
PLANNING COMMISSION

CITY OF INDUSTRY

REGULAR MEETING AGENDA
NOVEMBER 12, 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
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5. **CONSENT CALENDAR**

All matters listed under the Consent Calendar are considered to be routine and will be enacted by one vote. There will be no separate discussion of these items unless members of the Planning Commission, the public, or staff request specific items be removed from the Consent Calendar for separate action.

- 5.1 Consideration of the minutes of the July 11, 2017 Regular Meeting, September 12, 2017 Regular Meeting, January 9, 2018, Regular Meeting, February 6, 2018 Regular Meeting, February 13, 2018 Special Meeting, March 6, 2018 Regular Meeting, June 12, 2018 Regular Meeting, and October 8, 2019 Regular Meeting

RECOMMENDED ACTION: Approve as submitted.

6. **PUBLIC HEARING ITEMS**

- 6.1 Consideration of Resolution No. PC 2019-08 approving Conditional Use Permit No. 19-03 to allow alcohol service at an existing fast food restaurant, located at 13350 Crossroads Parkway North, and notice of exemption regarding same

Consideration of Resolution No. PC 2019-08 - A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF INDUSTRY, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT NO. 19-03, TO ALLOW ALCOHOL SERVICE AT AN EXISTING FAST FOOD RESTAURANT, LOCATED AT 13350 CROSSROADS PARKWAY NORTH, CITY OF INDUSTRY, CALIFORNIA, ADOPTING A NOTICE OF EXEMPTION REGARDING SAME, AND MAKING FINDINGS IN SUPPORT THEREOF

RECOMMENDED ACTION: Adopt Resolution No. PC 2019-08.

- 6.2 Consideration of Resolution No. PC 2019-09 approving Conditional Use Permit No. 19-06 to allow for MHHY Inc., located at 15301, 15309, & 15311 Gale Avenue, to operate a new indoor children's play facility, and Notice of Exemption regarding same

Consideration of Resolution No. PC 2019-09 - A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF INDUSTRY, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT NO. 19-06, TO ALLOW FOR THE OPERATION OF A NEW INDOOR CHILDREN'S SOFT PLAY FACILITY LOCATED AT 15301, 15309, & 15311 GALE AVENUE, CITY OF INDUSTRY, CALIFORNIA, ADOPTING A NOTICE

**OF EXEMPTION REGARDING SAME, AND MAKING FINDINGS IN
SUPPORT THEREOF**

RECOMMENDED ACTION: Adopt Resolution No. PC 2019-09.

7. **ORAL COMMENTS FROM THE PLANNING COMMISSION**
8. **ORAL COMMENTS FROM STAFF**
9. Adjournment. Next regular meeting will be held on Tuesday, December 10, 2019 at 11:30 a.m.

PLANNING COMMISSION

ITEM NO. 5.1

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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 Jim Divers 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 Jim Divers

ROLL CALL

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

STAFF PRESENT: Troy Helling, Senior Planner; Bianca Sparks, City Attorney; and Diane M. Schlichting, Assistant Secretary.

PUBLIC COMMENTS

There were no public comments.

ACTION ITEMS

5. CONSIDERATION OF APPOINTMENT OF CHAIRPERSON AND VICE CHAIRPERSON

RECOMMENDED ACTION: Consider nominations and make appointments

MOTION BY COMMISSIONER WELCH, AND SECOND BY COMMISSIONER SIMON, TO NOMINATE MICHAEL GREUBEL AS CHAIRMAN. MOTION CARRIED 5-0, BY THE FOLLOWING VOTE:

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

MOTION BY COMMISSIONER WELCH, AND SECOND BY COMMISSIONER SIMON,
TO NOMINATE JIM DIVERS AS VICE CHAIRMAN. MOTION CARRIED 5-0, BY THE
FOLLOWING VOTE:

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

**6.1 PRESENTATION AND DISCUSSION OF A ONE YEAR REVIEW AND
EVALUATION REPORT CONCERNING RECENTLY APPROVED CONDITIONAL USE
PERMITS**

RECOMMENDED ACTION: Receive and file the report.

Senior Planner, Troy Helling, provided a staff report and was available to answer any questions.

MOTION BY CHAIRMAN GREUBEL, AND SECOND BY COMMISSIONER SIMON, TO
RECEIVE AND FILE THE REPORT. MOTION CARRIED 5-0, BY THE FOLLOWING
VOTE:

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

**7.1 PUBLIC HEARING TO CONSIDER CONDITIONAL USE PERMIT (CUP) NO. 17-4,
SUBMITTED BY STAR VIEW BEHAVIORAL HEALTH, INC., DBA STAR VIEW
CHILDREN AND FAMILY SERVICES FOR A BEHAVIORAL HEALTH HOSPITAL AND
BEHAVIORAL HEALTH URGENT CARE AT AN EXISTING COMMERCIAL BUILDING
LOCATED AT 18501 GALE AVENUE, SUITE 100, IN THE CITY OF INDUSTRY**

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CONSIDERATION OF RESOLUTION NO. PC 2017-04 - A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF INDUSTRY, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT NO. 17-04, TO ALLOW A BEHAVIORAL HEALTH HOSPITAL AND BEHAVIORAL HEALTH URGENT CARE AT 18501 GALE AVENUE, SUITE 100, CITY OF INDUSTRY, CALIFORNIA, AND THE NOTICE OF EXCEPTION REGARDING SAME, AND MAKING FINDINGS IN SUPPORT THEREOF

RECOMMENDED ACTION: *Adopt Resolution No. PC 2017-04.*

Chairman Greubel opened the public hearing.

Senior Planner Helling presented a staff report to the Planning Commission.

Chairman Greubel inquired if anyone wished to be heard on the matter.

Kent Dunlap, President and CEO of Stars Behavioral Health Group, provided a presentation to the Commission and was available to answer any questions.

Kim Johnson, owner of a business within the same building adjacent to the proposed healthcare facility, shared her opposition to the project. Her concern was keeping her employees safe and has heard of many problems that have occurred within range of other such facilities.

Lawrence Smith, supporting Supervisor Hilda Solis of the Los Angeles County, came to extend Ms. Solis's support for this project.

Debbie Innes-Gomberg from the Los Angeles County Department of Mental Health also came to support this project.

Chairman Greubel closed the public hearing.

MOTION BY VICE CHAIRMAN DIVERS, AND SECOND BY COMMISSIONER WELCH, TO ADOPT RESOLUTION NO. PC 2017-04. MOTION CARRIED 5-0, BY THE FOLLOWING VOTE:

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

ORAL COMMENTS FROM THE PLANNING COMMISSION

There were none.

ORAL COMMENTS FROM STAFF

There were none.

ADJOURNMENT

There being no further business, the City Council adjourned at 12:29 a.m.

MICHAEL GREUBEL
CHAIRMAN

DIANE M. SCHLICHTING
ASSISTANT SECRETARY

PLANNING COMMISSION REGULAR MEETING MINUTES
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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
Hilda Rodriguez, Commissioner
Becky Simon, Commissioner
Andria Welch, Commissioner

ABSENT: Jim Divers, Vice Chairman

STAFF PRESENT: Troy Helling, Senior Planner; Bianca Sparks, City Attorney; and Diane M. Schlichting, Assistant Secretary.

PUBLIC COMMENTS

There were no public comments.

5.1 PUBLIC HEARING TO CONSIDER CONDITIONAL USE PERMIT (CUP) NO. 17-5, SUBMITTED BY LOBSTERNOW TO ALLOW ALCOHOL SERVICE IN CONJUNCTION WITH AN EXISTING FAST FOOD RESTAURANT LOCATED AT 17501 COLIMA ROAD, SUITE G2, IN THE CITY OF INDUSTRY

CONSIDERATION OF RESOLUTION NO. PC 2017-05 - A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF INDUSTRY, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT NO. 17-05, TO ALLOW ALCOHOL SERVICE IN CONJUNCTION WITH AN EXISTING RESTAURANT LOCATED AT 17501 COLIMA ROAD, SUITE G2, CITY OF INDUSTRY, CALIFORNIA, AND THE NOTICE OF EXEMPTION REGARDING SAME, AND MAKING FINDINGS IN SUPPORT THEREOF

RECOMMENDED ACTION:

Adopt Resolution No. PC 2017-05.

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Chairman Greubel opened the public hearing.

Consultant Associate Planner, Dina Lomeli, provided a staff report and was available to answer any questions.

Chairman Greubel inquired if anyone wished to be heard on the matter. There were no comments.

Chairman Greubel closed the public hearing.

MOTION BY COMMISSIONER WELCH, AND SECOND BY COMMISSIONER RODRIGUIZ, TO ADOPT RESOLUTION NO. PC 2017-05. MOTION CARRIED 4-0, BY THE FOLLOWING VOTE:

AYES:	COMMISSIONER:	RODRIGUEZ, SIMON, WELCH, C/GREUBEL
NOES:	COMMISSIONER:	NONE
ABSENT:	COMMISSIONER:	DIVERS
ABSTAIN:	COMMISSIONER:	NONE

5.2 PUBLIC HEARING TO CONSIDER AMENDMENT NO. 2 TO CONDITIONAL USE PERMIT (CUP) No. 05-8, SUBMITTED BY THE COUNTY SANITATION DISTRICT OF LOS ANGELES COUNTY TO EXTEND THE TERM OF THE INTERIM USE ALLOWED AT THE ESTABLISHED INTERMODAL FACILITY LOCATED AT 2500 PELLISSIER PLACE, IN THE CITY OF INDUSTRY

CONSIDERATION OF RESOLUTION NO. PC 2017-06 - A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF INDUSTRY, CALIFORNIA, APPROVING AMENDMENT NO. 2 TO CONDITIONAL USE PERMIT NO. 05-8 TO EXTEND THE TERM OF THE INTERIM USE AT THE INTERMODAL FACILITY LOCATED AT 2500 PELLISSIER PLACE, CITY OF INDUSTRY, CALIFORNIA, WITHIN THE "I" INDUSTRIAL ZONE, FROM FIVE TO TEN YEARS, AND NOTICE OF EXEMPTION REGARDING SAME, AND MAKING FINDINGS IN SUPPORT THEREOF

RECOMMENDED ACTION: *Adopt Resolution No. PC 2017-06.*

Chairman Greubel opened the public hearing.

Senior Planner Helling presented a staff report to the Planning Commission and was available to answer any questions.

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Chairman Greubel inquired if anyone wished to be heard on the matter. There were no comments.

Chairman Greubel closed the public hearing

MOTION BY COMMISSIONER SIMON, AND SECOND BY COMMISSIONER WELCH, TO ADOPT RESOLUTION NO. PC 2017-06. MOTION CARRIED 4-0, BY THE FOLLOWING VOTE:

AYES:	COMMISSIONER:	RODRIGUEZ, SIMON, WELCH, C/GREUBEL
NOES:	COMMISSIONER:	NONE
ABSENT:	COMMISSIONER:	DIVERS
ABSTAIN:	COMMISSIONER:	NONE

ORAL COMMENTS FROM THE PLANNING COMMISSION

There were none.

ORAL COMMENTS FROM STAFF

There were none.

ADJOURNMENT

There being no further business, the City Council adjourned at 11:44 a.m.

MICHAEL GREUBEL
CHAIRMAN

DIANE M. SCHLICHTING
ASSISTANT SECRETARY

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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
Jim Divers, Vice Chairman
Hilda Rodriguez, Commissioner
Becky Simon, Commissioner
Andria Welch, Commissioner

STAFF PRESENT: Troy Helling, Senior Planner; Bianca Sparks, City Attorney; and Maria Hagerty, Planning Technician.

PUBLIC COMMENTS

There were no public comments.

5.1 CONSIDERATION OF RESOLUTION NO. PC 2018-01 – A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF INDUSTRY, CALIFORNIA, RECOMMENDING CITY COUNCIL ADOPTION OF THE MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM PREPARED FOR A PROJECT OF THE CITY OF INDUSTRY CONSISTING OF A GENERAL PLAN AMENDMENT (GPA 17-1), A ZONE CHANGE (ZC 17-1), LOT LINE ADJUSTMENT (LLA 83) AND DEVELOPMENT PLAN (DP 17-13) LOCATED AT 20137 AND 20249 E. WALNUT DRIVE SOUTH

RECOMMENDED ACTION:

Adopt Resolution No. PC 2018-01.

Due to the lack of time to review, Chairman Greubel motioned to continue these items to the next regular Planning Commission meeting on February 6, 2018 at 11:30 a.m.

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City Attorney Bianca Sparks, asked Chairman Greubel to clarify the motion and asked if he meant all of the items on the agenda or just Item 5.1. Chairman Greubel confirmed that all items be re-visited at the next regular meeting.

Andria Welch was asked if she agreed and she said yes.

5.2 CONSIDERATION OF RESOLUTION NO. PC 2018-02 – A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF INDUSTRY, CALIFORNIA, RECOMMENDING CITY COUNCIL APPROVAL OF LOT LINE ADJUSTMENT 83, LOCATED AT 20137 AND 20249 E. WALNUT DRIVE SOUTH IN THE CITY OF INDUSTRY, CALIFORNIA, AND MAKING FINDINGS IN SUPPORT THEREOF

RECOMMENDED ACTION: *Adopt Resolution No. PC 2018-02.*

5.3 CONSIDERATION OF RESOLUTION NO. PC 2018-05 – A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF INDUSTRY, CALIFORNIA, RECOMMENDING CITY COUNCIL APPROVAL OF DEVELOPMENT PLAN (DP 17-13) TO CONSTRUCT TWENTY-FIVE SINGLE-FAMILY RESIDENTIAL UNITS INCLUDING TWO VERY – LOW AND TWO LOW INCOME UNITS AND 4,300 SQUARE FEET OF COMMUNITY RECREATIONAL AREA ON A 3.86-ACRE PROPERTY LOCATED AT 20137 AND 20249 E. WALNUT DRIVE SOUTH (PROPERTY) – INDUSTRY WORKFORCE HOUSING COMMUNITY

RECOMMENDED ACTION: *Adopt Resolution No. PC 2018-05.*

6.1 PUBLIC HEARING ITEM TO CONSIDER RESOLUTION NO. PC 2018-03 - A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF INDUSTRY, CALIFORNIA, RECOMMENDING CITY COUNCIL APPROVAL OF GENERAL PLAN AMENDMENT (GPA 17-1), AMENDING THE GENERAL PLAN TO ESTABLISH A RESIDENTIAL LAND USE DESIGNATION IN THE LAND USE ELEMENT; AMEND RELATED TEXT AND EXHIBITS OF THE CITY'S GENERAL PLAN; AND CHANGE THE LAND USE DESIGNATION OF 20137 E. WALNUT DRIVE SOUTH AND 20249 E. WALNUT DRIVE SOUTH AND DEPICTED IN EXHIBIT "A" ATTACHED TO THIS RESOLUTION FROM EMPLOYMENT TO RESIDENTIAL

RECOMMENDED ACTION: *Adopt Resolution No. PC 2018-03.*

6.2 PUBLIC HEARING ITEM TO CONSIDER RESOLUTION NO. PC 2018-04 – A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF INDUSTRY,

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CALIFORNIA, RECOMMENDING CITY COUNCIL APPROVAL OF ZONE CHANGE (ZC 17-1) TO ESTABLISH A RESIDENTIAL ZONE IN THE ZONING CODE BY ADDING CHAPTER 17.30 ATTACHED HERETO AS EXHIBIT "A"; AMEND THE CITY'S ZONING MAP BY CHANGING THE ZONING DESIGNATION OF THE AREA DEPICTED IN EXHIBIT "B" ATTACHED HERETO, FROM INDUSTRIAL TO RESIDENTIAL

RECOMMENDED ACTION: *Adopt Resolution No. PC 2018-04.*

MOTION BY CHAIRMAN GREUBEL, AND SECOND BY COMMISSIONER WELCH, TO POSTPONE ITEMS 5.1, 5.2, 5.3, 6.1, AND 6.2 TO THE NEXT REGULARLY SCHEDULED MEETING ON FEBRUARY 6, 2018 AT 11:30 A.M. MOTION CARRIED 4-1, BY THE FOLLOWING VOTE:

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

ORAL COMMENTS FROM THE PLANNING COMMISSION

Commissioner Welch mentioned that she had concerns that this being a large project, the residents in the area didn't have sufficient time to review.

ORAL COMMENTS FROM STAFF

There were none.

ADJOURNMENT

There being no further business, the Planning Commission adjourned at 11:38 a.m.

MICHAEL GREUBEL
CHAIRMAN

DIANE M. SCHLICHTING
SECRETARY

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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
Hilda Rodriguez, Commissioner
Becky Simon, Commissioner
Andria Welch, Commissioner

ABSENT: Jim Divers, Vice Chairman

STAFF PRESENT: Troy Helling, Senior Planner; Tim D'Zmura, Planning Consultant; Bianca Sparks, City Attorney; Diane M. Schlichting, Secretary; and Maria Hagerty, Planning Technician.

PUBLIC COMMENTS

For the record, City Attorney Bianca Sparks, mentioned that Vice Chairman Divers did come to the meeting but had to leave due to illness.

5.1 PUBLIC HEARING TO CONSIDER GENERAL PLAN AMENDMENT 17-1 TO AMEND THE GENERAL PLAN LAND USE ELEMENT AND TO CHANGE THE GENERAL PLAN DESIGNATION OF THE PROPERTIES LOCATED AT 20137 AND 20249 E. WALNUT DRIVE SOUTH, ("PROPERTY") FROM EMPLOMENT TO RESIDENTIAL. ZONE CHANGE 17-1 TO CREATE A RESIDENTIAL ZONE IN THE CITY'S ZONING CODE AND TO CHANGE THE ZONING OF THE PROPERTY FROM INDUSTRIAL TO RESIDENTIAL. LOT LINE ADJUSTMENT 83 TO SHIFT THE EXISTING LOT LINE WEST AND DEVELOPMENT PLAN 17-13 TO DEVELOP 25 NEW DETACHED RESIDENTIAL DWELLING UNITS AT THE PROPERTY LOCATED AT 20249 E. WALNUT DRIVE SOUTH AND A MITIGATED NEGATIVE DECLARATION REGARDING SAME

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Chairman Greubel opened the public hearing.

Senior Planner Troy Helling, mentioned that this was a meeting carried over from January 9, 2019, that was voted to continue to today's meeting, so as to provide more time for the Planning Commission and the public to review the project.

He stated staff has worked closely with the attorney's office to make the recommended corrections to all the resolutions. On January 27th, staff provided packets to all the Commissioners. The developer hosted a community hearing for the public on January 30th, at the Royal Vista Golf Course, to hear a presentation from the developer so the residents could be more familiar with the project.

Next we will provide a presentation of the project which will include an Initial Study, Zone Change, General Plan Amendment, Lot Line Adjustment, Mitigated Negative Declaration and a Development Plan Application. The public will have an opportunity to voice their concerns and speak on this item after these presentations.

Steve PonTell, President and CEO of National Community Renaissance (CORE) first spoke of the process and about CORE as a Nonprofit Full Service Affordable Housing Development Company.

Alexa Washburn, Vice President of Planning with CORE talked about this specific project and about the issues brought up by the community that were addressed at the hearing.

Tim D'Zmura, Consultant Planner with Annealta, made an executive summary presentation explaining the background of this project with the City.

Chairman Greubel inquired if anyone wished to be heard on the matter.

Various members of the public spoke about their reasons for their opposition to this project.

Chairman Greubel closed the public hearing.

5.1a CONSIDERATION OF RESOLUTION NO. PC 2018-01 – A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF INDUSTRY, CALIFORNIA, RECOMMENDING CITY COUNCIL ADOPTION OF THE MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM PREPARED FOR GENERAL PLAN AMENDMENT (GPA 17-1), AN AMENDMENT TO

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THE CITY'S MUNICIPAL CODE AND ZONING MAP TO ESTABLISH A RESIDENTIAL ZONE (ZC 17-1), LOT LINE ADJUSTMENT (LLA 83) AND DEVELOPMENT PLAN (DP 17-13) FOR THE PROPERTIES LOCATED AT 20137 AND 20249 E. WALNUT DRIVE SOUTH

RECOMMENDED ACTION: *Adopt Resolution No. PC 2018-01.*

MOTION BY CHAIRMAN GREUBEL, AND SECOND BY COMMISSIONER WELCH, TO ADOPT RESOLUTION NO. PC 2018-01. MOTION FAILED 2-2, BY THE FOLLOWING VOTE:

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

Senior Planner, Troy Helling, discussed conditions, and City Attorney Sparks recommended this agenda come back in one week at a special meeting, to have a full Commission of five members available to vote, to avoid a deadlock.

MOTION BY COMMISSIONER WELCH, AND SECOND BY COMMISSIONER SIMON, TO BRING BACK THIS ITEM ON FEBRUARY 13, 2019 AT 11:30 A.M. IN THIS ROOM. MOTION CARRIED 3-1, BY THE FOLLOWING VOTE:

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

5.1b CONSIDERATION OF RESOLUTION NO. PC 2018-02 – A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF INDUSTRY, CALIFORNIA, RECOMMENDING CITY COUNCIL APPROVAL OF GENERAL PLAN AMENDMENT (GPA 17-1), AMENDING THE GENERAL PLAN TO ESTABLISH A RESIDENTIAL LAND USE DESIGNATION IN THE LAND USE ELEMENT; AMEND RELATED TEXT AND EXHIBITS OF THE CITY'S GENERAL PLAN; AND CHANGE THE LAND USE DESIGNATION OF 20137 E. WALNUT DRIVE SOUTH AND 20249 E. WALNUT DRIVE SOUTH FROM EMPLOYMENT TO RESIDENTIAL (CONTINUED FROM THE MEETING OF JANUARY 9, 2018)

RECOMMENDED ACTION: *Adopt Resolution No. PC 2018-02.*

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MOTION BY COMMISSIONER WELCH, AND SECOND BY COMMISSIONER SIMON, TO BRING BACK THIS ITEM ON FEBRUARY 13, 2019 AT 11:30 A.M. IN THIS ROOM. MOTION CARRIED 3-1, BY THE FOLLOWING VOTE:

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

5.1c CONSIDERATON OF RESOLUTION NO. PC 2018-03 – A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF INDUSTRY, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL ADOPT AN ORDINANCE AMENDING TITLE 17 (ZONING) OF THE CITY’S MUNICIPAL CODE TO ADD CHAPTER 17.30 (RESIDENTIAL ZONE), AND AMENDING CHAPTER 17.28.060 (MAP-ADOPTED) TO AMEND THE CITY’S ZONING MAP TO CHANGE THE ZONING DESIGNATION OF THE PROPERTIES LOCATED AT 20137 AND 20249 E. WALNUT DRIVE SOUTH FROM INDUSTRIAL TO RESIDENIAL (CONTINUED FROM THE MEETING OF JANUARY 9, 2018)

RECOMMENDED ACTION: Adopt Resolution No. PC 2018-03.

MOTION BY COMMISSIONER WELCH, AND SECOND BY COMMISSIONER SIMON, TO BRING BACK THIS ITEM ON FEBRUARY 13, 2019 AT 11:30 A.M. IN THIS ROOM. MOTION CARRIED 3-1, BY THE FOLLOWING VOTE:

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

5.1d CONSIDERATON OF RESOLUTION NO. PC 2018-04 – A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF INDUSTRY, CALIFORNIA, RECOMMENDING CITY COUNCIL APPROVAL OF LOT LINE ADJUSTMENT 83, FOR THE PROPERTIES LOCATED AT 20137 AND 20249 E. WALNUT DRIVE SOUTH IN THE CITY OF INDUSTRY, CALIFORNIA, AND MAKING FINDINGS IN SUPPORT THEREOF

RECOMMENDED ACTION: Adopt Resolution No. PC 2018-04.

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CITY OF INDUSTRY, CALIFORNIA
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MOTION BY COMMISSIONER WELCH, AND SECOND BY COMMISSIONER SIMON, TO BRING BACK THIS ITEM ON FEBRUARY 13, 2019 AT 11:30 A.M. IN THIS ROOM. MOTION CARRIED 3-1, BY THE FOLLOWING VOTE:

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

5.1e CONSIDERATION OF RESOLUTION NO. PC 2018-05 – A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF INDUSTRY, CALIFORNIA, RECOMMENDING CITY COUNCIL APPROVAL OF DEVELOPMENT PLAN (17-13) TO CONSTRUCT TWENTY-FIVE DETACHED DWELLING UNITS INCLUDING TWO VERY – LOW AND TWO LOW INCOME UNITS, AND 4,300 SQUARE FEET OF COMMUNITY RECREATIONAL AREA, ON A 3.86-ACRE PROPERTY, LOCATED AT 20249 E. WALNUT DRIVE SOUTH

RECOMMENDED ACTION: Adopt Resolution No. PC 2018-05.

MOTION BY COMMISSIONER WELCH, AND SECOND BY COMMISSIONER SIMON, TO BRING BACK THIS ITEM ON FEBRUARY 13, 2019 AT 11:30 A.M. IN THIS ROOM. MOTION CARRIED 3-1, BY THE FOLLOWING VOTE:

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

ORAL COMMENTS FROM THE PLANNING COMMISSION

There were none.

ORAL COMMENTS FROM STAFF

There were none.

PLANNING COMMISSION REGULAR MEETING MINUTES
CITY OF INDUSTRY, CALIFORNIA
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ADJOURNMENT

There being no further business, the Planning Commission adjourned at 12:58 p.m.

MICHAEL GREUBEL
CHAIRMAN

DIANE M. SCHLICHTING
SECRETARY

PLANNING COMMISSION SPECIAL MEETING MINUTES
CITY OF INDUSTRY, CALIFORNIA
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CALL TO ORDER

The Special 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
Jim Divers, Vice Chairman
Hilda Rodriguez, Commissioner
Becky Simon, Commissioner
Andria Welch, Commissioner

STAFF PRESENT: Troy Helling, Senior Planner; Tim D’Zmura, Planning Consultant; Bianca Sparks, City Attorney; Diane M. Schlichting, Secretary; and Maria Hagerty, Planning Technician.

PUBLIC COMMENTS

There were none.

5a. CONSIDERATION OF RESOLUTION NO. PC 2018-01 – A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF INDUSTRY, CALIFORNIA, RECOMMENDING CITY COUNCIL ADOPTION OF THE MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM PREPARED FOR GENERAL PLAN AMENDMENT (GPA 17-1), AN AMENDMENT TO THE CITY’S MUNICIPAL CODE AND ZONING MAP TO ESTABLISH A RESIDENTIAL ZONE (ZC 17-1), LOT LINE ADJUSTMENT (LLA 83) AND DEVELOPMENT PLAN (DP 17-13) FOR THE PROPERTIES LOCATED AT 20137 AND 20249 E. WALNUT DRIVE SOUTH (CONTINUED FROM THE MEETING OF FEBRUARY 6, 2018)

RECOMMENDED ACTION:

Adopt Resolution No. PC 2018-01.

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CITY OF INDUSTRY, CALIFORNIA
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Senior Planner Troy Helling provided a staff report for Items 5a, 5b, 5c, 5d, and 5e, and indicated that this is a carryover from the February 6th meeting, with the amendment of the added conditions stated at last month's meeting. A reference is in front of each of you with the conditions that have been read. Mr. Helling was available to answer to any questions.

Three speakers, Pamela Warnken, Judy Wu, and David Cornwell each spoke in opposition to the Development Plan.

In response to the speakers concerns, Attorney Sparks asked for the record, whether or not the Commissioners had been to the property. Commissioners Welch, Divers and Simon said they had. Commissioners Greubel and Rodriguez, said they had not.

In addition, for the record, Attorney Sparks asked if any Commissioners had any contact with the developer for this project, of which all said no.

City Attorney Sparks said, should this resolution be denied and since a denial resolution has not been prepared, it was her request that you come back at the next meeting with an amended resolution denying the Mitigated Negative Declaration.

MOTION BY CHIARMAN GREUBEL, AND SECOND BY COMMISSION WELCH, TO DIRECT STAFF TO RETURN TO THE NEXT MEETING WITH A RESOLUTION DENYING THE MITIGATED NEGATIVE DECLARATION FOR THE SUBJECT PROPERTY. MOTION CARRIED 3-2, BY THE FOLLOWING VOTE:

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

5b. CONSIDERATON OF RESOLUTION NO. PC 2018-02 – A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF INDUSTRY, CALIFORNIA, RECOMMENDING CITY COUNCIL APPROVAL OF GENERAL PLAN AMENDMENT (GPA 17-1), AMENDING THE GENERAL PLAN TO ESTABLISH A RESIDENTIAL LAND USE DESIGNATION IN THE LAND USE ELEMENT; AMEND RELATED TEXT AND EXHIBITS OF THE CITY'S GENERAL PLAN; AND CHANGE THE LAND USE DESIGNATION OF 20137 E. WALNUT DRIVE SOUTH AND 20249 E. WALNUT DRIVE SOUTH FROM EMPLOYMENT TO RESIDENTIAL (CONTINUED FROM THE MEETING OF FEBRUARY 6, 2018)

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RECOMMENDED ACTION: *Adopt Resolution No. PC 2018-02.*

MOTION BY CHAIRMAN GREUBEL, AND SECOND BY COMMISSIONER WELCH, TO DIRECT STAFF TO RETURN TO THE NEXT MEETING WITH A RESOLUTION CONTAINING THE REQUISITE FINDINGS TO DENY THE GENERAL PLAN AMENDMENT FOR THE PROPERTY SET FORTH ON ITEM 5B OF THE AGENDA. MOTION CARRIED 3-2, BY THE FOLLOWING VOTE:

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

5c. CONSIDERATION OF RESOLUTION NO. PC 2018-03 – A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF INDUSTRY, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL ADOPT AN ORDINANCE AMENDING TITLE 17 (ZONING) OF THE CITY'S MUNICIPAL CODE TO ADD CHAPTER 17.30 (RESIDENTIAL ZONE), AND AMENDING CHAPTER 17.28.060 (MAP-ADOPTED) TO AMEND THE CITY'S ZONING MAP TO CHANGE THE ZONING DESIGNATION OF THE PROPERTIES LOCATED AT 20137 AND 20249 E. WALNUT DRIVE SOUTH FROM INDUSTRIAL TO RESIDENTIAL (CONTINUED FROM THE MEETING OF FEBRUARY 6, 2018)

RECOMMENDED ACTION: *Adopt Resolution No. PC 2018-03.*

Resident Pamela Warnken mentioned she had property management experience and felt that there were too many residents for the size of the property.

MOTION BY CHAIRMAN GREUBEL, AND SECOND BY COMMISSIONER WELCH, TO DIRECT STAFF TO RETURN TO THE NEXT MEETING WITH A RESOLUTION CONTAINING THE REQUISITE FINDINGS TO DENY THE ZONING CODE AMENDMENT SET FORTH FOR THE PROPERTY ON ITEM 5C OF THE AGENDA. MOTION CARRIED 3-2, BY THE FOLLOWING VOTE:

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

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5d. CONSIDERATION OF RESOLUTION NO. PC 2018-04 – A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF INDUSTRY, CALIFORNIA, RECOMMENDING CITY COUNCIL APPROVAL OF LOT LINE ADJUSTMENT 83, FOR THE PROPERTIES LOCATED AT 20137 AND 20249 E. WALNUT DRIVE SOUTH IN THE CITY OF INDUSTRY, CALIFORNIA, AND MAKING FINDINGS IN SUPPORT THEREOF (CONTINUED FROM THE MEETING OF FEBRUARY 6, 2018)

RECOMMENDED ACTION: *Adopt Resolution No. PC 2018-04.*

MOTION BY CHAIRMAN GREUBEL, AND SECOND BY COMMISSIONER WELCH, TO DIRECT STAFF TO RETURN TO THE NEXT MEETING WITH A RESOLUTION CONTAINING THE REQUISITE FINDINGS TO DENY LOT LINE ADJUSTMENT 83, SET FORTH FOR THE PROPERTY ON ITEM 5D OF THE AGENDA. MOTION CARRIED 3-2, BY THE FOLLOWING VOTE:

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

5e. CONSIDERATION OF RESOLUTION NO. PC 2018-05 – A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF INDUSTRY, CALIFORNIA, RECOMMENDING CITY COUNCIL APPROVAL OF DEVELOPMENT PLAN (17-13) TO CONSTRUCT TWENTY-FIVE DETACHED DWELLING UNITS INCLUDING TWO VERY – LOW AND TWO LOW INCOME UNITS, AND 4,300 SQUARE FEET OF COMMUNITY RECREATIONAL AREA, ON A 3.86-ACRE PROPERTY, LOCATED AT 20249 E. WALNUT DRIVE SOUTH (CONTINUED FROM THE MEETING OF FEBRUARY 6, 2018)

RECOMMENDED ACTION: *Adopt Resolution No. PC 2018-05.*

MOTION BY CHAIRMAN GREUBEL, AND SECOND BY COMMISSIONER WELCH, TO DIRECT STAFF TO RETURN TO THE NEXT MEETING WITH A RESOLUTION CONTAINING THE REQUISITE FINDINGS FOR THE DENIAL OF THE DEVELOPMENT PLAN SET FORTH IN ITEM 5E OF THE AGENDA. MOTION CARRIED 3-2, BY THE FOLLOWING VOTE:

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

ORAL COMMENTS FROM THE PLANNING COMMISSION

There were none.

ORAL COMMENTS FROM STAFF

There were none.

ADJOURNMENT

There being no further business, the Planning Commission adjourned at 11:58 a.m.

MICHAEL GREUBEL
CHAIRMAN

DIANE M. SCHLICHTING
SECRETARY

PLANNING COMMISSION REGULAR MEETING MINUTES
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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
Jim Divers, Vice Chairman
Becky Simon, Commissioner
Andria Welch, Commissioner

ABSENT: Hilda Rodriguez, Commissioner

STAFF PRESENT: Troy Helling, Senior Planner; Tim D’Zmura, Planning Consultant; Bianca Sparks, City Attorney; Diane M. Schlichting, Secretary; and Maria Hagerty, Planning Technician.

PUBLIC COMMENTS

There were no public comments.

5.1 CONSIDERATION OF GENERAL PLAN AMENDMENT 17-1 TO AMEND THE GENERAL PLAN LAND USE ELEMENT AND TO CHANGE THE GENERAL PLAN DESIGNATION OF THE PROPERTIES LOCATED AT 20137 AND 20249 E. WALNUT DRIVE SOUTH (“PROPERTY”) FROM EMPLOYMENT TO RESIDENTIAL. ZONE CHANGE 17-1 TO CREATE A RESIDENTIAL ZONE IN THE CITY’S ZONING CODE AND TO CHANGE THE ZONING OF THE PROPERTY FROM INDUSTRIAL TO RESIDENTIAL. LOT LINE ADJUSTMENT 83 TO SHIFT THE EXISTING LOT LINE WEST, AND DEVELOPMENT PLAN 17-13 TO DEVELOP 25 NEW DETACHED SINGLE-FAMILY RESIDENTIAL UNITS, AND A MITIGATED NEGATIVE DECLARATION REGARDING SAME

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5.1a CONSIDERATION OF RESOLUTION NO. PC 2018-01 – A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF INDUSTRY, CALIFORNIA, RECOMMENDING CITY COUNCIL DENIAL OF THE INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM PREPARED FOR GENERAL PLAN AMENDMENT (GPA 17-1), AN AMENDMENT TO THE CITY’S MUNICIPAL CODE AND ZONING MAP TO ESTABLISH A RESIDENTIAL ZONE (ZC 17-1), LOT LINE ADJUSTMENT (LLA 83) AND DEVELOPMENT PLAN (DP 17-13) FOR THE PROPERTIES LOCATED AT 20137 AND 20249 E. WALNUT DRIVE SOUTH

RECOMMENDED ACTION: *Approve Resolution No. PC 2018-01.*

MOTION BY COMMISSIONER WELCH, AND SECOND BY COMMISSIONER DIVERS, TO ADOPT RESOLUTION NO. PC 2018-01. MOTION CARRIED 4-0, BY THE FOLLOWING VOTE:

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

5.1b CONSIDERATION OF RESOLUTION NO. PC 2018-02 – A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF INDUSTRY, CALIFORNIA, RECOMMENDING CITY COUNCIL DENIAL OF GENERAL PLAN AMENDMENT (GPA 17-1), AMENDING THE GENERAL PLAN TO ESTABLISH A RESIDENTIAL LAND USE DESIGNATION IN THE LAND USE ELEMENT; AMEND RELATED TEXT AND EXHIBITS OF THE CITY’S GENERAL PLAN; AND CHANGE THE LAND USE DESIGNATION OF 20137 E. WALNUT DRIVE SOUTH AND 20249 E. WALNUT DRIVE SOUTH FROM EMPLOYMENT TO RESIDENTIAL (CONTINUED FROM THE MEETING OF FEBRUARY 6, 2018)

RECOMMENDED ACTION: *Approve Resolution No. PC 2018-02.*

MOTION BY COMMISSIONER DIVERS, AND SECOND BY COMMISSIONER WELCH, TO ADOPT RESOLUTION NO. PC 2018-02. MOTION CARRIED 4-0, BY THE FOLLOWING VOTE:

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

5.1c CONSIDERATON OF RESOLUTION NO. PC 2018-03 – A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF INDUSTRY, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL DENY ADOPTION OF AN ORDINANCE AMENDING TITLE 17 (ZONING) OF THE CITY’S MUNICIPAL CODE TO ADD CHAPTER 17.30 (RESIDENTIAL ZONE), AND AMENDING CHAPTER 17.28.060 (MAP-ADOPTED) TO AMEND THE CITY’S ZONING MAP TO CHANGE THE ZONING DESIGNATION OF THE PROPERTIES LOCATED AT 20137 AND 20249 E. WALNUT DRIVE SOUTH FROM INDUSTRIAL TO RESIDENIAL

RECOMMENDED ACTION: Approve Resolution No. PC 2018-03.

MOTION BY COMMISSIONER WELCH, AND SECOND BY COMMISSIONER DIVERS, TO ADOPT RESOLUTION NO. PC 2018-03. MOTION CARRIED 4-0, BY THE FOLLOWING VOTE:

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

5.1d CONSIDERATON OF RESOLUTION NO. PC 2018-04 – A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF INDUSTRY, CALIFORNIA, RECOMMENDING CITY COUNCIL DENIAL OF LOT LINE ADJUSTMENT 83, FOR THE PROPERTIES LOCATED AT 20137 AND 20249 E. WALNUT DRIVE SOUTH IN THE CITY OF INDUSTRY, CALIFORNIA, AND MAKING FINDINGS IN SUPPORT THEREOF

RECOMMENDED ACTION: Approve Resolution No. PC 2018-04.

MOTION BY COMMISSIONER DIVERS, AND SECOND BY COMMISSIONER WELCH, TO ADOPT RESOLUTION NO. PC 2018-04. MOTION CARRIED 4-0, BY THE FOLLOWING VOTE:

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

5.1e CONSIDERATION OF RESOLUTION NO. PC 2018-05 – A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF INDUSTRY, CALIFORNIA, RECOMMENDING CITY COUNCIL DENIAL OF DEVELOPMENT PLAN (17-13) TO CONSTRUCT TWENTY-FIVE DETACHED DWELLING UNITS INCLUDING TWO VERY – LOW AND TWO LOW INCOME UNITS, AND 4,300 SQUARE FEET OF COMMUNITY RECREATIONAL AREA, ON A 3.86-ACRE PROPERTY, LOCATED AT 20137 AND 20249 E. WALNUT DRIVE SOUTH

RECOMMENDED ACTION: Approve Resolution No. PC 2018-05.

MOTION BY COMMISSIONER WELCH, AND SECOND BY COMMISSIONER DIVERS, TO ADOPT RESOLUTION NO. PC 2018-05. MOTION CARRIED 4-0, BY THE FOLLOWING VOTE:

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

ORAL COMMENTS FROM THE PLANNING COMMISSION

There were none.

ORAL COMMENTS FROM STAFF

There were none.

ADJOURNMENT

There being no further business, the Planning Commission adjourned at 11:40 a.m.

PLANNING COMMISSION REGULAR MEETING MINUTES
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MICHAEL GREUBEL
CHAIRMAN

DIANE M. SCHLICHTING
SECRETARY

PLANNING COMMISSION REGULAR MEETING MINUTES
CITY OF INDUSTRY, CALIFORNIA
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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
Jim Divers, Vice Chairman
Hilda Rodriguez, Commissioner
Becky Simon, Commissioner
Andria Welch, Commissioner

STAFF PRESENT: Troy Helling, Acting City Manager; Bing Hyun, Assistant City Manager; Bianca Sparks, City Attorney; Nathalie Vasquez, Contract Assistant Planner II; Dina Lomeli, Contract Associate Planner; and Diane M. Schlichting, Secretary.

PUBLIC COMMENTS

There were no public comments.

5.1 PUBLIC HEARING TO CONSIDER CONDITIONAL USE PERMIT (CUP) NO. 18-01 AND DEVELOPMENT PLAN NO. 18-04 SUBMITTED BY SMARTLINK ON BEHALF OF T-MOBILE FOR THE CONSTRUCTION OF A NEW STEALTH WIRELESS TELECOMMUNICATION FACILITY WITH AN EQUIPMENT AREA OF 488 SQUARE FEET LOCATED AT 17980 CASTLETON STREET IN THE CITY OF INDUSTRY.

CONSIDERATION OF RESOLUTION NO. PC 2018-06 - A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF INDUSTRY, CALIFORNIA, RECOMMENDING CITY COUNCIL APPROVAL OF DEVELOPMENT PLAN NO. 18-04 AND CONDITIONAL USE PERMIT NO. 18-01 FOR THE CONSTRUCTION AND OPERATION OF A STEALTH WIRELESS TELECOMMUNICATIONS FACILITY WITHIN AN EXISTING SHOPPING CENTER LOCATED AT 17980 CASTLETON STREET IN THE CITY OF INDUSTRY, CALIFORNIA

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RECOMMENDED ACTION: *Adopt Resolution No. PC 2018-06.*

Contract Associate Planner, Dina Lomeli presented a staff report to the Planning Commission and was available to answer any questions.

MOTION BY COMMISSIONER WELCH, AND SECOND BY CHAIRMAN GREUBEL TO ADOPT RESOLUTION NO. PC 2018-06. MOTION CARRIED 5-0, BY THE FOLLOWING VOTE:

AYES:	COMMISSIONER:	RODRIGUEZ, SIMON, WELCH, VC/DIVERS, C/GREUBEL
NOES:	COMMISSIONER:	NONE
ABSENT:	COMMISSIONER:	NONE
ABSTAIN:	COMMISSIONER:	NONE

5.2 PUBLIC HEARING FOR THE CONSIDERATION OF THE AMENDING OF CONDITIONAL USE PERMIT (CUP) NO. 16-8 SUBMITTED BY YAYA DANCE ACADEMY TO ALLOW AN EXISTING DANCE STUDIO LOCATED AT 17520 CASTLETON STREET UNIT 212A TO EXPAND INTO UNIT 215 IN THE CITY OF INDUSTRY, AND NOTICE OF EXEMPTION REGARDING THE SAME

CONSIDERATION OF RESOLUTION NO. PC 2018-07 - A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF INDUSTRY, CALIFORNIA, AMENDING CONDITIONAL USE PERMIT NO. 16-8, TO ALLOW FOR AN EXISTING DANCE SCHOOL TO EXPAND INTO AN ADDITIONAL UNIT, THEREBY UTILIZING UNITS 212A AND UNIT 215 AT 17520 CASTLETON STREET, CITY OF INDUSTRY, CALIFORNIA, AND THE NOTICE OF EXEMPTION REGARDING SAME, AND MAKING FINDINGS IN SUPPORT THEREOF

RECOMMENDED ACTION: *Adopt Resolution No. PC 2018-07.*

Contract Assistant Planner II, Nathalie Vasquez presented a staff report to the Planning Commission and was available to answer any questions.

MOTION BY CHAIRMAN GREUBEL, AND SECOND BY VICE CHAIRMAN DIVERS, TO ADOPT RESOLUTION NO. PC 2018-07. MOTION CARRIED 5-0, BY THE FOLLOWING VOTE:

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AYES: COMMISSIONER: RODRIGUEZ, SIMON, WELCH, VC/DIVERS,
C/GREUBEL
NOES: COMMISSIONER: NONE
ABSENT: COMMISSIONER: NONE
ABSTAIN: COMMISSIONER: NONE

5.3 PUBLIC HEARING FOR THE CONSIDERATION OF TENTATIVE PARCEL MAP 352, TO SUBDIVIDE AN EXISTING 597.38 ACRE PARCEL INTO FIVE DEVELOPABLE PARCELS, TEN NON-DEVELOPABLE PARCELS AND A ROADWAY LOCATED A VACANT NORTHERLY AND WESTERLY OF THE SR-60/57 FREEWAY

CONSIDERATION OF RESOLUTION NO. PC 2018-08 - A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF INDUSTRY, CALIFORNIA, APPROVING TENTATIVE PARCEL MAP 352 TO SUBDIVIDE AN EXISTING 597.38 ACRE PARCEL INTO FIVE DEVELOPABLE PARCELS, TEN NON-DEVELOPABLE PARCELS AND A ROADWAY AT THE PROPERTY LOCATED GENERALLY NORTHERLY AND WESTERLY OF THE SR-60/57 FREEWAY GRAND AVENUE INTERCHANGE IN THE CITY OF INDUSTRY, CALIFORNIA AND APPROVING AN ADDENDUM TO THE INDUSTRY BUSINESS CENTER ENVIRONMENTAL IMPACT REPORT

RECOMMENDED ACTION: Adopt Resolution No. PC 2018-08.

Acting City Manager, Troy Helling, presented a staff report to the Planning Commission and was available to answer any questions.

MOTION BY COMMISSIONER WELCH, AND SECOND BY VICE CHAIRMAN DIVERS, TO ADOPT RESOLUTION NO. PC 2018-08. MOTION CARRIED 5-0, BY THE FOLLOWING VOTE:

AYES: COMMISSIONER: RODRIGUEZ, SIMON, WELCH, VC/DIVERS,
C/GREUBEL
NOES: COMMISSIONER: NONE
ABSENT: COMMISSIONER: NONE
ABSTAIN: COMMISSIONER: NONE

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CITY OF INDUSTRY, CALIFORNIA
JUNE 12, 2018
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Chairman Greubel opened the public hearing at 11:35 a.m.

Chairman Greubel inquired if anyone wished to be heard on the matter. There were no comments.

Chairman Greubel closed the public hearing at 11:50 a.m.

ACTION ITEM

CONSIDERATION OF RESOLUTION NO. PC 2018-09 - A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF INDUSTRY, CALIFORNIA, MAKING CERTAIN FINDINGS CONCERNING THE PURCHASES OF VARIOUS REAL PROPERTIES LOCATED IN THE CITY, WITH RESPECT TO THE CONSISTENCY OF THE PROPOSED PURCHASES WITH THE CITY OF INDUSTRY'S GENERAL PLAN, PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 65402(A)

RECOMMENDED ACTION: *Adopt Resolution No. PC 2018-09.*

City Attorney, Bianca Sparks, provided a staff report and Contract City Engineer, Josh Nelson, from CNC Engineering provided a slide presentation of each of the properties. Both were available to answer any questions.

MOTION BY VICE CHAIRMAN DIVERS, AND SECOND BY COMMISSIONER WELCH, TO ADOPT RESOLUTION NO. PC 2018-09. MOTION CARRIED 5-0, BY THE FOLLOWING VOTE:

AYES:	COMMISSIONER:	RODRIGUEZ, SIMON, WELCH, VC/DIVERS, C/GREUBEL
NOES:	COMMISSIONER:	NONE
ABSENT:	COMMISSIONER:	NONE
ABSTAIN:	COMMISSIONER:	NONE

ORAL COMMENTS FROM THE PLANNING COMMISSION

There were none.

ORAL COMMENTS FROM STAFF

There were none.

PLANNING COMMISSION REGULAR MEETING MINUTES
CITY OF INDUSTRY, CALIFORNIA
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ADJOURNMENT

There being no further business, the Planning Commission adjourned at 12:01 p.m.

MICHAEL GREUBEL
CHAIRMAN

DIANE M. SCHLICHTING
SECRETARY

PLANNING COMMISSION REGULAR MEETING MINUTES
CITY OF INDUSTRY, CALIFORNIA
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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
Becky Simon, Commissioner

ABSENT: Hilda Rodriguez, Commissioner
Andria Welch, Commissioner

STAFF PRESENT: Troy Helling, City Manager; Bing Hyun, Assistant City Manager; Bianca Sparks, Assistant City Attorney; Julie Robles, Secretary; and Maria Hagerty, Planning Technician II.

PUBLIC COMMENTS

There were no public comments.

ACTION ITEMS

5.1 CONSIDERATION OF THE MINUTES OF THE SEPTEMBER 10, 2019 REGULAR MEETING

RECOMMENDED ACTION: Approve as submitted.

MOTION BY COMMISSIONER SIMON, AND SECOND BY CHAIRMAN GREUBEL TO APPROVE AS SUBMITTED. MOTION CARRIES 3-0, BY THE FOLLOWING VOTE:

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

5.2 ONE YEAR REVIEW AND EVALUATION REPORT FOR THE FOLLOWING CONDITIONAL USE PERMITS: AMENDED CUP NO. 10-4 FOR EL TEPEYAC RESTAURANT, CUP NO. 16-2 FOR CALIFORNIA FISH GRILL, CUP NO. 16-3 FOR TAI 2 GROUP CHINESE SAUERKRAUT FISH, CUP NO. 16-5 FOR MOD SUPER FAST PIZZA, CUP NO. 16-6 FOR HAPPY DUCK HOUSE, CUP NO. 16-7 FOR FOCUS BBQ, CUP NO. 16-9 FOR SLURPIN' RAMEN BAR, AMENDED CUP NO. 96-10 FOR K POT, AND CUP NO. 17-5 THE BENEDICTION

RECOMMENDED ACTION: Receive and file the report.

City Manager Troy Helling provided a staff report and was available to answer any questions. No Motion was necessary per Assistant City Attorney Sparks.

PUBLIC HEARING ITEMS

6.1 PUBLIC HEARING TO CONSIDER CONDITIONAL USE PERMIT NO. 18-5 ALLOWING FRANK & SON COLLECTIBLE SHOW TO OPERATE A COLLECTIBLE MALL AT AN EXISTING COMMERCIAL STRUCTURE LOCATED AT 17835 GALE AVENUE

CONSIDERATION OF RESOLUTION NO. PC 2019-07 A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF INDUSTRY, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT NO. 18-5, TO ALLOW FOR THE OPERATION OF A COLLECTIBLE MALL AT 17835 GALE AVENUE, CITY OF INDUSTRY, CALIFORNIA, AND THE NOTICE OF EXEMPTION REGARDING SAME, AND MAKING FINDINGS IN SUPPORT THEREOF

RECOMMENDED ACTION: Adopt Resolution No. PC 2019-07.

Chairman Greubel opened the public hearing.

Consultant Assistant Planner II, Nathalie Vasquez with Annealta Group, presented a staff report to the Planning Commission and was available to answer any questions.

PLANNING COMMISSION REGULAR MEETING MINUTES
CITY OF INDUSTRY, CALIFORNIA
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PAGE 3

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

Chairman Greubel closed the public hearing.

Bianca Sparks mentioned the need for a revision to the resolution. Section 3A is to be added stating "Based on the foregoing, the Planning Commission hereby approves the Notice of Exemption, and directs Staff to file same as required by law."

MOTION BY COMMISSIONER SIMON, AND SECOND BY COMMISSIONER DIVERS, TO ADOPT RESOLUTION NO. PC 2019-07 WITH THE ADDITION OF SECTION 3A. MOTION CARRIES 3-0, BY THE FOLLOWING VOTE:

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

ORAL COMMENTS FROM THE PLANNING COMMISSION

There were none.

ORAL COMMENTS FROM STAFF

There were none.

ADJOURNMENT

There being no further business, the Planning Commission adjourned at 11:40 a.m.

MICHAEL GREUBEL
CHAIRMAN

JULIE ROBLES
SECRETARY

PLANNING COMMISSION

ITEM NO. 6.1



CITY OF INDUSTRY

MEMORANDUM

TO: Planning Commission

FROM: Troy Helling, City Manager *TH*

STAFF: Eduardo Manriquez, Contract Planning Technician *EM*
Nathalie Vazquez, Contract Assistant Planner II *NV*
Dina Lomeli, Contract Associate Planner *DL*

DATE: November 12, 2019

SUBJECT: Consideration of Conditional Use Permit No. 19-03 to allow for an existing fast food restaurant, located at 13350 Crossroads Parkway North, to serve beer and wine for on-site consumption.

Proposal:

Adriana Aljurdi, representing Castro Aljurdi, Inc. (DBA Teddy's Tacos) ("Applicant"), is requesting approval of Conditional Use Permit ("CUP") No. 19-03, to allow for the sale of beer and wine for on-site consumption, at an existing fast food restaurant known as Teddy's Tacos. Teddy's Tacos is located at the Crossroads Business Park, 13350 Crossroads Parkway North ("Property"). Pursuant to Section 17.12.025.07 of the City's Municipal Code ("Code"), a CUP is required to serve alcohol at a fast food restaurant.

Project Background:

The 0.65 acre Property is part of a larger 10.64 acre commercial center known as "Crossroads Business Park" with an existing 28,096 square foot multi-tenant retail building with a drive-thru and a 76,900 square foot, four-story office building respectively. The development of the Property was approved by City Council on October 2, 2014 with Development Plan 14-8. Current tenants of the Property include Starbucks, Teddy's Tacos and Jersey Mike's Subs.

In September of 2018, Teddy's Tacos was approved for a business license (AKA use permit) to operate a fast-food restaurant on the Property. Teddy's Tacos is a fast food Mexican restaurant that aims to serve authentic food. The existing fast food restaurant operates from 7:30 AM to 9:00 PM Monday through Friday, from 9:00 AM to 8:00 PM Saturday & Sunday, and has approximately 12 people employed currently. Now the fast food restaurant is looking for approval to allow the sale of beer and wine for on-site consumption.

Location and Surroundings:

As shown on the location map (Exhibit A), Teddy's Tacos is located within the existing Crossroads Business Park and is North of State Route 60 and Southwest of Crossroads Parkway North. The Property is bounded by Union Pacific Railroad to the North and Commercial zoning to the South, East, and West.

Staff Analysis:

The request for the sale of beer and wine for on-site consumption in conjunction with a fast food 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 complies with the standards in Sections 17.12, "C" Commercial zone, of the City's Municipal Code.

Property

Teddy's Tacos is located in an existing tenant space that is approximately 2,177 square feet in size located at 13350 Crossroads Parkway North with the assessor's parcel number: 8120-026-016 that is approximately 28,096 square feet (0.65 acres). The Property is a part of the Crossroads Business Park, which is a total of 11.29 acres and was divided into 2 individual parcels with Tentative Parcel Map 346 to create two parcels of 10.64 acres and 0.65 acres for the office and retail pad respectively. Both the Property and the larger parcel have existing access and parking agreements on-site. The commercial use does not involve any physical changes to the property, and there will be no increased demands placed upon the existing water, gas, electricity, and sewer utilities that adequately serve the site.

Access

The Property is served by two main driveway entrances that are shared with the entire Business Park and are adequate in width and improved as necessary to carry the kind and quantity of traffic such use would generate. The existing drive aisles meet the City's minimum requirement of 26 feet in width. The Property is currently served by the 60 Freeway, Crossroads Parkway North, and Crossroads Parkway South which are of adequate capacity to serve the commercial use.

Compatibility

A fast food restaurant with the sale of beer and wine for on-site consumption is a compatible use with the surrounding properties and uses because the area is composed of other fast food restaurants and an office building. The proposed use will complement the adjacent uses and will provide a dining service for visitors of the office building and commuters traveling along the 60 Freeway. 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 addition of alcohol sales will also contribute to the economic viability of the Business Park.

Parking

The overall Business Park shares parking and was developed with 855 parking spaces which is sufficient parking for both the office building and retail space combined. With the office building requiring 708 parking spaces and the retail portion requiring 22 parking spaces, a surplus of 110 parking spaces is available. No expansion of the building is being proposed and the approval of this request for CUP 19-03 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) Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use. The approval 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. (2) No expansion of square-footage or modifications to the existing restaurant are proposed as part of this Project. (3) Finally,

all existing plumbing and electrical services are sufficient since no modifications or changes are proposed as part of this Project. The Notice of Exemption (Exhibit D) will be posted at the Los Angeles County Clerk's Office after approval by the Planning Commission.

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, the City's webpage and published in the *San Gabriel Valley Tribune* on November 1, 2019, pursuant to Government Code section 65091.

Fiscal Impact:

Approving Conditional Use Permit 19-03 to allow for a previously approved fast food restaurant to serve beer and wine for on-site consumption will have a positive 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 2019-08 (Exhibit F) approving Conditional Use Permit 19-03, the Standard Requirements and Conditions of Approval, and notice of exemption regarding same.

Exhibits:

- A. Location Map - CUP 19-03
- B. Site Plan – CUP 19-03
- C. Floor Plan – CUP 19-03
- D. Notice of Exemption CUP 19-03
- E. Public Hearing Notice
- F. Resolution No. PC 2019-08 recommending Planning Commission approval of Conditional Use Permit No. 19-03 with findings of approval, Standard Requirements and Conditions of Approval.

EXHIBIT A

Location Map – CUP 19-03

[Attached]



Crossroads Pkwy N

Site

INDUSTRY

Crossroads Pkwy S

60 Freeway

EXHIBIT B

Site Plan – CUP 19-03

[Attached]

LEGEND

--- PROPERTY LINE

▨ BUILDING AREA

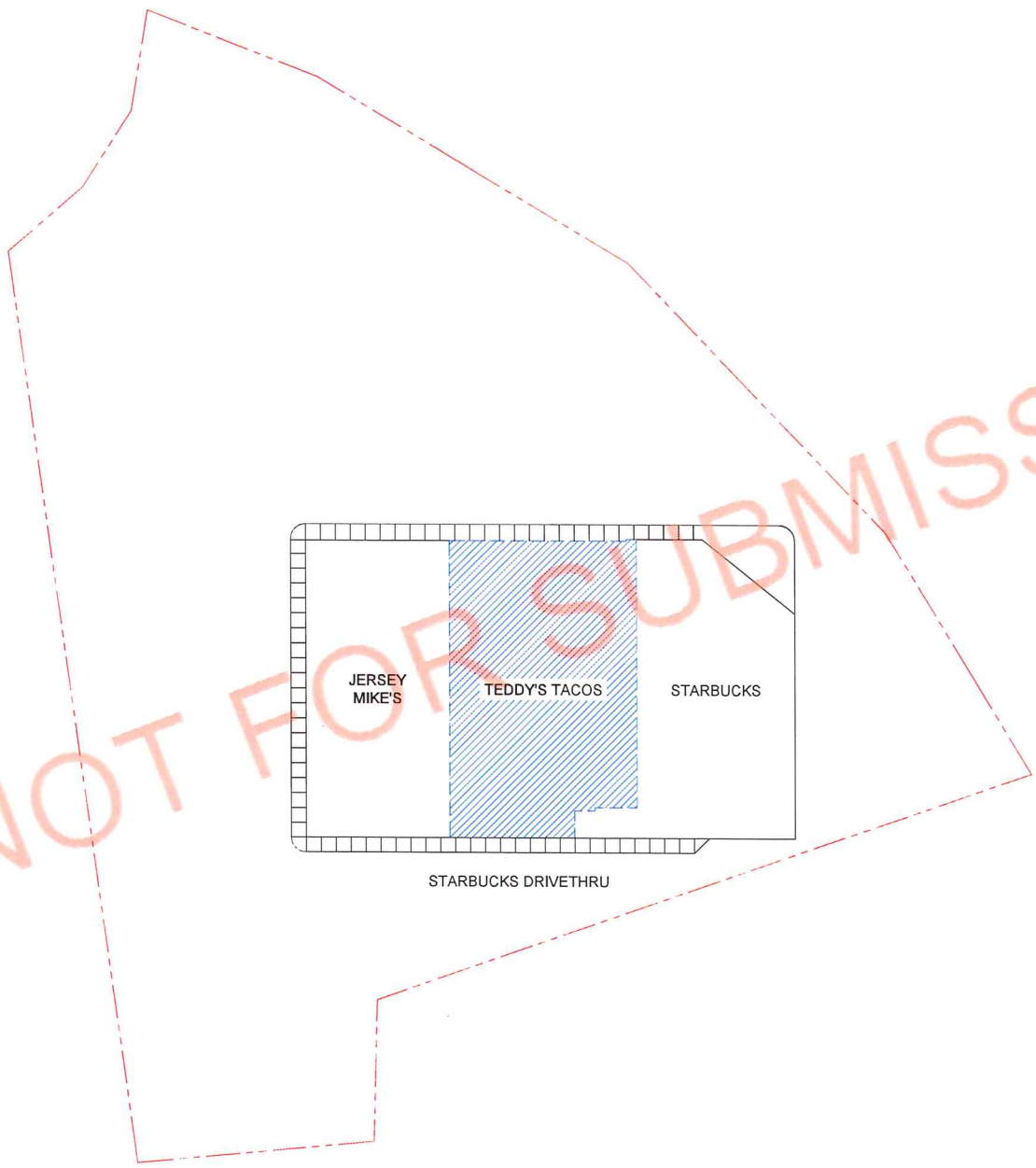
PROJECT TEAM

PROPERTY OWNER:
 NAME: TEDDY ALJUDRI
 PHONE: 818-290-2741
 ADDRESS: 13350 CROSSROADS
 PKWY
 INDUSTRY, CA 91746

APPLICANT:
 NAME: JULIAN SANZ
 PHONE: (562)310-8737
 EMAIL: JULIAN@SANZLUS

DESIGNER:
 NAME: JULIAN SANZ
 PHONE: (562)310-8737
 EMAIL: JULIAN@SANZLUS

NOT FOR SUBMISSION



**13350 CROSSROADS PKWY
 INDUSTRY, CA 91746**

PROJECT TITLE:

TEDDY'S TACOS

FILE NAME: ARCH-201 SITE
 PLAN.dwg

DRAWN BY: J.SANZ

CHECKED BY: A.LAM

DATE: Value

SCALE: 3/32" = 1'-0"

SITE PLAN


ARCH-201

EXHIBIT C

Floor Plan – CUP 19-03

[Attached]

LEGEND

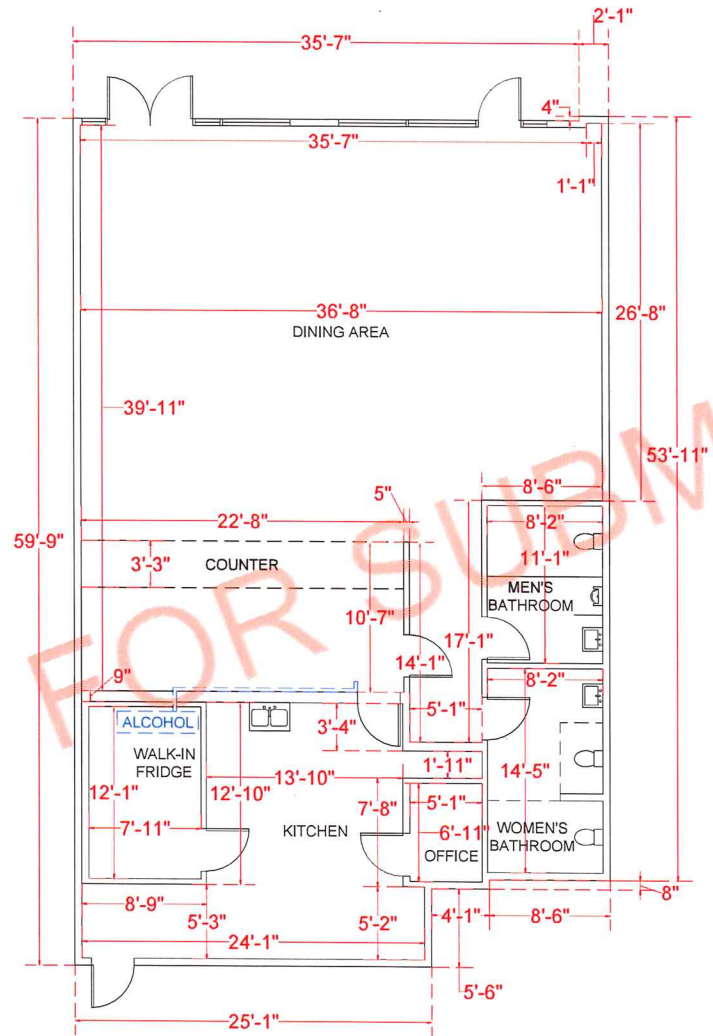
 SCOPE OF WORK

PROJECT TEAM

PROPERTY OWNER
 NAME: TEDDY ALJUDRI
 PHONE: 818-290-2741
 ADDRESS: 13350 CROSSROADS
 PKWY
 INDUSTRY, CA 91746

APPLICANT:
 NAME: JULIAN SANZ
 PHONE: (562)310-8737
 EMAIL: JULIAN@SANZ.US

DESIGNER:
 NAME: JULIAN SANZ
 PHONE: (562)310-8737
 EMAIL: JULIAN@SANZ.US



NOT FOR SUBMISSION

13350 CROSSROADS PKWY
 INDUSTRY, CA 91746

PROJECT TITLE:

TEDDY'S TACOS

FILE NAME: ARCH-301 LEVEL
 1.dwg

DRAWN BY: J.SANZ

CHECKED BY: A.LAM

DATE: Value

SCALE: #####

LEVEL 1

ARCH-301

Exhibit D

Notice of Exemption - CUP 19-03

[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: Teddy's Tacos, Conditional Use Permit 19-03

Project Location - Specific: 13350 Crossroads Parkway North

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

Description of Project: Castro Aljurdi, Inc. (DBA Teddy's Tacos), is requesting approval of Conditional Use Permit ("CUP") No. 19-03, to allow for an alcohol beverage control license (Type 41 ABC License) to serve beer and wine for on-site consumption, at an existing fast food restaurant. Teddy's Tacos is located at the Crossroads Business Park, 13350 Crossroads Parkway North

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

Name of Person or Agency Carrying Out Project: Teddy's Tacos

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) Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use.. The approval 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. (2) No expansion of square-footage or modifications to the existing restaurant are proposed as part of this Project. (3) Finally, all existing plumbing and electrical services are sufficient since no modifications or changes are proposed as part of this Project.

Lead Agency

Contact Person: Eduardo E Manriquez

Telephone: (626)333-2211

Signature: _____

Date: November 12, 2019

Title: Consultant Planning Technician

Exhibit E

Public Hearing Notice – CUP 19-03

[Attached]



CITY OF INDUSTRY

NOTICE OF PUBLIC HEARING

Conditional Use Permit No. 19-03

On November 1, 2019 notice has been given that the Planning Commission of the City of Industry will hold a public hearing to consider an application from Adriana Aljurdi on behalf of Teddy's Tacos for Conditional Use Permit No. 19-03 ("CUP No. 19-03").

Project Location: The property located at 13350 Crossroads Parkway North in the City of Industry. ("Property"); and the project site is zoned "C" Commercial.

Project Description: CUP No. 19-03 will allow an existing fast food restaurant to serve beer and wine for on-site consumption.

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: November 12, 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, City Clerk

Exhibit F

Resolution No. PC 2019-08

[Attached]

RESOLUTION NO. PC 2019-08

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF INDUSTRY, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT NO. 19-03, TO ALLOW FOR AN EXISTING FAST FOOD RESTAURANT TO SERVE BEER AND WINE LOCATED AT 13350 CROSSROADS PARKWAY NORTH, CITY OF INDUSTRY, CALIFORNIA, ADOPTING A NOTICE OF EXEMPTION REGARDING SAME, AND MAKING FINDINGS IN SUPPORT THEREOF

RECITALS

WHEREAS, on October 4, 2019 Adriana Aljurdi, representing Castro Aljurdi, Inc. (DBA Teddy's Tacos) ("Applicant"), filed a complete application requesting approval of Conditional Use Permit ("CUP") No. 19-03 described herein ("Application"); and

WHEREAS, the Application applies to an existing fast food restaurant, Teddy's Tacos, that is approximately 2,177 square feet, on an existing 0.65 acre property located at 13350 Crossroads Parkway North, City of Industry, at the Crossroads Business Park, California Assessor Parcel Number 8120-026-016 ("Property"); and

WHEREAS, In accordance with Section 17.12.025.(07) of the City's Municipal Code ("Code"), a CUP is required to serve alcohol at a fast food restaurant; 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 sales of beer and wine for on-site consumption at a fast food restaurant is commonly available in commercial centers with restaurants, and does not conflict with the established goals and objectives of the Land Use Element. The addition of on-site sales of alcoholic beverages at fast food restaurants is permitted in the "C" Commercial zone, subject to the approval of a CUP pursuant to Section 17.12.025.(07) 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) Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use. The approval 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. (2) No expansion of square-footage or modifications to the existing restaurant are proposed as

part of this Project. (3) Finally, all existing plumbing and electrical services are sufficient since no modifications or changes are proposed as part of this Project; and

WHEREAS, notice of the Planning Commission's November 12, 2019 public hearing on the approval of CUP No. 19-03 was published in the *San Gabriel Valley Tribune* on November 1, 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 November 1, 2019; and

WHEREAS, notice of the Planning Commission's November 12, 2019 public hearing on CUP No. 19-03 was also mailed to property owners within 300 feet of the Property on November 1, 2019; and

WHEREAS, on November 12, 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) Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use. The approval 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. (2) No expansion of square-footage or modifications to the existing restaurant are proposed as part of this Project. (3) Finally, all existing plumbing and electrical services are sufficient since no modifications or changes are proposed as part of this Project. Therefore, the proposal is exempt from environmental review.

SECTION 4: Based upon substantial evidence presented to the Planning Commission during the November 12, 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 the sale of alcoholic beverages for on-site consumption at fast food restaurants 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 Property is a part of the Crossroads Business Park, which is a total of 11.29 acres and was divided into 2 individual parcels with Tentative Parcel Map 346 to create two parcels of 10.64 acres and 0.65 acres for the office and retail pad respectively. In November 2012, the City Council approved Development Plan 12-7 for a new 176,900 square foot, four-story office building and freestanding retail pad for a 5,000 square foot building. The development of the Property was approved by City Council in October 2014 with Development Plan 14-8. Teddy's Tacos is located between two other fast food restaurants in a fully developed commercial structure. The addition of alcohol service does 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 two main driveway entrances that are shared with the entire Crossroads Business Park and are adequate in width and improved as necessary to carry the kind and quantity of traffic such use would generate. The existing drive aisles meet the City's minimum requirement of 26 feet in width. The Property is currently served by the 60 Freeway, Crossroads Parkway North, and Crossroads Parkway South which are of adequate capacity to serve the commercial use.

(d) A fast food restaurant with the sale of beer and wine is a compatible use with the surrounding properties and uses because the area is composed of other fast food restaurants and an office building. The addition of alcohol sales for on-site consumption at an existing fast food restaurant complements the adjacent uses and will provide a dining service for visitors of the office building and commuters traveling along the 60 Freeway. 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 addition of alcohol sales for onsite consumption at an existing fast food restaurant will also contribute to the economic viability of the Crossroads Business Park.

(e) The nature, condition and proposed development of adjacent uses, buildings and structures have been considered, and the proposed addition of alcohol sales to an for an existing fast food 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. In addition, the Applicant, existing and potential business owners and tenants, and the property owner are responsible for complying the with City Code, and the current Los Angeles County Building and the Los Angeles County Fire Codes along with the attached conditions of approval to ensure the business will operate in a manner that will minimize impacts.

SECTION 5: Based upon the foregoing findings, the Planning Commission hereby approves the Notice of Exemption, and directs Staff to file same as required by law, and approves CUP No. 19-03 to allow the Property to serve alcohol for an Alcoholic Beverage Control License (ABC) Type 41 for Beer and Wine subject to the conditions contained 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 November 12, 2019 by the following vote:

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

Michael Greubel
Chairman

ATTEST:

Julie Gutierrez-Robles, City Clerk

Attachment 1

Conditions of Approval – CUP 19-03

[Attached]



CITY OF INDUSTRY

Standard Requirements and Conditions of Approval

APPLICATION: Conditional Use Permit No. 19-03

APPLICANT: Adriana Aljurdi, representing Castro Aljurdi, Inc. DBA Teddy's Tacos

LOCATION: 13350 Crossroads Parkway North

USE: To serve , to serve beer and wine for on-site consumption at a previously approved fast food restaurant

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 business hours of 7:30 AM to 9:00 PM Monday through Friday and from 9:00 AM to 8:00 PM Saturday & Sunday.
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. No changes to the approved floor plan are permitted without prior written permission from the City in consultation with the Los Angeles County Sheriff's Department.
7. This approval shall be of no force and effect unless and until a Type 41 Beer and Wine license has been obtained from the State Department of Alcoholic Beverage Control ("ABC"). The Type 41 license shall be maintained in compliance with all ABC requirements.
8. 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.
9. All requirements of the ABC and the City shall be observed at all times and such requirements shall be a condition of approval.
10. 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. 19-03.
11. 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.
12. 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."
13. 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.
14. Alcohol service and consumption shall be limited to within the interior of the restaurant. Service of alcoholic beverages for off-site consumption shall be prohibited. No alcohol shall be available for take-out service
15. 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.

16. 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
17. The approval is for a bona fide restaurant with on-site sale of beer and wine. 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 7:30 AM to 9:00 PM Monday through Friday, from 9:00 AM to 8:00 PM Saturday & Sunday
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 CUP 19-03 within 10 days of approval. The Applicant and Property owner understand that approval of the Resolution and CUP No. 19-03 will be of no force or effect unless such written consent is submitted to the City within the stated 10-day period.

PLANNING COMMISSION

ITEM NO. 6.2



CITY OF INDUSTRY

MEMORANDUM

TO: Planning Commission

FROM: Troy Helling, City Manager *TH*

STAFF: Eduardo Manriquez, Contract Planning Technician *EM*
Nathalie Vazquez, Contract Assistant Planner II *NV*
Dina Lomeli, Contract Associate Planner *DL*

DATE: November 12, 2019

SUBJECT: Consideration of Conditional Use Permit No. 19-06 to allow for MHHY, Inc, located at 15301, 15309, & 15311 Gale Avenue, to operate a new indoor children's play facility

Proposal:

Muheng Li, representing MHHY Inc ("Applicant"), is requesting approval of Conditional Use Permit ("CUP") No. 19-06 allowing for MHHY, Inc. ("MHHY") to operate an indoor children's soft play facility which will include, but not limited to a ball pit, slides, and jungle gyms, to host events for children during business hours, and to host children's parties during business hours, at the existing commercial units known as 15301, 15309, & 15311 Gale Avenue ("Project").

The Applicant is proposing to completely demolish the interior of units 15301, 15309, & 15311, and merge them into one unit. Previously 1301-1309 Gale Avenue was a restaurant formerly known as Jurassic Restaurant, but building permit records indicate that in April of 2019 a demolition permit was pulled to demolish the interior of the restaurant to create a flat floor for a future tenant. 15311 Gale Avenue was formerly a retail clothing and accessories store that officially closed on July according to Business License records. Now the new units, once merged, will consist of a remodeled play area, waiting area, two (2) party rooms, and restrooms. The proposed indoor playground will operate during the hours of 10:00 AM to 7:00 PM, Monday through Friday, and from 10:00 AM to 8:00 PM Saturday and Sunday with approximately three employees, working every day. Pursuant to Section 17.12.025.12 of the City's Municipal Code ("Code"), a CUP is required to operate indoor children's soft play facility.

Project Background:

The U - shaped shopping center is approximately a 2.506 acre property, and is currently developed with approximately 32,614 square-feet of building area of offices, retail and restaurants with 133 parking spaces to serve the site. Among the tenants are 101 Sushi Roll and Grill, The Dragon Bakery, and Audio Xcellence. According to the Site Plan provided, there are sixteen (16) tenant spaces on the property with five (5) of these tenant spaces vacant according to Business License records.

Location and Surroundings:

As shown on the location map (Exhibit A), the project site is located within the existing shopping center North of Gale Avenue and East of Turnbull Canyon Road. The Property is bounded by Industrial zoning to the North and East, Commercial zoning to the West, and unincorporated La County residential to the South.

Staff Analysis:

The request to operate an indoor children's soft play facility in existing commercial spaces is consistent with the Zoning "C" (Commercial) and General Plan (Commercial) land use designation. There is no expansion of floor area proposed for this Project; therefore, the property currently complies with all previous entitlements. Additionally, the use at this location complies with the standards in Section 17.12.025 of the City of Industry Municipal Code.

Property

The proposed indoor children's soft play facility will be located on the west units of the shopping center closest to Gale Avenue, and will occupy three existing units, 15301, 15309, & 15311 Gale Avenue. The Applicant is proposing to merge all three units into a 6,080 square-foot indoor play facility. The proposed indoor play facility will have a target audience of families hosting a variety of games, events, and parties. The commercial use does involve an interior demolition, but will not require a Development Plan Application – Long Form (DPALP) because it does not meet the threshold of a DLALP. There will be no increased demands placed upon the existing water, gas, electricity, and sewer utilities that adequately serve the site.

Access

The Property is served by two main driveway entrances 26 feet wide, which are adequate in width and improved as necessary to carry the kind and quantity of traffic such use would generate. The existing drive aisles meet the City's minimum requirement of 26 feet in width.

Compatibility

An indoor children's soft play facility is a compatible use with the surrounding properties and uses because the area is composed of retail stores, restaurants, and offices. The proposed use will complement the shopping center and will provide a family experience for the surrounding community and the City itself. 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 indoor play facility will also contribute to the economic viability of the shopping center.

Parking

Per Section 17.36.060.K. of the Code, the existing 32,614 square foot building requires 131 parking spaces. The site exceeds this requirement by providing a total of 133 parking spaces. No expansion of the building is being proposed and the approval of this request for an indoor children's soft play facility 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) Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use. The indoor children's soft play facility, which is permitted with the approval of a CUP, is proposed within an existing commercial structure and will have minor alterations/repairs in order to be able to operate as an indoor children's play facility. (2) The project does not propose an expansion of the existing structure or alteration to the on-site parking. The Notice of Exemption (Exhibit D) will be posted at the Los

Angeles County Clerk's Office after approval by the Planning Commission.

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 November 1, 2019, pursuant to Government Code Section 65091.

Fiscal Impact:

Approving Conditional Use Permit 19-06 to allow for MHHY to operate an indoor children's soft play facility will have a positive fiscal impact to the City. By occupying previously vacant tenant spaces that brought in no revenue, clients are more likely to visit the shopping center with the addition of the indoor play facility, thereby increasing sales tax revenue.

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 2019-09 (Exhibit F) approving Conditional Use Permit 19-06, the Standard Requirements and Conditions of Approval, and notice of exemption regarding same.

Exhibits:

- A. Location Map - CUP 19-06
- B. Site Plan – CUP 19-06
- C. Floor Plan – CUP 19-06
- D. Notice of Exemption CUP 19-06
- E. Public Hearing Notice
- F. Resolution No. PC 2019-09 recommending Planning Commission approval Conditional Use Permit No. 19-06 with findings of approval, Standard Requirements and Conditions of Approval.

EXHIBIT A

Location Map – CUP 19-06

[Attached]

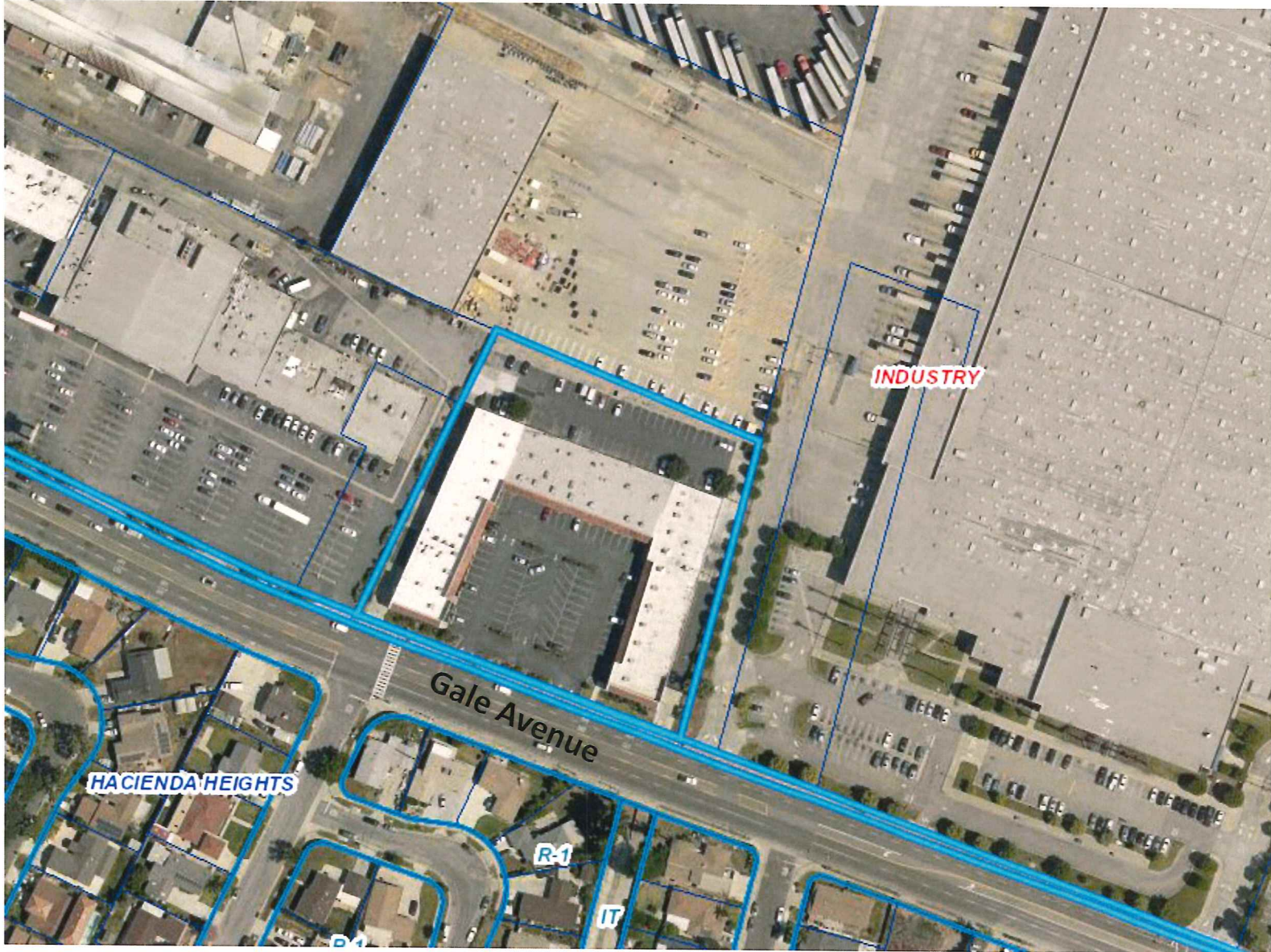


EXHIBIT B

Site Plan – CUP 19-06

[Attached]

SCOPE OF WORK:

TI TOTAL 6080 SQ.FT FOR CHILDREN PLAYGROUND,
 BUILD TWO PARTY ROOMS AND TWO ADA RESTROOMS;

LEGAL DESCRIPTION:

APN#: 8218-009-020

LOT:

BLOCK:

MAP:

SUMMARY:

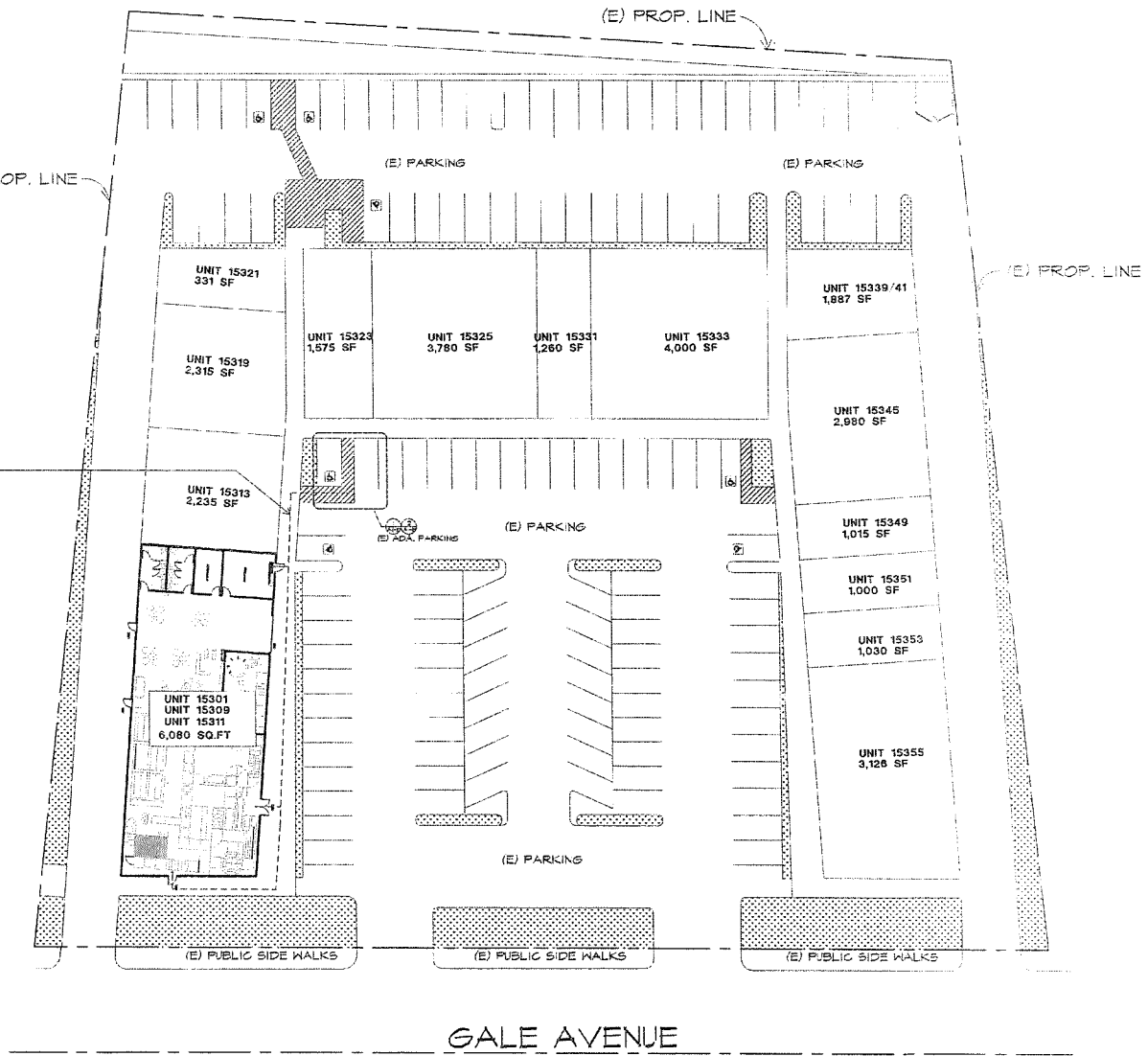
PARKING PROVIDED: 13:3

PARKING REQUIRED: 13:0

New Text

ACCESSIBLE PATH OF TRAVEL NO
 ABRUPT CHANGES IN ELEVATION
 ALONG THE PATH OF TRAVEL SHOWN
 THE SLOPE ALONG THE PATH OF
 TRAVEL SHALL NOT EXCEED 1:20
 (INSPECTOR TO VERIFY.)

1:20 MAX SLOPE IN DIRECTION OF
 TRAVEL, 1:48 MAX CROSS SLOPE,
 1:48 IN EACH DIRECTION AT DOOR
 LANDINGS, RAMP LANDINGS AND IN
 ANY CHANGE OF DIRECTION.



EXISTING SITE PLAN - UNCHANGED
 ONLY FOR REFERENCE



REVISIONS

NO.	DATE	DESCRIPTION

CENTRAL PACIFIC
 DESIGN/BUILD
 GENERAL CONTRACTORS
 VINCENT TROY 714-719-4539

15301 GALE AVE
 CITY OF HUNTERD, CA 91745

EXISTING SITE PLAN UNCHANGE
 JULY 16-19

SHEET: 2

A-1a

OF:
 15301 GALE AVE
 HUNTERD HEIGHTS, CA 91744

EXHIBIT C

Floor Plan – CUP 19-06

[Attached]

Exhibit D

Notice of Exemption - CUP 19-06

[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: MHHY, Conditional Use Permit 19-06

Project Location - Specific: 15301, 15309, & 15311 Gale Avenue

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

Description of Project: MHHY Inc., is requesting approval of Conditional Use Permit (“CUP”) No. 19-06, to operate an indoor children’s soft play facility and to merge and occupy three existing commercial units known as 15301, 15309, & 15311 Gale Avenue

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

Name of Person or Agency Carrying Out Project: MHHY Inc.

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) Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use. The indoor children’s soft play facility, which is permitted with the approval of a CUP, is proposed within an existing commercial structure and will have minor alterations/repairs in order to be able to operate as an indoor children’s play facility. (2) The project does not propose an expansion of the existing structure or alteration to the on-site parking. Therefore, the proposal is exempt from environmental review.

Lead Agency

Contact Person: Eduardo E Manriquez

Telephone: (626)333-2211

Signature: _____

Date: November 12, 2019

Title: Consultant Planning Technician

Exhibit E

Public Hearing Notice – CUP 19-06

[Attached]



CITY OF INDUSTRY

NOTICE OF PUBLIC HEARING

Conditional Use Permit No. 19-06

On November 1, 2019 notice has been given that the Planning Commission of the City of Industry will hold a public hearing to consider an application from Muheng Li on behalf of MHHY Inc. for Conditional Use Permit No. 19-06 ("CUP No. 19-06").

Project Location: The property located at 15301, 15309, & 15311 Gale Avenue in the City of Industry. ("Property"); and the project site is zoned "C" Commercial.

Project Description: CUP No. 19-06 will establish a new indoor children's play facility and merge all three units into a 6,080 square-foot commercial unit.

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: November 12, 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, City Clerk

Exhibit F

Resolution No. PC 2019-09

[Attached]

RESOLUTION NO. PC 2019-09

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF INDUSTRY, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT NO. 19-06, TO ALLOW THE OPERATION OF A NEW INDOOR CHILDREN'S SOFT PLAY FACILITY LOCATED AT 15301, 15309, & 15311 GALE AVENUE, CITY OF INDUSTRY, CALIFORNIA, ADOPTING A NOTICE OF EXEMPTION REGARDING SAME, AND MAKING FINDINGS IN SUPPORT THEREOF

RECITALS

WHEREAS, on August 28, 2019 Muheng Li, representing MHHY, Inc ("Applicant"), filed a complete application requesting approval of Conditional Use Permit ("CUP") No. 19-06 described herein ("Application"); and

WHEREAS, the Application applies to three existing vacant commercial units that will be combined into a 6,080 square-foot indoor children's play facility, on an existing 2.5 acre property located at 15301, 15309, and 15311 Gale Avenue, City of Industry, California, Assessor Parcel Number 8218-009-020 ("Property"); and

WHEREAS, in accordance with Section 17.12.025.12 of the City's Municipal Code ("Code"), a CUP is required for the operation of an indoor children's play facility; 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 use will provide a family experience that will be compatible with, and complimentary to the existing commercial uses in the commercial center where located, and does not conflict with the established goals and objectives of the Land Use Element. Indoor children's play facilities which will include, but not limited to a ball pit, slides, and jungle gyms, to host events for children during business hours, and to host children's parties during business hours are permitted in the "C" Commercial zone, subject to the approval of a CUP pursuant to Section 17.12.025.12 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) Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use. The indoor children's soft play facility, which is permitted with the approval of a CUP, is proposed within an existing commercial structure and will have minor alterations/repairs in order to be able to operate as an indoor

children's play facility. (2) The project does not propose an expansion of the existing structure or alteration to the on-site parking; and

WHEREAS, notice of the Planning Commission's November 12, 2019 public hearing on CUP No. 19-06 was published in the *San Gabriel Valley Tribune* on November 1, 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 November 1, 2019; and

WHEREAS, notice of the Planning Commission's November 12, 2019 public hearing on CUP No. 19-06 was also mailed to property owners within 300 feet of the Property on November 1, 2019

WHEREAS, on November 12, 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) Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use. The indoor children's soft play facility, which is permitted with the approval of a CUP, is proposed within an existing commercial structure and will have minor alterations/repairs in order to be able to operate as an indoor children's play facility. (2) The project does not propose an expansion of the existing structure or alteration to the on-site parking. Therefore, the proposal is exempt from environmental review.

SECTION 4: Based upon substantial evidence presented to the Planning Commission during the November 12, 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, and any applicable redevelopment plan. The General Plan designates the site as Commercial, which allows for entertainment uses. The Zoning Ordinance, which implements the General Plan, allows for an indoor children's soft play facility 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 proposed use and there will be adequate utilities to accommodate the proposed use. The indoor children's soft play facility is located in the west units of the shopping center closest to Gale Avenue, and will occupy three existing units, 15301, 15309, and 15311 Gale Avenue, no expansion of the existing building is necessary to accommodate the proposed use. The applicant is proposing to merge all three units into a 6,080 square-foot indoor play facility that would require a total of 25 parking spaces for the intended use. The commercial use does involve an interior demolition, but will not require a Development Plan Application – Long Form (DPALP) because it does not meet the threshold of a DPALP. There will be no increased demands placed upon the existing water, gas, electricity, and sewer utilities that adequately serve the site.

(c) There will be adequate street access, traffic circulation and parking capacity for the proposed use. The Property is served by two main driveway entrances which are each 26 feet wide, and adequate in width and improved as necessary to carry the kind and quantity of traffic such use would generate. The existing drive aisles meet the City's minimum requirement of 26 feet in width. The existing 32,614 square foot building requires 131 parking spaces. The site exceeds this requirement by providing a total of 133 parking spaces.

(d) The proposed use is compatible with the surrounding properties and uses. An indoor children's soft play facility is a compatible use with the surrounding properties and uses because the area is composed of retail stores, restaurants, and offices. The proposed use will complement the shopping center and will provide a family experience for the surrounding community and the City itself. 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 indoor play facility will also contribute to the economic viability of the shopping center.

(e) The proposed use of an indoor children's soft play facility will not be detrimental to the public health, safety, or general welfare because the Applicant, existing and potential business owners and tenants, and the property owner are responsible for complying the with City Code, and the current Los Angeles County

Building and the Los Angeles County Fire Codes along with the attached conditions of approval to ensure the business will operate in a manner that will minimize impacts.

SECTION 5: Based upon the foregoing findings, the Planning Commission hereby approves the Notice of Exemption, and directs Staff to file same as required by law, and approves CUP No. 19-06 to allow the Property to be used as an indoor children's soft play facility, subject to the conditions contained 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 November 12, 2019 by the following vote:

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

Michael Greubel
Chairman

ATTEST:

Julie Gutierrez-Robles, City Clerk

Attachment 1

Conditions of Approval – CUP 19-06

[Attached]



CITY OF INDUSTRY

Standard Requirements and Conditions of Approval

APPLICATION: Conditional Use Permit No. 19-06
APPLICANT: Muheng Li, representing MHHY, Inc
LOCATION: 15301, 15309, & 15311 Gale Avenue
USE: Indoor children's soft play facility

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 applicable to the approved use.
2. The Applicant shall only operate an indoor children's soft play facility, and no other use. This shall include allowing children accompanied by an adult to play at the facility, to host events for children during business hours, and to host children's parties during business hours.
3. Each minor at the facility shall be accompanied by an adult who must remain in the building at all times until the child departs the building.
4. The party rooms shall not be equipped with doors or with permanent or temporary room dividers.
5. The party rooms shall be illuminated to allow full view from the common areas during operating hours.
6. The Property is subject to inspection by the City's Planning Department to ensure compliance with all approved conditions of approval and requirements.

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 Property 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 Applicant 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 10:00 AM to 7:00 PM, Monday through Friday, and from 10:00 AM to 8:00 PM Saturday and Sunday.
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. Applicant 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 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 CUP 19-06 within 10 days of approval. The Applicant and Property owner understand that approval of the Resolution

and CUP No. 19-06 will be of no force or effect unless such written consent is submitted to the City within the stated 10-day period.