION, AND OTHER PROPERTY POINTS IN THESE PLANS. THESE PLANS ARE NOT TO BE REPRODUCED, COPIED, OR OTHERWISE USED IN ANY MANNER WHATSOEVER, NOR ARE THEY TO BE ASSIGNED TO A THIRD PARTY WITHOUT FIRST OBTAINING THE WRITTEN PERMISSION AND CONSENT OF SARGO STUDIOS AND P.C. IN THE EVENT OF UNAUTHORIZED REUSE OF THESE PLANS BY A THIRD PARTY, THE THIRD PARTY SHALL HOLD SARGO STUDIOS AND P.C. HARMLESS.

EXHIBIT C

Floor Plan – Amendment of CUP 18-2

[Attached]

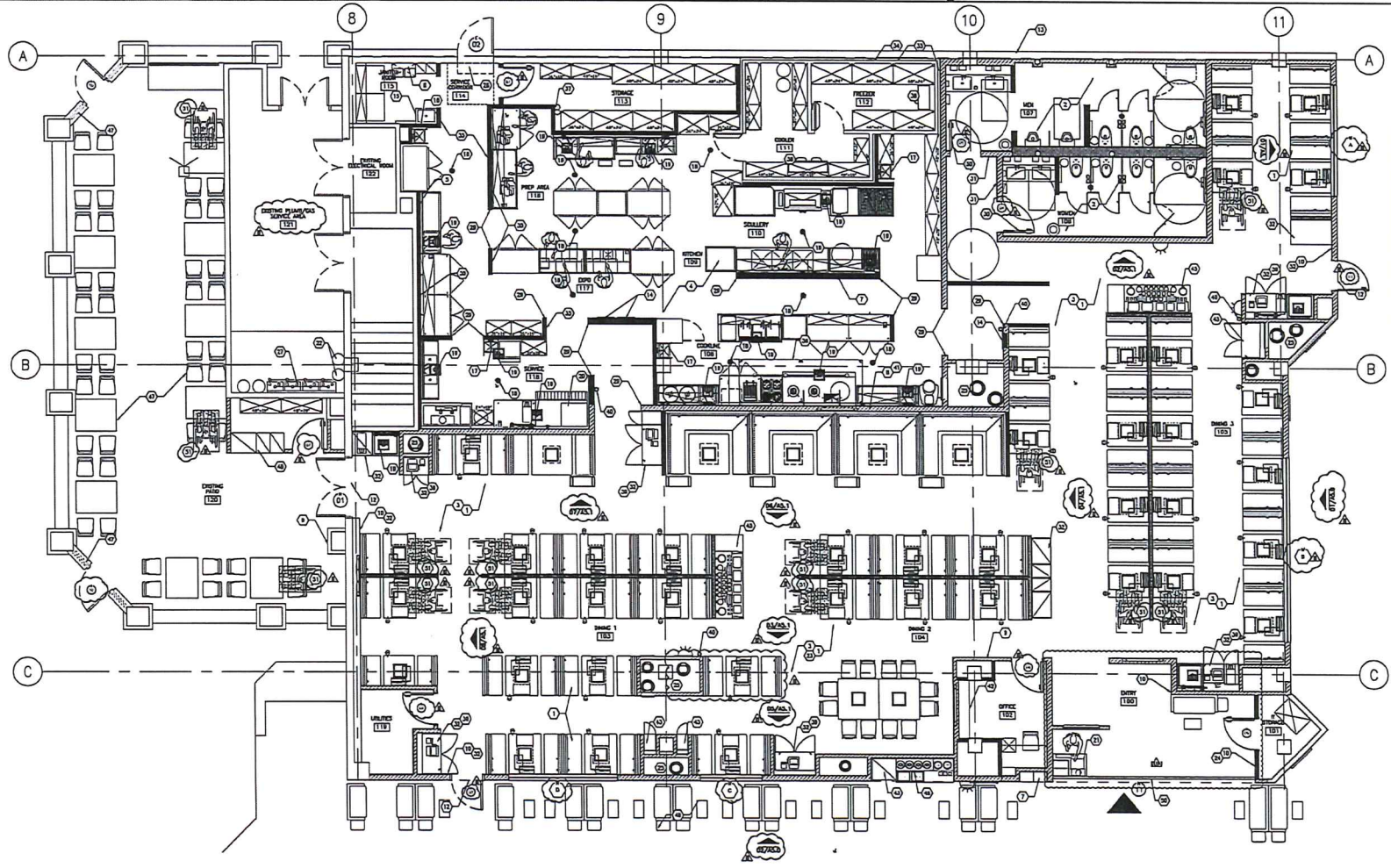
WALL LEGEND

	EXISTING WALL
	NEW FULL HEIGHT WALL PARTITION WALL, 1/2" GYP BOARD OVER 1/2" GYP BOARD OVER 1/2" GYP BOARD OVER 1/2" GYP BOARD AT 1/2" O.C. (U.S.G.)
	NEW PARTITION WALL UNDER 14'-0" CEILING, 1/2" GYP BOARD OVER 1/2" GYP BOARD OVER 1/2" GYP BOARD AT 1/2" O.C. (U.S.G.)
	NEW PARTITION WALL UNDER 14'-0" CEILING, 1/2" GYP BOARD OVER 1/2" GYP BOARD OVER 1/2" GYP BOARD AT 1/2" O.C. (U.S.G.)
	NEW LINE WALL 1/2" GYP BOARD OVER 1/2" GYP BOARD OVER 1/2" GYP BOARD AT 1/2" O.C. (U.S.G.)

- NOTES:
1. ALL WALLS AT INTERIOR AND INTERIOR AREA ARE NON-FULL HEIGHT WALLS, UNLESS NOTED OTHERWISE.
 2. ALL FULL HEIGHT WALLS AND WALLS BELOW SCENEIC PLATFORM TO BE 18 GA.
 3. A FULL HEIGHT WALL ABOVE 14'-0" TO BE 18 GA.
 4. REFER TO SHEET A1.2 FOR METAL FRAMING DETAIL AND NOTES.

KEY LEGEND

1. NEW FURNITURE AT FRONT OF HOUSE BY C.C.
2. NEW INTERIOR PARTIALS. SEE CALIBRATED INTERIOR PLANS AND PLUMBING SHEETS FOR MORE INFORMATION.
3. NEW FLOOR FINISH. SEE FLOOR FINISH PLAN FOR MORE INFORMATION.
4. NEW INTERIOR EQUIPMENT AT BACK OF HOUSE. SEE INTERIOR SHEETS FOR MORE INFORMATION.
5. NEW PUR-OUT WALL AT BACK OF HOUSE.
6. DUPPLICATE LOCKS.
7. INTERIORIC DISPLAY CABINET. PROVIDE AND INSTALL BY C.C.
8. DISPLAY CASES IN WALL WITH INTERIORIC DISPLAY WALLS TO BE COORDINATE A SCHEMATIC A SCHEMATIC WITH MAIN GAS LINE IN WALL. REFER TO PLUMBING DRAWINGS C.C. TO PROVIDE DISASSEMBLY TO 1/2" A.S.T. WALL TO BE FINISHED WITH STAINLESS STEEL.
9. OCCUPANCY SCIENCE POWER PER CODE.
10. OCCUPANCY SCIENCE POWER PER CODE.
11. PROVIDE "TEXT MATE" SIGNAGE.
12. C.C. TO PROVIDE SCIENCE THIS ROOM SHALL REMAIN UNLOCKED DURING BUSINESS HOURS. THE SIGN MUST BE PERMANENTLY ATTACHED TO THE SIGN AND MUST BE VISIBLE FROM THE INTERIOR OF THE STORE.
13. EXISTING 1/2" HGT BATH ROOMING WALL. C.C. TO REMOVE FIRE RESISTANCE RATING FROM ALL EXISTING EXTERIOR WALLS.
14. NEW ELECTRICAL PANEL. SEE ELECTRICAL SHEETS FOR MORE INFORMATION.
15. NEW INTERIOR PARTIALS. SEE CALIBRATED INTERIOR PLANS AND PLUMBING SHEETS FOR MORE INFORMATION.
16. NEW FLOOR FINISH. SEE FLOOR FINISH PLAN FOR MORE INFORMATION.
17. INTERIOR EQUIPMENT AT BACK OF HOUSE. SEE INTERIOR SHEETS FOR MORE INFORMATION.
18. NEW PUR-OUT WALL AT BACK OF HOUSE.
19. DUPPLICATE LOCKS.
20. INTERIORIC DISPLAY CABINET. PROVIDE AND INSTALL BY C.C.
21. DISPLAY CASES IN WALL WITH INTERIORIC DISPLAY WALLS TO BE COORDINATE A SCHEMATIC A SCHEMATIC WITH MAIN GAS LINE IN WALL. REFER TO PLUMBING DRAWINGS C.C. TO PROVIDE DISASSEMBLY TO 1/2" A.S.T. WALL TO BE FINISHED WITH STAINLESS STEEL.
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23. OCCUPANCY SCIENCE POWER PER CODE.
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26. EXISTING 1/2" HGT BATH ROOMING WALL. C.C. TO REMOVE FIRE RESISTANCE RATING FROM ALL EXISTING EXTERIOR WALLS.
27. AIR OUTLET. REFER TO MECHANICAL AND INTERIOR SHEETS.
28. STAINLESS STEEL HEATER. REFER TO PLUMBING SHEETS.
29. DISCONNECT FOR BOILER. REFER TO MECHANICAL AND INTERIOR SHEETS.
30. E.S. WALL, PROTECTIVE, CAP A GROUND SIGNAL.
31. SIGN MOUNTED ON ROOF PER SHEET 01.01.01. INTERIOR SHEETS.
32. SIGN MOUNTED TO ROOF PER SHEET 01.01.01. INTERIOR SHEETS.
33. NEW SIGN AND TOP CABINET. IN EXTERIORIC DISPLAY CABINET. FINISH ALL SURFACES AND GASKET CONTACTS. PROVIDE AND INSTALL BY C.C.
34. PROVIDE FIRE TAPE AT WALL SOUND BARRIER/INSULATION.
35. 1" GAP AT CORNER. PROVIDE STAINLESS STEEL CORNER STRIP BY C.C. FOR ALL CORNERS AT EXTERIOR WALL.
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100. INTERIOR WALLS TO REMAIN FINISH OVER WALKER RECENTLY CYP BRASS AND 1/2" HGT CORNER STRIP.



01 NOTED FLOOR PLAN
SCALE: 1/4"=1'-0"



HAI DI LAO HP
CITY OF
INDUSTRY, CA
1600 AZUSA AVE., SPACE 4174
CITY OF INDUSTRY, CA 91748

PROJ. LEAD INFO

PROJECT NO.: 16L-402

ISSUE CHECK	
Submittal:	2/22/2019
Permit:	
SD:	
Approval:	
Owner Change:	04/15/18
Building Dept.:	09/25/18
Health Dept.:	07/09/18
Planning Dept.:	07/20/18

Approved by: [Signature]

Checked by: [Signature]

Date: 04/11/19

NOTED FLOOR PLAN
A1.1

DESIGN STUDIO AND P.C. EXPRESSLY RESERVE THE DESIGN LAW COPYRIGHT AND OTHER PROPERTY RIGHTS IN THESE PLANS. THESE PLANS ARE NOT TO BE REPRODUCED, CHANGED, OR COPIED IN ANY FORM OR BY ANY MEANS, WITHOUT THE WRITTEN PERMISSION AND CONSENT OF DESIGN STUDIO AND P.C. IN THE EVENT OF UNAUTHORIZED REUSE OF THESE PLANS BY A THIRD PARTY, THE THIRD PARTY SHALL HOLD DESIGN STUDIO AND P.C. HARMLESS.

Exhibit D

Notice of Exemption - Amendment of CUP 18-2

[Attached]

NOTICE OF EXEMPTION

To: County Clerk
County of Los Angeles
Environmental Filings
12400 East Imperial Highway #2001
Norwalk, CA 90650

From: City of Industry
15625 E. Stafford Street, Suite 100
City of Industry, CA 91744

Project Title: Haidilao Hot Pot, Amendment of Conditional Use Permit 18-2

Project Location - Specific: 1600 Azusa Avenue unit 174 and 178

Project Location-City: City of Industry **Project Location-County:** Los Angeles

Description of Project: Haidilao Hot Pot Industry, Inc. (DBA Haidilao Hot Pot Industry), is requesting approval to amend Conditional Use Permit ("CUP") 18-2 to establish a new alcohol service for beer, wine, and distilled spirits at a full-service restaurant, at the Puente Hills Mall located at 1600 Azusa Avenue Unit 174 and Unit 178.

Name of Public Agency Approving Project: Planning Commission, City of Industry

Name of Person or Agency Carrying Out Project: Haidilao Hot Pot

Exempt Status: *(check one)*

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- Categorical Exemption. *State type and section number:* 15301(a)
- Statutory Exemptions. *State code number:*

Reasons why project is exempt: The proposed project is exempt from the California Environmental Quality Act (CEQA) per Section 15301 (Class 1 Existing Facilities (a)) of the CEQA Guidelines for the following reasons: (1) The Class 1 exemption allows for the operation, permitting, licensing, and minor alternation of existing private structures and facilities when there is negligible expansion of the existing use. The proposed amendment for the sale of alcoholic beverages for on-site consumption is a negligible expansion of the existing use because the licensing for ABC will not be impacting the main use and will only be ancillary to the primary use by not changing the functionality and essence of the restaurant.

Lead Agency

Contact Person: Eduardo E Manriquez

Telephone: (626)333-2211

Signature: _____

Date: July 9, 2019

Title: Consultant Planning Technician

Exhibit E

Public Hearing Notice – Amendment of CUP 18-2

[Attached]



CITY OF INDUSTRY

NOTICE OF PUBLIC HEARING

Amendment of Conditional Use Permit No. 18-2

On June 28, 2019 notice has been given that the Planning Commission of the City of Industry will hold a public hearing to consider an application from Haidilao Hot Pot for an amendment to Conditional Use Permit 18-2.

Project Location: The property located at 1600 Azusa, Unit 174 and Unit 178 in the City of Industry. ("Property"); and the project site is zoned "C" Commercial.

Project Description: Proposing to amend Conditional Use Permit 18-2 to establish a new alcohol service for beer, wine, and distilled spirits at a full-service restaurant.

A copy of all relevant material, including the Conditional Use Permit application, and Notice of Exemption are on file in the City Administrative Offices, 15625 East Stafford Street, Suite 100, City of Industry, California 91744 or via the City of Industry's website at www.cityofindustry.org. Please contact Eduardo Manriquez, Consultant Planning Technician, at the City of Industry at 626-333-2211 extension 144 or by email at emanriquez@cityofindustry.org if you have questions.

The time, date and place of such hearing shall be as follows:

Time: 11:30 a.m.
Date: July 9, 2019
Place: City Council Chamber
15651 East Stafford Street
City of Industry, CA 91744

Any person wishing to be heard regarding this matter may appear at the above time, date and place. Written comments may be sent via U.S. Mail or by hand delivery to the City of Industry, at 15625 Stafford Street, Suite 100, City of Industry, CA 91744 or via email to the email address listed above. All comments must be received at, or prior to, the date and time of the hearing listed above.

If you challenge the project in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission of the City of Industry at, or prior to, the public hearing.


Julie Gutierrez-Robles
Deputy City Clerk

Exhibit F

Resolution No. PC 2019-03

[Attached]

RESOLUTION NO. PC 2019-03

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF INDUSTRY, CALIFORNIA, AMENDING CONDITIONAL USE PERMIT NO. 18-2, TO ALLOW ALCOHOL SERVICE AT AN EXISTING RESTAURANT LOCATED AT 1600 SOUTH AZUSA AVENUE UNIT 174 AND 178, CITY OF INDUSTRY, CALIFORNIA, ADOPTING A NOTICE OF EXEMPTION REGARDING SAME, AND MAKING FINDINGS IN SUPPORT THEREOF

RECITALS

WHEREAS, on May 17, 2019, Phi Huyn representing Haidilao Hot Pot (“Applicant”), filed a complete application requesting approval of an amendment to CUP No. 18-2 described herein (“Application”); and

WHEREAS, the Application applies to an existing, full service restaurant, Haidilao Hot Pot, that is approximately 6,758 square-feet, on an existing 96 acre property located at 1600 South Azusa Avenue, City of Industry, at the Puente Hills Mall, California Assessor Parcel Number 8265-004-120 (“Property”); and

WHEREAS, the Applicant is requesting to add on-site service of beer, wine and distilled spirits in conjunction with the restaurant. The restaurant is located in the “C” Commercial zone and, in accordance with Section 17.12.025.14. of the City’s Municipal Code (“Code”), a CUP is required for this type of activity; and

WHEREAS, on September 11, 2018, the City approved CUP No. 18-2, to allow for the operation of a full service restaurant at the Property, which is now operating as Haidilao Hot Pot. Given the Applicant’s desire to operate a restaurant with alcohol service, it is necessary to amend the CUP to permit the sale of alcoholic beverages; and

WHEREAS, the Land Use Element of the General Plan designates the Property as Commercial. The proposed use is consistent with the General Plan as the on-site sale of alcoholic beverages is commonly available at shopping centers, and does not conflict with the established goals and objectives of the Land Use Element. Full service restaurants with alcohol service are permitted in the “C” Commercial zone, subject to the approval of a CUP pursuant to Section 17.12.025.14. of the City’s Code; and

WHEREAS, an Environmental Assessment form was submitted by the Applicant pursuant to the City’s requirements. Based upon the information received and Staff’s review and assessment, the proposed project is exempt from the California Environmental Quality Act (CEQA) per Section 15301 (Class 1 Existing Facilities (a)) of the CEQA Guidelines for the following reasons: (1) The Class 1 exemption allows for the operation, permitting, licensing, and minor alternation of existing private structures and facilities when there is negligible expansion of the existing use. The proposed amendment

for the sale of alcoholic beverages for on-site consumption is a negligible expansion of the existing use because the licensing for ABC will not be impacting the main use and will only be ancillary to the primary use by not changing the functionality and essence of the restaurant.

WHEREAS, notice of the Planning Commission's July 9, 2019 public hearing on the amendment of CUP No. 18-2 was published in the *San Gabriel Valley Tribune* on June 28, 2019, in compliance with the City's Code and Government Code Section 65091, and was posted at the Property and at three public places on June 27, 2019; and

WHEREAS, notice of the Planning Commission's July 9, 2019 public hearing on CUP No. 17-6 was also mailed to property owners within 300 feet of the Property on June 28, 2019

WHEREAS, on July 9, 2019 the Planning Commission of the City of Industry conducted a duly noticed public hearing on the Application, and considered all testimony written and oral; and

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

NOW THEREFORE, it is hereby found, determined and resolved by the Planning Commission of the City of Industry as follows:

SECTION 1: The Planning Commission finds that all of the facts set forth in the Recitals are true and correct, and are incorporated herein by reference.

SECTION 2: All necessary public hearings and opportunities for public testimony and comment have been conducted in compliance with State law and the Municipal Code of the City of Industry.

SECTION 3: an Environmental Assessment form was submitted by the Applicant pursuant to the City's requirements. Based upon the information received and Staff's review and assessment, the proposed project is exempt from the California Environmental Quality Act (CEQA) per Section 15301 (Class 1 Existing Facilities (a)) of the CEQA Guidelines for the following reasons: (1) The Class 1 exemption allows for the operation, permitting, licensing, and minor alternation of existing private structures and facilities when there is negligible expansion of the existing use. The proposed amendment for the sale of alcoholic beverages for on-site consumption is a negligible expansion of the existing use because the licensing for ABC will not be impacting the main use and will only be ancillary to the primary use by not changing the functionality and essence of the restaurant.

SECTION 4: Based upon substantial evidence presented to the Planning Commission during the July 9, 2019 public hearing, including public testimony and written and oral staff reports, this Commission finds as follows:

(a) The proposed use is consistent with the goals and objectives of the General Plan. The General Plan designates the site as Commercial, which allows for dining uses. The Zoning Ordinance, which implements the General Plan, allows for a full service restaurant with alcohol service with approval of a CUP. In addition, the attached conditions of approval set operational and management standards to ensure that the business will operate in a manner consistent with the General Plan's policies related to noise, safety, property maintenance, and maintaining a professional appearance.

(b) The Property is adequate in size, shape, topography, and location to accommodate the landscaping, walls, fences, parking, and loading facilities, and items which may be required by Sections 17.12.050 and 17.36 of the Municipal Code. The Hot Pot restaurant is located on the first floor of an existing commercial structure which is part of a fully developed commercial shopping center with multiple tenants and buildings. The addition of alcohol service not involve any physical changes to the external footprint of the Property, and there will be no increased demands placed upon the existing water, gas, electricity, and sewer utilities that adequately serve the site.

(c) The Property is served by adequate street access and improved as necessary to carry the kind and quantity of traffic such use would generate. The Property is currently served by the 60 Freeway, Azusa Avenue, Castleton Street, Albatross Road, and Colima which are of adequate capacity to serve the commercial use.

(d) A full service restaurant with alcohol sales is a compatible use with the surrounding properties and uses because the area is composed of retail stores and restaurants. The proposed use will complement the adjacent uses and will provide a dining service for visitors of the Puente Hills Mall. The uses of the surrounding properties may change, but the character will remain commercial in nature which is consistent with the General Plan and Zoning designations of the site. The proposed full service restaurant will also contribute to the economic viability of the mall.

(e) The nature, condition and proposed development of adjacent uses, buildings and structures have been considered, and the proposed use, the addition of alcohol sales at an existing full service restaurant, will not adversely affect or be materially detrimental to such adjacent uses, buildings or structures or to the public health, safety or general welfare, in that the surrounding area is composed of other similar commercial uses. The proposed sale of alcoholic beverages for on premise consumption will allow the restaurant to compete with other nearby restaurants that offer a full selection of alcoholic beverages for sale to their customers. The establishment also has to remain in compliance with all conditions adopted by the Planning Commission per Section 17.48.060 throughout the life of the CUP. Examples of these provisions include complying with the State Department of Alcoholic Beverage Control and the Los Angeles County

Sheriff's Department which will help mitigate potential impacts created by the use and ensure that the use will not negatively affect the surrounding commercial establishments.

SECTION 5: Based upon the foregoing findings, the Planning Commission hereby amends CUP No. 18-2 to allow the Property to be used as a restaurant with alcohol service, subject to the conditions contained in Attachment 1, attached hereto and incorporated herein by reference, which shall apply to both Unit 174 and Unit 178 at the Property. As a condition of approval of this Resolution, the Planning Commission hereby rescinds the prior conditions for CUP No. 18-2, and replaces the conditions with those set forth in Attachment 1.

SECTION 6. The provisions of this Resolution are severable and if any provision, clause, sentence, word or part thereof is held illegal, invalid, unconstitutional, or inapplicable to any person or circumstances, such illegality, invalidity, unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, sections, words or parts thereof of the Resolution or their applicability to other persons or circumstances.

SECTION 7: The Planning Commission Secretary shall certify to the adoption of this Resolution and the same shall be in full force and effect.

PASSED, APPROVED AND ADOPTED by the Planning Commission of the City of Industry at a regular meeting held on July 9, 2019 by the following vote:

AYES:	COMMISSIONERS:
NOES:	COMMISSIONERS:
ABSTAIN:	COMMISSIONERS:
ABSENT:	COMMISSIONERS:

Michael Greubel
Chairman

ATTEST:

Julie Gutierrez-Robles
Deputy Secretary

Attachment 1

Conditions of Approval – Amendment of CUP 18-2

[Attached]



CITY OF INDUSTRY

Standard Requirements and Conditions of Approval

APPLICATION: Amending Conditional Use Permit No. 18-2

APPLICANT: Phi Huyn, Representing Haidilao Hot Pot Industry D.B.A.
Haidlao Hot Pot Industry

LOCATION: 1600 South Azusa Avenue unit 174 and unit 178

USE: Full service restaurant with a Type 47 ABC License for Beer and Wine and distilled spirits

Conditions of Approval:

Conditions of approval are unique provisions beyond the requirements of law, the municipal code, or standard practices that are applied to a project by the Planning Commission per Section 17.48.060 of the Zoning Code. Please note that if the design of your project or site conditions change, the conditions of approval may also change. If you have any questions regarding these requirements, please contact the City of Industry.

1. The Applicant and/or successor in interest shall comply with all Federal, State, County, and local laws and ordinances.
2. Alcohol sales shall be limited to the hours of 11:30 a.m. to 11:00 p.m.
3. High definition 24-hour time lapse security cameras shall be installed and properly maintained on the interior of the business at locations recommended by the Sheriff's Department. The security cameras shall be in operation at all times when the business is operating. To the extent allowed by law, the establishment operators may be required to provide any tapes or other recording media from the security cameras to the Sheriff's Department. The exact location and quantity of all security cameras shall be subject to approval by the Sheriff's Department prior to final occupancy.
4. Upon the one (1) year anniversary of approval of the CUP, staff shall bring back the CUP for review and evaluation by the Planning Commission of the Applicant/Owner's operation of the facility, which may include the modification of any existing condition of approval and/or the incorporation of any new conditions.
5. A security plan shall be approved by the Sheriff's Department and the Planning Department prior to any alcohol service. If there are multiple law enforcement actions and/or complaints, the Planning Department and the Sheriff's Department shall review and revise the security plan and implement those provisions recommended by the City and Sheriff. That may include hiring a security guard

and limiting hours of alcohol service.

6. This approval shall be of no force and effect unless and until a Type 47 Beer, Wine and distilled spirits license has been obtained from the State Department of Alcoholic Beverage Control ("ABC"). The Type 47 license shall be maintained in compliance with all ABC requirements.
7. Prior to building final or operation of the use/business approved by the CUP, the applicant shall contact the Planning Department and schedule a final inspection. The Planning Department will inspect the premises to ensure compliance with all approved conditions of approval and requirements.
8. All requirements of the ABC and the City shall be observed at all times and such requirements shall be a condition of approval.
9. The surrender, lapse, termination, suspension, or payment of a fine in lieu of suspension/termination of the Alcoholic Beverage License issued for the site by the ABC, shall be grounds for revocation to CUP No. 96-10.
10. During the hours of operation, there shall be not less than one (1) adult employee at least 21 years of age present in a managerial capacity.
11. Permittee shall post a prominent, permanent sign or signs stating, "No person under 21 will be served alcoholic beverages" and "Valid ID is required to purchase alcoholic beverages."
12. All employees selling or serving alcohol shall be required to participate in an alcohol management training program prior to the operation of selling/serving alcohol.
13. Alcohol service and consumption shall be limited to within the interior of the restaurant and approved outdoor patio only. Service of alcoholic beverages for off-site consumption shall be prohibited. No alcohol shall be available for take-out service
14. The Applicant shall operate as a bona-fide eating place as defined by the Business and Professions Code § 23038 in which a bona-fide eating place means a place which is regularly and in a bona-fide manner used and kept open for the serving of meals to guests for compensation and which has suitable kitchen facilities connected therewith, containing conveniences for cooking an assortment of foods which may be required for ordinary meals, the kitchen of which must be kept in a sanitary condition with the proper amount of refrigeration for keeping of food on said premises and must comply with all the regulations of the local department of health.
15. Separate records of food and beverage sales shall be maintained on the premises and shall be made available to the City and/or Sheriff's Department for examination

upon demand so that the ratio of food and non-alcoholic beverage sales to alcoholic beverage sales can be verified. The percentage of gross sales receipts attributed to alcoholic beverages shall be no more than forty-nine percent (49%) on any given day. Applicant shall, on the sixth month and twelve month anniversaries of the effective date of this CUP, provide the City with its records of all food and beverage sales for the prior six month period

16. The approval is for a bona fide restaurant with on-site sale of beer, wine and distilled spirits. Alcohol shall not be served to persons except those intending to purchase meals. The kitchen shall be open and serving food during all hours of operation in all areas of the establishment.

Code Requirements and Standards

The following is a list of code requirements and standards deemed applicable to the proposed project. The list is intended to assist the applicant by identifying requirements that must be satisfied during the various stages of project permitting, implementation, and operation. It should be noted that this list is in addition to any "conditions of approval" adopted by the Planning Commission and noted above. Please note that if the design of your project or site conditions change, the list may also change. If you have any questions regarding these requirements, please contact the City of Industry.

1. The entire premise is subject to inspection by the Los Angeles County Sheriff's Department and/or City representative at any reasonable time without prior notification.
2. Off-street parking shall be provided at all times in accordance with the originally approved site plan and shall be maintained in a clean and attractive manner (trash, litter, or other materials shall be removed regularly).
3. All landscaped areas shall be maintained in accordance with the originally approved landscaping plan, in a healthy and well-kept condition, and kept weed free.
4. All trash containers shall be kept inside a building or in a designated trash enclosure.
5. Emergency fire facilities (hydrants) shall be kept free and unobstructed at all times.
6. All mechanical equipment shall be screened from public view.
7. No outside storage of any personal property, building materials, or other property not permanently affixed to the real property shall be allowed, unless approved by the Planning Department.
8. No outside display of goods, wares, or merchandise shall be permitted, unless approved by the Planning Department.

9. Any graffiti painted or marked upon the premises or any adjacent area under the control of the permittee shall be removed or painted over within 72 hours of being applied.
10. Adequate lighting will be provided in the parking areas at all times in accordance with the originally approved site plan.
11. The permittee shall keep the property adjacent to the permitted premises and under control of the permittee, clear of newspaper racks, benches, pay telephones, and any other objects which may encourage loitering.
12. The hours of operation shall be between the hours of 11:30 A.M. and 11:00 P.M. or as subsequently approved by the Planning Commission.
13. There shall be no adult entertainment, male or female performers or fashion shows permitted on the premises at any time.
14. No X-rated or adult films shall be maintained or shown anywhere on the premises.
15. The permittee shall not permit "Taxi Dancing" to occur on the permitted premises wherein partners are provided for dancing or social purposes.
16. No dancing, live entertainment, DJ or karaoke by employees or customers will be permitted at any time.
17. No employee or agent shall be permitted to accept money or any other thing of value from a customer for the purpose of sitting or otherwise spending time with customers while in the premises, nor shall the permittee provide or permit, or make available either gratuitous or for compensation, male or female persons who act as escorts, companions, or guests of and for the customers.
18. No employee or agent shall solicit or accept any alcoholic or non-alcoholic beverage from any customer while in the premise.
19. No illegal drugs or drug paraphernalia shall be on the premises at any time.
20. All signs, banners, pennants, flags or other outside advertising materials or structures must be approved by the City.
21. Permittee will be held responsible for acquainting all employees with these rules and all local, county, state, or federal laws.
22. No changes to the approved floor plan shall be permitted without written permission from both the Los Angeles County Sheriff's Department and the City of Industry.

23. The noise level created by the business shall not exceed the following at the property line of any adjacent or nearby residential land use, hospital, school in session, church or public library as measured by a sound level meter:
- (a) 55 dBA between 7:00 a.m. - 10:00 p.m.
50 dBA between 10:00 p.m. - 7:00 a.m.
for a cumulative period of more than 30 minutes in any hour;
 - (b) 60 dBA between 7:00 a.m. - 10:00 p.m.
55 dBA between 10:00 p.m. - 7:00 a.m.
for a cumulative period of more than 15 minutes in any hour;
 - (c) 65 dBA between 7:00 a.m. - 10:00 p.m.
60 dBA between 10:00 p.m. - 7:00 a.m.
for a cumulative period of more than 5 minutes in any hour;
 - (d) 70 dBA between 7:00 a.m. - 10:00 p.m.
65 dBA between 10:00 p.m. - 7:00 a.m.
at any time.
24. Any violation of these conditions or any local, county, state or federal laws shall constitute grounds for revocation or suspension of the Conditional Use Permit.
25. No outside cooking, food preparation, or sales of product or merchandise is allowed, unless approved in advance by the Planning Department.
26. Prior to Planning Final, all outstanding fees and invoices due to the City shall be paid in full. If requested by City Staff, the applicant shall provide proof of payment.

Interpretation and Enforcement

1. The Planning Department, Engineering Department, and contract agencies (Los Angeles County Fire Department, Los Angeles Department of Building and Safety) shall be responsible for ensuring compliance with all applicable code requirements and conditions of approval.
2. The Planning Department may interpret the implementation of each condition of approval and, with advanced notice, grant minor amendments to approved plans and/or conditions of approval based on changed circumstances, new information, and/or relevant factors as long as the spirit and intent of the approved condition of approval is satisfied. Permits shall not be issued until the proposed minor amendment has been reviewed and approved for conformance with the intent of the approved condition of approval. If the proposed changes are substantial in nature, an amendment to the original entitlement may be required pursuant to the provisions of Industry Municipal Code.

Indemnification and Hold Harmless Condition

1. The owner of the property that is the subject of this project, and the project applicant if different from the property owner, and each of their heirs, successors and assigns, shall defend, indemnify and hold harmless the City of Industry and its agents, officers, and employees from any claim, action or proceedings, liability cost, including attorney's fees and costs against the City or its agents, officers or employees, to attack, set aside, void or annul any approval of the City, including but not limited to any approval granted by the City Council and Planning concerning this project. The City shall promptly notify the applicant of any claim, action or proceeding and should cooperate fully in the defense thereof.
2. The Applicant and Property owner shall file an executed and acknowledged Acceptance of Terms and Conditions of the amending CUP 18-2 within 10 days of approval. The Applicant understands that this resolution will be of no force or effect unless such written consent is submitted to the City.