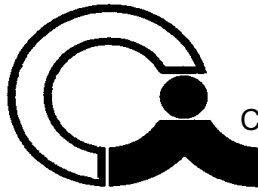

PLANNING COMMISSION

CITY OF INDUSTRY

REGULAR MEETING AGENDA
JUNE 11, 2015 8:00 A.M.



CHAIRMAN - VACANT
VICE CHAIRMAN MARK RADECKI
COMMISSIONER FRANK CONTRERAS
COMMISSIONER BERT SPIVEY
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 Friday 9:00 a.m. to 5:00 p.m. Any person with a question concerning any agenda item may call the City Clerk's Office at (626) 333-2211.*

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

5. Consideration of the minutes of the April 9, 2015 regular meeting.

RECOMMENDED ACTION: Approve as submitted.

6. **PUBLIC HEARING**

- 6.1 Public Hearing regarding Conditional Use Permit No. 15-3, submitted by Chubby Cheek Café to establish alcohol service at an existing fast-food restaurant with children's play area located at 18021 Gale Avenue.

Consideration of Resolution No. PC 2015-07 - A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF INDUSTRY, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT NO. 15-3 TO ALLOW THE SERVICE OF ALCOHOLIC BEVERAGES IN THE EXISTING CHUBBY CHEEK CAFÉ, LOCATED AT 18021 GALE AVENUE, WITHIN A "C" – COMMERCIAL ZONE, AND MAKING FINDINGS IN SUPPORT THEREOF.

RECOMMENDED ACTION: Adopt Resolution No. PC 2015-07.

7. Adjournment. Next regular meeting: Thursday, July 9, 2015 at 8:00 a.m.

PLANNING COMMISSION

ITEM NO. 5

PLANNING COMMISSION REGULAR MEETING MINUTES
CITY OF INDUSTRY, CALIFORNIA
APRIL 9, 2015
PAGE 1

CALL TO ORDER

The Regular Meeting of the Planning Commission of the City of Industry, California, was called to order by Vice Chairman Mark Radecki at 8:00 a.m. in the City of Industry Council Chamber, 15651 East Stafford Street, City of Industry, California.

FLAG SALUTE

The flag salute was led by Vice Chairman Mark Radecki

ROLL CALL:

PRESENT: Mark Radecki, Vice Chairman
Bert Spivey
Frank Contreras
Andria Welch

STAFF PRESENT: Kevin Radecki, City Manager; Michele Vadon, City Attorney; Brian James, Planning Director; and Cecelia Dunlap, Secretary.

PUBLIC COMMENTS

There were no public comments.

PUBLIC HEARING REGARDING CONDITIONAL USE PERMIT 14-11 SUBMITTED BY VERIZON WIRELESS TO ESTABLISH AND OPERATE A 60 FOOT TALL WIRELESS TELECOMMUNICATIONS FACILITY LOCATED AT 17766 ROWLAND STREET

MOTION BY COMMISSIONER CONTRERAS, AND SECOND BY COMMISSIONER SPIVEY TO OPEN THE PUBLIC HEARING. MOTION CARRIED 4-0.

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

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

MOTION BY COMMISSIONER WELCH, AND SECOND BY COMMISSIONER CONTRERAS TO CLOSE THE PUBLIC HEARING. MOTION CARRIED 4-0.

PLANNING COMMISSION REGULAR MEETING MINUTES
CITY OF INDUSTRY, CALIFORNIA
APRIL 9, 2015
PAGE 2

CONSIDERATION OF RESOLUTION NO. PC 2015-03 - A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF INDUSTRY, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT NO. 14-11 TO ALLOW THE ESTABLISHMENT AND OPERATION OF A 60 FOOT TALL WIRELESS TELECOMMUNICATIONS FACILITY LOCATED AT 17766 ROWLAND AVENUE WITHIN THE "I" – INDUSTRIAL ZONE, AND MAKING FINDINGS IN SUPPORT THEREOF

MOTION BY COMMISSIONER WELCH, AND SECOND BY COMMISSIONER SPIVEY TO APPROVE RESOLUTION NO. PC 2015-03. MOTION CARRIED 4-0.

PUBLIC HEARING REGARDING CONDITIONAL USE PERMIT 15-1 SUBMITTED BY VERIZON WIRELESS TO ESTABLISH AND OPERATE A 60 FOOT TALL WIRELESS TELECOMMUNICATIONS FACILITY LOCATED AT 253 VINELAND AVENUE

MOTION BY COMMISSIONER SPIVEY, AND SECOND BY COMMISSIONER CONTRERAS TO OPEN THE PUBLIC HEARING. MOTION CARRIED 4-0.

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

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

MOTION BY COMMISSIONER CONTRERAS, AND SECOND BY COMMISSIONER SPIVEY TO CLOSE THE PUBLIC HEARING. MOTION CARRIED 4-0.

CONSIDERATION OF RESOLUTION NO. PC 2015-04 - A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF INDUSTRY, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT NO. 15-01 TO ALLOW THE ESTABLISHMENT AND OPERATION OF A 60 FOOT TALL WIRELESS TELECOMMUNICATIONS FACILITY LOCATED AT 253 VINELAND AVENUE WITHIN THE "I" – INDUSTRIAL ZONE, AND MAKING FINDINGS IN SUPPORT THEREOF

MOTION BY COMMISSIONER SPIVEY, AND SECOND BY COMMISSIONER WELCH TO APPROVE RESOLUTION NO. PC 2015-04. MOTION CARRIED 4-0.

ADJOURNMENT

There being no further business, the Planning Commission adjourned in the memory of Manuel Perez.

PLANNING COMMISSION REGULAR MEETING MINUTES
CITY OF INDUSTRY, CALIFORNIA
APRIL 9, 2015
PAGE 3

MARK RADECKI, VICE CHAIRMAN

CECELIA DUNLAP, SECRETARY

PLANNING COMMISSION

ITEM NO. 6.1



CITY OF INDUSTRY

P.O. Box 3366 • 15625 E. Stafford St. • City of Industry, CA 91744-0366 • (626) 333-2211 • FAX (626) 961-6795

MEMORANDUM

To: Planning Commission

June 4, 2015

From: Troy Helling

Subject: Conditional Use Permit 15-3 – Chubby Cheek Cafe

Proposal

Section 17.12.025 of the Municipal Code requires approval of a Conditional Use Permit (CUP) by the Planning Commission to establish alcohol service. This application (Attachment 1) is to establish alcohol service at Chubby Cheek Cafe, an existing 3,740 square foot fast-food restaurant. The business operates between the hours of 11:00 AM and 10:00 PM Tuesday thru Sunday and employs ten persons. In 2013, the applicant previously received approval from the Planning Commission for CUP 12-6 for a fast-food restaurant with a children's indoor playground area.

As shown in the attached site plan (Attachment 2), Chubby Cheek Café is located within a 3,740 square foot commercial suite at 18021 Gale Avenue, within the existing Plaza at Puente Hills shopping center. As shown in the attached floor plans (Attachment 3), the facility includes a kitchen, indoor playground area, eating area, cake room, and restrooms.

Location and Surroundings

As shown on the attached location map (Attachment 4), the proposed restaurant is located at 18021 Gale Avenue, within the 444,564 square foot Plaza at Puente Hills shopping center, which is located north of the Pomona Freeway (SR-60) and Gale Avenue and west of Fullerton Road.

The project is surrounded on the east and west by commercial developments, on the north by railroad tracks with industrial development beyond, and on the south by Gale Avenue with the 60 freeway beyond.

Staff Analysis

The proposal to add alcohol service to an existing restaurant is consistent with the Zoning ("C" – Commercial) and General Plan (Commercial) designations of the site and complies with the standards in Sections 17.12, *Commercial Zone*, of the Industry Municipal Code.

Alcohol Service

The addition of alcohol service at the existing restaurant, which closes at 10:00 PM, does not over-saturate the center with alcohol-related uses and is not a bar that could result in additional calls for law enforcement services.

Cubby Cheek Café has complied with the approved conditions of approval for CUP 12-6 and has not had any code violations or law enforcement issues since they have been operational. The City has also approved alcohol at similar uses in the city such as Round One and Lost

Worlds Laser Tag.

Parking

The fast-food restaurant use is parked at the rate of one space per 250 square feet and requires 15 parking spaces. The addition of alcohol service does not result in the need for additional parking spaces.

Environmental Analysis

The proposed project is exempt from the California Environmental Quality Act (CEQA) per Section 15301, which exempts the operation of existing uses when there is little or no expansion of the use. Fast-food restaurants are considered ministerial projects in City of Industry and have the same parking requirement as retail uses. The CUP is required for the sale of alcohol service and there will be no modifications to the existing restaurant that would intensify the existing use. The Notice of Exemption (Attachment 5) will be posted at the Los Angeles County Clerk's Office after approval by the Planning Commission.

Public Hearing

The required public hearing notice (Attachment 6) 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 Tribune by May 29, 2015.

Recommendation

Because the proposed use complies with the use standards of the Municipal Code and satisfies the findings in the Resolution, Staff recommends that the Planning Commission:

1. Approve Resolution No. PC 2015-07 with the findings for approval and Standard Requirements and Conditions of Approval contained in the Resolution. (Attachment 7).

Attachments

- Attachment 1: Application
- Attachment 2: Site Plan
- Attachment 3: Floor Plan
- Attachment 4: Location Map
- Attachment 5: Notice of Exception
- Attachment 6: Public Hearing Notice
- Attachment 7: Resolution No. PC 2015-07 approving Conditional Use Permit No. 15-3 with findings of approval and Standard Requirements and Conditions of Approval

Attachment 1

Application



CITY OF INDUSTRY

15625 East Stafford Street • Suite 101 • City of Industry • CA • 91744
Phone: (626) 333-2211 • Fax: (626) 961-6795
www.cityofindustry.org

**CONDITIONAL
USE PERMIT
APPLICATION**

It is the business owner's responsibility to complete this application and checklist and notify the City of Industry Planning Department immediately if there are any changes to the business entity which differs from the information provided on this application.

PROPOSAL

Location Address: 18021 E GALE AVE, CITY OF INDUSTRY CA 91748
Street City Zip + 4

Describe in detail the type of business to be conducted and the daily operations of the business.
Pursuant to the City of Industry Municipal Code, herein is a request of a conditional use permit for retail sales and on-site consumption of beer and wine for an existing 3,740 sqft bona-fide fast food restaurant on a 7.537 acre multi-tenant commercial site.

Days of operation: Tuesdays to Sundays closed Mondays Business Hours: Tuesdays to Sundays, 11:00 am to 9:00 pm, Fridays and Saturdays, 11:00 am to 10:00 pm Number of Employees 10

APPLICANT INFORMATION

Applicant: Thomas Tam Title: CFO, CTEL Group LLC Phone: (626) 864-4866 Email: thomas@chubbcheekcafe.com
Address: 18021 E GALE AVE, CITY OF INDUSTRY CA 91748
Street City Zip + 4

BUSINESS INFORMATION

Business Name (DBA): Chubby Cheek Cafe
Corporation Name: CTEL Group LLC
Mailing Address (if different then location address): 18021 E GALE AVE, CITY OF INDUSTRY CA 91748
Street City State Zip + 4
Phone: (626) 864-4866 Fax: (323) 246-4007 E-mail Address: stanleyszeto@sbcglobal.net
Business Owner Contact (if different than applicant): Stan Szeto Phone: (626) 512-5050

PROPERTY OWNER INFORMATION (MUST COMPLETE AND NOTARIZE THE PROPERTY OWNER CONSENT AFFIDAVIT)

Property Owner: JSL PLAZA PUENTE HILLS LLC Phone: _____
Address: 1014 S GLENDORA AVE, WEST COVINA CA 91790-4920
Street City Zip + 4

BUSINESS OWNER DECLARATION

I declare that the statements and information contained in this application are true and correct to the best of my knowledge and belief. I agree to conform with all requirements of zone, building, fire and all other applicable laws, ordinances and regulations pertaining to the operations of such business. Furthermore, I agree to notify the City of Industry Planning Department within ten (10) days of any change in the facts stated herein.

Name (print or type): Thomas Tam Signature: [Signature] Date: 2/10/15

SUBMITTAL CHECKLIST – MAKE SURE THE BELOW ITEMS ARE COMPLETE BEFORE SUBMITTING APPLICATION FOR APPROVAL

- Verify use is permitted (contact Planning Department at 626-333-2211)
- Obtain approval on Supplement a Form from LA County Fire Department
- Obtain approval on Refuse Application Form from Valle Vista Services
- Understand and accept standard conditions of approval (IMC Section 17.44.030)
- Provide Floor and Site Plan
- Provide copy of Owner's Affidavit
- Complete IMC Information Sheet
- Complete Solid Waste Generator (Form 104)

Under federal and state law, compliance with disability access laws is a serious and significant responsibility that applies to all California building owners and tenants with buildings open to the public. You may obtain information about your legal obligations and how to comply with disability access laws at the following agencies:

The Division of the State Architect at www.dgs.ca.gov/dsa/Home.aspx
The Department of Rehabilitation at www.rehab.ca.gov/net.gov
The California Commission on Disability Access at www.cdda.ca.gov.

To Be Completed By City Staff

Conditional Use Permit No. _____ Filing Date: _____ Accepted by: _____
Date Deemed Complete: _____ Date Approved: _____ Zoning/GP Designation: _____
Fees: Filing Fee _____ Environmental Fee Deposit _____ CA Dept Fish and Game Fee _____



CITY OF INDUSTRY

15825 East Stafford Street Suite 101 City of Industry CA 91744
(626) 333-2211 FAX (626) 961-6795
www.cityofindustry.org
planning@cityofindustry.org

**PROPERTY OWNER
CONSENT AFFIDAVIT FOR
CONDITIONAL USE PERMIT
APPLICATION**

****THIS FORM MUST BE NOTARIZED****

BUSINESS DESCRIPTION EXISTING 3,740 SQFT FAST FOOD RESTAURANT

BUSINESS LOCATION 18021 E GALE AVE, CITY OF INDUSTRY CA 91748

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS DATE:
CITY OF INDUSTRY)

I/We, JSL PLAZA PUENTE HILLS LLC, _____, the **OWNER(s)** of the Real Property Involved in this application, do hereby consent to the filing of this application. I/We do hereby appoint the following person(s) as my agent(s) to act on my behalf on the foregoing application:

OWNER'S AGENT: Dora Hernandez Phone No. (310) 902-6485
(e.g. Property Manager) (Printed Name of Agent)

Address of Owner's Agent: _____
(Number) (Street) (City) (State) (Zip)

OWNER: JSL PLAZA PUENTE HILLS LLC **OWNER:** _____
(Signature) (Signature)

Address: 1014 S GLENDORA AVE **Address:** _____
(Number) (Street) (Number) (Street)
WEST COVINA CA 91790-4920
(City) (State) (Zip) (City) (State) (Zip)

NOTE: A NOTARIZED OWNER'S AFFIDAVIT IS REQUIRED AS PARTY OF ALL APPLICATIONS. IF OWNERSHIP IS HELD OTHER THAN BY AN INDIVIDUAL, PROOF, IN THE FORM OF A SPECIAL POWER OF ATTORNEY, AUTHORIZED CORPORATE RESOLUTION, PARTNERSHIP AGREEMENT OR OTHER ACCEPTABLE DOCUMENT(S) SHALL BE SUBMITTED TO THE CITY ALONG WITH THE NOTARIZED SIGNATURES OF THOSE OFFICERS AUTHORIZED TO SIGN ON BEHALF OF THE CORPORATION OR PARTNERSHIP. PLEASE NOTE THAT OUR APPLICATION MAY NOT BE DETERMINED TO BE COMPLETE UNLESS AND UNTIL OWNERSHIP CAN BE VERIFIED.

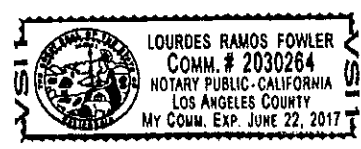
FOR NOTARY USE ONLY

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES)

Subscribed and sworn to (or affirmed) before me this 4 day of FEBRUARY 2015
by Dora Hernandez by Dora Hernandez
(Printed Name of Owner As Signed Above) (Printed Name of Owner As Signed Above)

proved to me on the basis of satisfactory evidence to be the person(s) who appeared to me.

Loures R. Fowler SEAL
NOTARY PUBLIC





**CITY OF INDUSTRY
USE PERMIT
SUPPLEMENT A**

Before any application for a can be accepted as complete, the applicant must obtain a Fire Department stamp of approval on this form. In order to obtain approval, the applicant must submit a **COMPLETED** application to the LOS ANGELES COUNTY FIRE PREVENTION DIVISION located at:

15660 E. STAFFORD STREET
CITY OF INDUSTRY, CA 91744
Phone: (626) 336-6950

The Fire Prevention Bureau has reviewed the application for CHUBBY CHEEKS CAFE
proposed at 18021 E. GALE AVE, CITY OF INDUSTRY, CA 91748 City of Industry.
street zip code

OFFICE USE ONLY

Recommendation is:

- APPROVAL - The proposed use and building meets Fire Prevention requirements.
- DENIAL - The proposed use and/or building failed the minimum Fire Prevention requirements.

Comments:

- Provide U.L. approved, fire extinguisher(s) - minimum rating: 2A10BC
within 75 feet travel distance.
- Sprinkler system shall be monitored by a fire alarm company (1.00 sprinkler heads or more).
- Provide a 5-year certification test on the sprinkler system.
- Contact the Fire Department within 2 weeks after occupancy for field inspection.
_____ occupancy only.

File for the following permits:

- Flammable Liquids Storage or Use
- High-pile Stock. Commodity classification
- Other place of assembly
- Do not occupy building until all Fire Department requirements are met.

Fire Department Stamp

COUNTY OF LOS ANGELES
FIRE DEPARTMENT
FIRE PREVENTION DIVISION
APPROVED

By: E Date: 3-10-15

- Subject to field inspection approval
- Subject to conditions on plans
- Subject to compliance with correction sheet requirements

The stamping of this plan and specification SHALL NOT be held to permit or to be an approval of the violation of any provisions of any County/City Ordinance or State Law.

Checklist (completed by applicant)

- | | |
|--|--|
| <input type="checkbox"/> Complete Statement of Intended Use | <input type="checkbox"/> Complete Hazardous Materials Declaration |
| <input type="checkbox"/> Complete Fire Extinguisher Requirements | <input type="checkbox"/> Complete High-Piled Combustible Storage Declaration |
| <input type="checkbox"/> Complete Occupant Emergency Information Form | <input type="checkbox"/> Include Floor and Site Plan |
| <input type="checkbox"/> Provide Statement of Intended Use Letter signed by Business | <input type="checkbox"/> Obtain stamp on Use Permit Supplement A |
| <input type="checkbox"/> Owner or Authorized Agent | |

Environmental Information Form

The Environmental Information Form is intended to provide the basic information necessary for the evaluation of your project to determine its potential environmental impacts. This review provides the basis for determining whether the project may have a significant impact on the environment, as required by state law, or more specifically, the California Environmental Quality Act (CEQA). After this information has been evaluated by the Planning Department, a determination will be made regarding the appropriate environmental documentation for your project, in accordance with the CEQA Guidelines.

If no significant environmental impacts are anticipated, or if impacts can be mitigated or avoided by a change or specific requirement in the project's design or operation, a Negative Declaration or Mitigated Negative Declaration will be prepared. If potential significant environmental impacts are identified, an Environmental Impact Report must be prepared, which focuses on the areas of concern identified by the Initial Study.

The City of Industry, as Lead Agency, is required to comply with CEQA. In order to assist us in completing this required environmental review, please provide us with the information outlined below. Please note that upon review of the submitted information, City staff may request additional supporting documentation to assist in the environmental analysis of your project to ensure compliance with CEQA.

This Environmental Information Form works in concert with the other applications. Both need to be completed in order for your application to be accepted as complete. If you need assistance in completing the Environmental Information Form, or have questions regarding the environmental review procedures, please contact the Planning Department at (626) 333-2211.

General Information

1. Name developer, agent, or project sponsor: Thomas Tam Phone Number: (626) 512-5050
 Address: 18021 E GALE AVE, CITY OF INDUSTRY CA 91748

Street
City
Zip
2. Project name: Chubby Cheeks Cafe Assessor's Parcel Number: 5782-013-012
 Address: 18021 E GALE AVE, CITY OF INDUSTRY CA 91748

Street
Zip

Environmental Setting (Attach additional sheets and photos as necessary)

1. Describe the project site as it exists before the project, including information on topography, soil stability, plants and animals, and any cultural, historical, or scenic aspects:

The proposed project is a conditional use permit for retail sales on-site consumption of beer and wine for an existing 3,740 sqft bona-fide fast food restaurant on a 7.537 acre multi-tenant commercial site.

The commercial site is flat and there are no known plants, animals, cultural, historical, or scenic aspects that have existed before the project.

2. Provide photographs of the site and describe any existing structures onsite and the use of the structures:

Multi -tenant commercial buildings on a 7.537 flat commercial site.

3. Describe the surrounding properties (north, east, south, and west of the project site), including information on plants and animals and any cultural, historical, or scenic aspects. Indicate the type of land use (industrial, commercial, etc.), intensity of land use (warehousing, shops, department stores, etc.), and scale of development (height, frontage, setback, rear yard, etc.):

NORTH-Rail R.O.W.

EAST-Commercial

SOUTH-Freeway

WEST-Commercial

4. Provide photographs of the surrounding uses and adjoining properties.

Project Description (attach additional sheets as necessary)

1. List and describe any other permits and approvals required for project implementation, including those required by local, regional, state, and/or federal agencies:

Type 41 License (Beer and Wine for Public Eating Places) from the California Department of Alcoholic Beverage Control (ABC)

2. List any other development proposals associated with the project and its relationship to a larger project or series of projects, if any:

N/A

3. Demolition proposed: No: X Yes: _____ Square feet: N/A

4. Tentative development schedule including start and completion dates, and phasing if proposed:

As soon as Entitlements are secured

5. If commercial or office, indicate the type, whether neighborhood, city or regionally oriented, square footage, anticipated hours of operation, estimated employees per shift and number of shifts, and location of loading facilities and anticipated hours of loading/delivery operations:

Existing 3,740 sqft bona-fide fast food restaurant with the hours of operation of:

Tuesdays to Sundays, closed Mondays

Tuesdays to Sundays, 11:00 am to 9:00 pm, Fridays and Saturdays, 11:00 am to 10:00 pm

6. If industrial, manufacturing or warehouse, indicate the type and major function, square footage, anticipated hours of operation, estimated employees per shift and number of shifts, and location of loading facilities and anticipated hours of loading/delivery operations:

N/A

7. If institutional, indicate the type and major function, square footage, anticipated hours of operation, estimated employees per shift and number of shifts, location of loading facilities and anticipated hours of loading/delivery operations, and community benefits to be derived from project:

N/A

8. If the project involves an exception, conditional use permit, or re-zoning application, state this and indicate clearly why the application is required:

The City of Industry requires a conditional use permit for the sales of alcoholic beverages

Potential Environmental Impacts

If any of the following items are applicable to your project please discuss (use a separate sheet as necessary).

- | | Yes | No |
|---|-----|----|
| 1. Change in existing features of any drainage ways or hills, or substantial alteration of any ground contours. | | |
| 2. Change in scenic views or vistas from existing residential areas or public lands or roads. | | |
| 3. Change in pattern, scale, or character of the general area of the project. | | |
| 4. Result in significant amounts of solid waste or debris. | | |
| 5. Change in or introduction of air emissions (e.g., dust, ash, smoke, fumes) or odors in the vicinity during grading and/or construction phases. | | |
| 6. Change in surface water (e.g., channel, stream) or ground water quality or quantity. | | |
| 7. Substantial alteration of existing drainage patterns that could lead to flooding on- or offsite. | | |
| 8. Substantial change in noise or vibration levels in the project vicinity during grading and/or construction phases. | | |
| 9. Substantial change in traffic patterns and circulation in the project vicinity. | | |
| 10. Substantial change in topography of project site and/or vicinity. | | |
| 11. Site located on filled land or on slopes of 10 percent or more. | | |
| 12. Use or disposal of potentially hazardous materials, such as toxic substances, flammables, or explosives. | | |
| 13. Substantial change in demand for public services and utilities and service systems (police, fire, water, wastewater, solid waste, electricity, gas, etc.) | | |
| 14. Substantial increase in fossil fuel consumption (electricity, oil, natural gas, etc.) | | |

What studies have been prepared for this site that might assist the City in reviewing the potential environmental impacts of the project? Some examples of such studies include environmental site assessment, soils and geology study, biological resources study, cultural resources study, hydrology study, etc. These studies may have been prepared for this project or some earlier development project. Supporting documentation or studies may answer questions and facilitate the processing of your application.

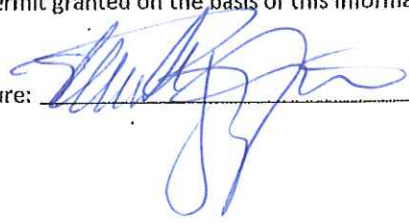
Certification

I am the legal owner of the property that is the subject of this application or have been authorized by the owner to act on his/her behalf regarding this application. I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief. I further acknowledge that any false statements or information presented herein may result in the revocation of any approval or permit granted on the basis of this information.

Stanley Szeto

Name of preparer: _____

Preparer's signature: _____



Date: 3/18/15

Attachment 2

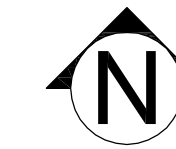
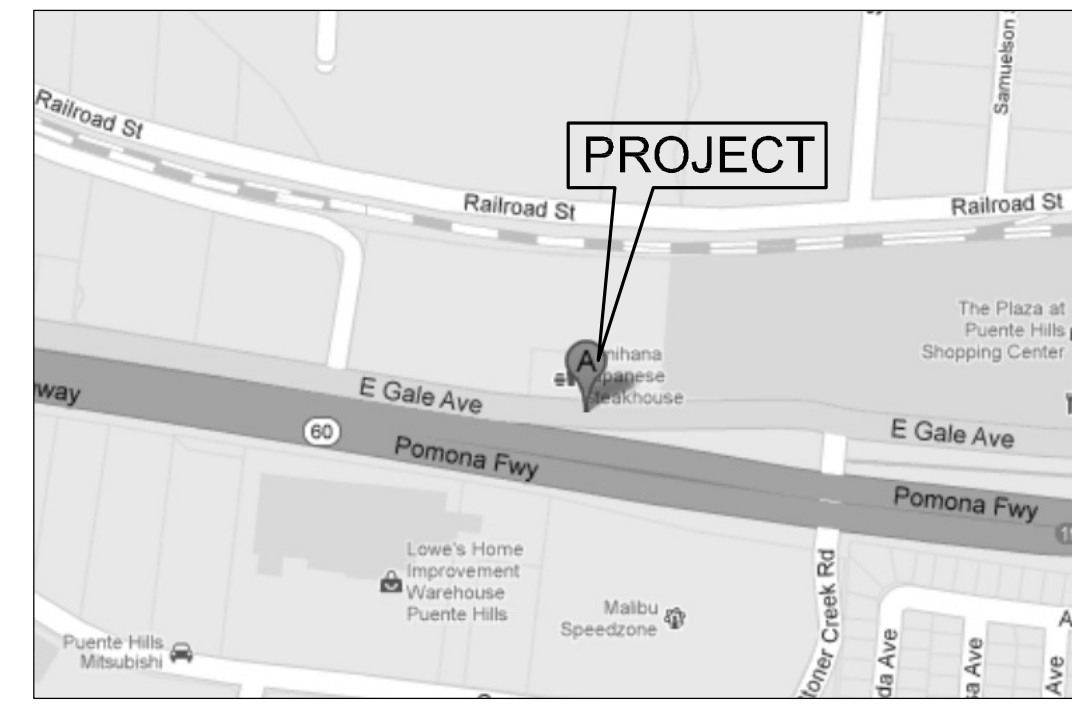
Site Plan

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CHUBBY CHEEK CAFE

(CUP FOR BEER AND WINE APPLICATION)

18021 E. GALE AVE., INDUSTRY, CA 91748



SCOPE OF WORKS: TENANT IMPROVEMENT FOR FASTFOOD
- CUP FOR BEER AND WINE APPLICATION

TOTAL AREA: 3,740 S.F.

TYPE OF OCCUPANCY: A-2

TYPE OF CONSTRUCTION: V-B (FIRE SPRINKLERED)

BUILDING STORIES: 1

EXISTING HVAC SYSTEM TO REMAIN; LOADS WILL NOT BE ALTERED

VICINITY MAP

SCALE N.T.S. 5

PROJECT SUMMARY

SCALE N.T.S. 3

A-0 TITLE SHEET (SITE PLAN / VICINITY MAP / PROJECT SUMMARY/ EQ. SCHEDULE)
A-1 FLOOR PLAN & DOOR SCHEDULE

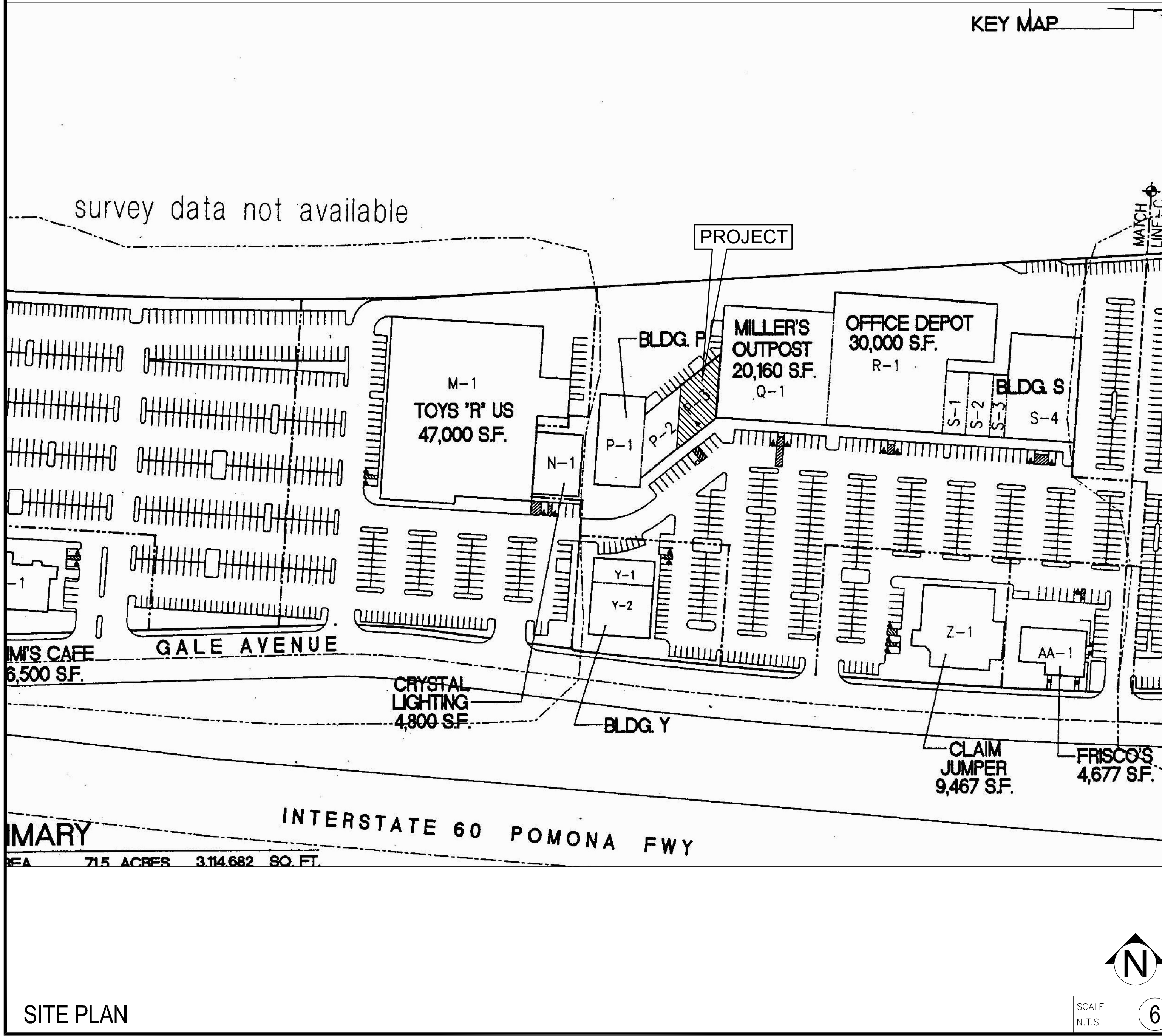
-2013 CBC, CPC, CMC, CEC & CFC
-2013 LACBC, LACPC, LACMC, LACEC & LACFC
-2013 CALIFORNIA ENERGY EFFICIENCY CODE
-CITY/COUNTY MUNICIPAL CODE

SHEET INDEX

SCALE N.T.S. 4

APPLICABLE CODES

SCALE N.T.S. 2



ITEM	DESCRIPTION	QTY	MAKE	PLUMBING CW HW WST	REMARK
1	SERVICE COUNTER (FORMICA FINISH W/ S.S COUNTERTOP)	1	CUSTOM-MADE		34" HI.
2	BACK COUNTER (FORMICA FINISH W/ S.S COUNTERTOP)	1	CUSTOM-MADE		36" HI.
3	POS SYSTEM	1	"POS NATION"		
4	WAFFLE IRON/MAKER	1	"WARING" WW200		
5	BLENDER	2	"WARING" MX1100XTX		
6	TOASTER	1	"WEST BEND" 78004		
7					
8	CREPE MAKER	1	"WARING" WSC160		
9	2-DR UNDERCOUNTER REFRIGERATOR (SELF-CONTAINED)	1	"TURNO AIR" MUR48		
10	2-DR UNDERCOUNTER FREEZER (SELF-CONTAINED)	1	"TURNO AIR" MUF48		
11	HAND SINK W/ SOAP & TOWEL DISPENSER (DIRECT DRAIN)	1	"EAGLE"		COUNTER MOUNT W/ 12" HI. SPLASH GD.
12	BLENDER SINK (WASTE TO F/S)	1	"EAGLE"	1/2" 1/2" F/S	W/ 12" HI. SPLASH GD.
13	CAPPUCCINO/LATTE DISPENSER (WASTE TO F/S)	1	"BUNN" FMD-3 BLK	1/2" F/S	
14	ICE MACHINE (WASTE TO F/S)	1	"MANITOWOC" GD-0132A	1/2" F/S	
15	WATER STATION (WASTE TO F/S)	1	"T&S" B1230	1/2" F/S	
16	ICE TEA DISPENSER (WASTE TO F/S)	1	"BUNN" TCD-1	1/2" F/S	
17	3-DOOR REFRIGERATOR (SELF-CONTAINED)	1	"TRUE" T-72		
18	2-DOOR FREEZER (SELF-CONTAINED)	1	"TRUE" T-49F		
19	SANDWICH TABLE (SELF-CONTAINED)	1	"TRUE" TTP-67		
20	HAND SINK W/ SOAP & TOWEL DISPENSER (DIRECT DRAIN)	1	"EAGLE"		WALL-MOUNT W/ 12" HI. SPLASH GD.
21	3-COMP DISHWASHING SINK W/ 2-18" DR. BD. (DIRECT DRAIN)	1	"EAGLE"	3/4" 3/4" 3"	W/ UPSTREAM F/D W/ 12" HI. SPLASH GD.
22	PREP SINK W/ (1) 18" DR. BDS. (WASTE TO F/S)	1	"EAGLE"	1/2" 1/2" F/S	W/ 12" HI. SPLASH GD.
23	50-GALLON WATER HEATER	1	"RHEEM"		65,000 BTU.
24	MOP SINK W/ CLEANING SUPPLY SHELF & MOP/BROOM HANGER	1	"EAGLE"	1/2" 1/2" 3"	W/ BACKFLOW PREVENTION DEVICE
25	EMPLOYEES' LOCKER ON 6" ROUND LEGS	1	"NEXEL"		
26	TYPE I HOOD (10'-0"x4'-0")	1	"CAPTIVE AIRE"		INTERLOCKS W/ M/A #1
27	MAKE-UP AIR	1	"ARCTIC CIRCLE"		
28	48" GRIDDLE	1	"IMPERIAL RANGE"		120,000 BTU.
29	CHEESE MELTER	1	"IMPERIAL RANGE"		35,000 BTU.
30	6-BURNER RANGE W/ OVEN	1	"AMERICAN RANGE"		227,000 BTU.
31	GAS RADIANT BROILER	1	"AMERICAN RANGE"		30,000 BTU.
32	DEEP FRYER	1	"AMERICAN RANGE"		120,000 BTU.
33					
34	DRY STORAGE SHELVING		"EAGLE"		96 L.F. / 4 TIER MIN.
35	AIR CURTAIN W/ MICRO-SWITCH	1	"MARS"		1600 FPM MIN.
36	MICROWAVE	1	"AMANA" RMS10T		
37	ICE CREAM CABINET (SELF-CONTAINED)	1	"GLOBAL"		
38	DIPPER WELL (WASTE TO F/S)	1	"EAGLE"	1/2" F/S	
39	COFFEE BREWER	1	"BUNN" VP17-3		
40					
41					
42					
43					

ALL EQUIPMENT SHALL BE NSF-APPROVED; REFRIGERATOR SHALL MEET NEW NSF STANDARD 7

SCALE N.T.S. 6

SCALE N.T.S. 1

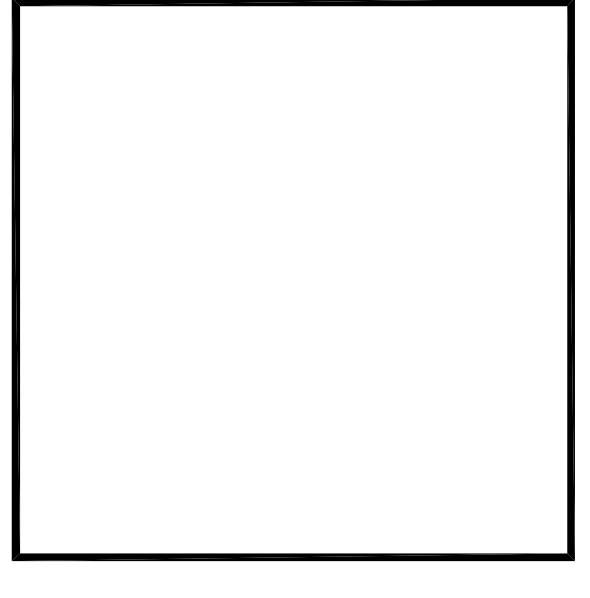
SITE PLAN



Notice:
The designs shown and described herein including all technical drawings, graphics, and models thereof, are proprietary and cannot be copied, duplicated or commercially exploited, in whole or in part, without express written permission of Anokia Inc. These are available or limited review and evaluation by clients, consultants, contractors, government agencies, vendors and office personnel only in accordance with this notice. Upon acceptance and use of this drawings, the Contractor agrees to review and inform Anokia Inc. of any discrepancy or conflict prior to the preparation of any, without exception, shop drawings, templates, layouts, or execution of any work related to the information contained on this document.

No.	Date	Revision
△	02/02/2013	FIRE
△	06/05/2013	FIRE
△		
△		
△		

CHUBBY CHEEK CAFE
 (CUP FOR BEER AND WINE APPLICATION)
 18021 E. GALE AVE., INDUSTRY, CA 91748



Date:	02/25/2015
Dwg. No.:	
Drawn By:	MJ
Checked By:	
Scale:	AS SHOWN
Title:	SITE PLAN / VICINITYMAP / SHEET INDEX / PROJECT INFO / EQ. SCH
Sheet No.:	A-0

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Attachment 3

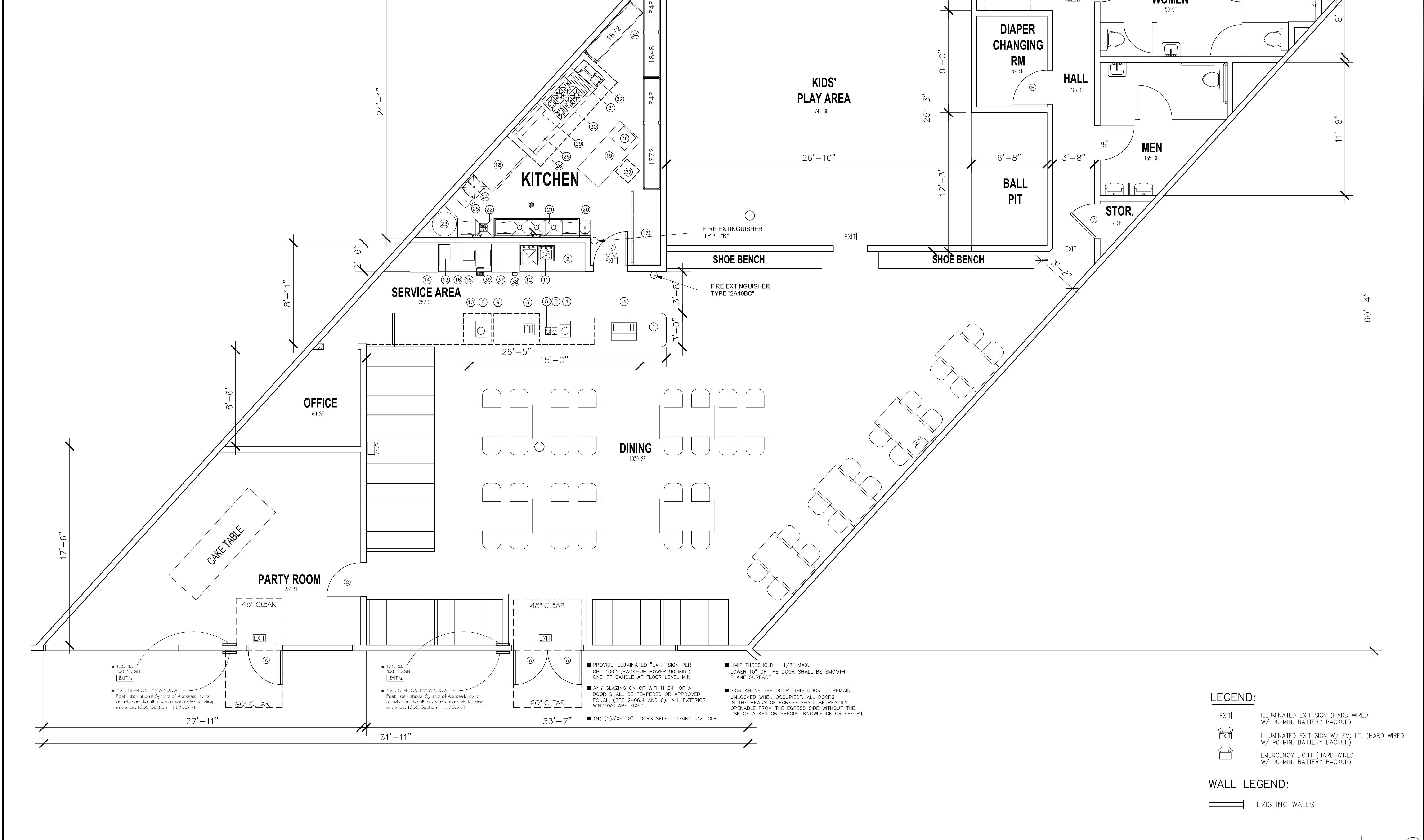
Floor Plan

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NO.	SIZE	THK.	TYPE	MATERIAL	FINISH	HRWR.	REMARK
(A)	3'-0"x6'-8"	1-3/4"	SWINGING	ALUM. W/ GLASS	PAINT	PUSH-PULL	Note 1,2,3,4
(B)	3'-0"x6'-8"	1-3/4"	SWINGING	WOOD	PAINT	LEVER	Note 2
(C)	3'-0"x6'-8"	1-3/4"	SWINGING	ALUM.	PAINT	LEVER	Note 2,3
(D)	3'-0"x6'-8"	1-3/4"	SWINGING	WOOD	PAINT	LEVER	Note 2,4
(E)	3'-0"x6'-8"	1-3/4"	SWINGING	METAL	PAINT	PANIC HARDWARE	Note 1,2,4

NOTE:
 1) Existing
 2) Manually operated edge- or surface-mounted flush bolts and surface bolts are prohibited; MIN. 32" CLR.
 3) Glazed panels at locations within 18" above walking surface subject to human impact shall be of tempered glass.
 4) Self-closing, light-fitting door assembly.

DOOR SCHEDULE	SCALE N.T.S.	2
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- LEGEND:**
- ILLUMINATED EXIT SIGN (HARD WIRED W/ 90 MIN. BATTERY BACKUP)
 - ILLUMINATED EXIT SIGN W/ EM. LT. (HARD WIRED W/ 90 MIN. BATTERY BACKUP)
 - EMERGENCY LIGHT (HARD WIRED W/ 90 MIN. BATTERY BACKUP)
- WALL LEGEND:**
- EXISTING WALLS

ANOKIA DESIGN
 COMMERCIAL & RESIDENTIAL DESIGN
 715 W. DUARTE RD., #6303, ARCADIA, CA 91007
 T/F: (888) 765-8982 WWW.ANOKIAD.COM

Notice: The designs shown and described herein including all technical drawings, graphics, and models thereof, are proprietary and cannot be copied, duplicated or commercially exploited, in whole or in part, without express written permission of Anokia Inc. These are available or limited review and evaluation by clients, consultants, contractors, government agencies, vendors and office personnel only in accordance with this notice. Upon acceptance and use of this drawings, the Contractor agrees to review and inform Anokia Inc. of any discrepancy or conflict prior to the preparation of any, without exception, shop drawings, templates, layouts, or execution of any work related to the information contained on this document.

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△	02/02/2013	FIRE
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△		
△		
△		

CHUBBY CHEEK CAFE
 (CUP FOR BEER AND WINE APPLICATION)
 18021 E. GALE AVE., INDUSTRY, CA 91748

Job Name & Address:

Date:	02/25/2015
Dwg. No.:	
Drawn By:	MJ
Checked By:	
Scale:	AS SHOWN
Title:	FLOOR PLAN/ DOOR SCHEDULE
Sheet No.:	A-1

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Attachment 4 Location Map

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EXHIBIT A
CUP 15-3
Location Map



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Attachment 5

Notice of Exemption

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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: CUP 15-3

Project Location - Specific: 18021 Gale Avenue

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

Description of Project: Conditional Use Permit 15-3 is establish alcohol service at an existing 3,740 square foot fast food restaurant (Chubby Cheek Cafe).

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

Name of Person or Agency Carrying Out Project: Chubby Cheek Café

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
- Statutory Exemptions. *State code number:*

Reasons why project is exempt: Section 15301 Class 1, which exempts the operation, permitting, or minor alteration of existing facilities involving negligible or no expansion of the existing use. The CUP is required by the City zoning code for alcohol service and there would be no physical modifications to the existing retail store.

Lead Agency

Contact Person: Troy Helling

Telephone: (626)333-2211

Signature: _____

Date: _____

Title: Senior Planner

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Attachment 6
Public Hearing Notice

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NOTICE OF PUBLIC HEARING

Conditional Use Permit No. 15-3

On May 29, 2015, notice has been given that the Planning Commission of the City of Industry shall hold a public hearing on the application for Conditional Use Permit No. 15-3 to establish alcohol service at an existing 3,740 square foot fast food sushi restaurant (Chubby Cheek Cafe) at 18021 Gale Avenue in the City of Industry.


A copy of all relevant material, including the Conditional Use Permit Application, is on file in the City Administrative Offices, 15625 East Stafford Street, Suite 100, City of Industry, California 91744.

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

Time: 8:00 a.m.
Date: June 11, 2015
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.

If you challenge the conditional use permit 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.


Cecelia Dunlap
Deputy City Clerk of the City of Industry

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Attachment 7
Resolution No. PC 2015-07

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RESOLUTION NO. PC 2015-07

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF INDUSTRY, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT NO. 15-3 TO ALLOW THE SERVICE OF ALCOHOLIC BEVERAGES IN THE EXISTING CHUBBY CHEEK CAFE, LOCATED AT 18021 GALE AVENUE, WITHIN A "C" – COMMERCIAL ZONE, AND MAKING FINDINGS IN SUPPORT THEREOF.

WHEREAS, Chubby Cheek Café ("Applicant"), an existing fast-food restaurant with a kitchen, eating area, cake room, restrooms, and children's play area, located in a 3,740 square foot commercial suite at 18021 Gale Avenue, City of Industry, within a "C"-Commercial Zone (the "Site"), has filed an application for a Conditional Use Permit to provide alcohol service in connection with its existing fast-food service (the "Application"); and

WHEREAS, the Application calls for service of alcohol to be incidental to the service of food as currently carried on at the Site, consistent with a type 47 license from the California Department of Alcoholic Beverage Control (ABC); and,

WHEREAS, the use proposed in the Application is allowed subject to the issuance of a Conditional Use Permit in the "C"-Commercial Zone; and,

WHEREAS, the Site is more particularly shown on the map attached hereto as Exhibit "A" and incorporated herein by this reference; and,

WHEREAS, the activity proposed by the Application is exempt from compliance with the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Section 15301 as a class 1 categorical exemption applicable to the operation, permitting, or minor alteration of existing facilities involving negligible or no expansion of the existing use; and,

WHEREAS, on June 11, 2015, the Planning Commission of the City of Industry conducted a duly noticed public hearing in connection with the Application and the categorical exemption and considered all evidence, oral and written; and,

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

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF INDUSTRY DOES RESOLVE, DETERMINE, FIND, AND ORDER AS FOLLOWS:

SECTION 1. The Planning Commission hereby finds that the above recitations are true and correct and, accordingly, are incorporated as a material part of this Resolution.

SECTION 2. Based upon the environmental information form supplied by the Applicant as part of the Application, the Planning Commission exercises its independent

judgment and finds that the proposed project is exempt from compliance with CEQA pursuant to CEQA Guidelines Section 15301 as a class 1 categorical exemption.

SECTION 3. Pursuant to the requirements of the Industry Municipal Code, Section 17.48.050, the Planning Commission hereby finds, based upon the substantial evidence contained in the record, including the written and oral staff reports presented to the Planning Commission with respect to the Application, as well as all other written and oral testimony submitted at the June 11, 2015 public hearing, as follows:

A. The proposed use is consistent with the goals and objectives of the General Plan as it is incidental to the provision of food in an existing commercial fast-food restaurant, and because conditions of approval set operational and management standards that provide protection from the abuse of alcohol, which standards are included as conditions of approval for this Resolution; and

B. The Site is within an "C"-Commercial Zone, which zone permits, with the issuance of a conditional use permit, alcohol service in connection with a fast-food restaurant, and thus the site is appropriately zoned for the proposed use; and,

C. The Site is located in an existing commercial center which has been developed with adequate parking and will be constructed to all applicable development standards. Accordingly, the Site is adequate in size, shape, topography and location for the proposed use and there will be adequate utilities to accommodate the proposed use; and,

D. There will be adequate street access, traffic circulation, and parking capacity for the proposed use; and,

E. The proposed use is compatible with the surrounding properties and uses, taking into account the potential for changes in the uses of surrounding properties; and,

F. The proposed use will not be detrimental to the public health, safety or general welfare.

SECTION 4. The Planning Commission hereby approves the Application subject to the conditions and standard code requirements set forth in Exhibit "B" attached hereto and incorporated herein by this reference and in accordance with the plans submitted in conjunction with the Application.

SECTION 5. The Secretary of the Planning Commission is directed to certify to the adoption of this Resolution.

APPROVED by the Planning Commission of the City of Industry at a regular meeting held on June 11, 2015.

Mark Radecki
Vice Chairman

ATTEST:

Cecelia Dunlap
Secretary

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) **ss.** **PLANNING COMMISSION**
CITY OF INDUSTRY) **SECRETARY'S CERTIFICATION**
RE: ADOPTION OF PLANNING
COMMISSION RESOLUTION

I, Cecilia Dunlap, Interim Secretary of the City of Industry Planning Commission, do HEREBY CERTIFY that the foregoing Resolution No. PC 2015-07 was duly passed and adopted at a regular meeting of the Planning Commission of the City of Industry held on the 11th day of June, 2015 by the following vote to wit:

AYES: COMMISSIONERS: _____

NOES: COMMISSIONERS: _____

ABSENT: COMMISSIONERS: _____

ABSTAINED: COMMISSIONERS: _____

Cecelia Dunlap, Secretary
Planning Commission
City of Industry, California

(SEAL)

EXHIBIT A CUP 15-3 Location Map





CITY OF INDUSTRY

P.O. Box 3366 • 15625 E. Stafford St. • City of Industry, CA 91744-0366 • (626) 333-2211 • FAX (626) 961-6795

EXHIBIT B

Standard Requirements and Conditions of Approval

Application: Conditional Use Permit 15-3
Applicant: Chubby Cheek Cafe
Location: 18021 Gale Avenue

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. If there are multiple police actions and/or complaints, the Planning Director shall give notice to the applicant that an on-site, security officer, licensed by the State of California, shall be hired by the business to police the facility during evening and night time operating hours.
2. The party room will not be equipped with doors or permanent or temporary room dividers.
3. Security cameras, connected to the PSO system, will be installed to provide complete coverage inside the facility.
4. Prior to operation, the manager shall provide proof of the License Education on Alcohol and Drugs (LEAD) training by the California Department of Alcoholic Beverage Control for its managers.
5. No live entertainment of karaoke shall be permitted

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 landscaped plan and 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 Director.
8. No outside display of goods, wares, or merchandise shall be permitted, unless approved by the Planning Director.
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 restricted to those as stated on the application or as subsequently approved by the Planning Director and/or Planning Commission.
13. There shall be no adult entertainment, male or female performers or fashion shows permitted on the premises at any time.
14. No X-rated or adult films shall be maintained or shown anywhere on the premises.
15. The permittee shall not permit "Taxi Dancing" to occur on the permitted premises wherein partners are provided for dancing or social purposes.
16. No dancing or live entertainment 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 non-prescription drugs or drug paraphernalia shall be on the premises at any time.
20. No video games as defined in Industry Municipal Code Chapter 9.26 shall be permitted on the premise at any time.
21. All signs, banners, pennants, flags or other outside advertising materials or structures must be approved by the City.
22. Permittee will be held responsible for acquainting all employees with these rules and all local, county, state, or federal laws.
23. 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.
24. 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.
25. 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.
26. No outside cooking, food preparation, or sales of product or merchandise, unless approved in advance by the Planning Director.

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 Director 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.