
PLANNING COMMISSION

CITY OF INDUSTRY

REGULAR MEETING AGENDA
FEBRUARY 11, 2016 11:00 A.M.



CHAIRWOMAN ANDRIA WELCH
VICE CHAIRMAN FRANK CONTRERAS
COMMISSIONER JIM DIVERS
COMMISSIONER MICHAEL GREUBEL
COMMISSIONER BERT SPIVEY

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.

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1. Call to Order
 2. Flag Salute
 3. Roll Call
 4. Public Comments
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5. **PUBLIC HEARING**

- 5.1 Public Hearing to consider Conditional Use Permit (CUP) No. 15-9 submitted by Presence Quotient to establish an office at 17181 Gale Avenue, Unit C, in the City of Industry

Consideration of Resolution No. PC 2016-06 – A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF INDUSTRY, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT NO. 15-9 TO ALLOW AN OFFICE IN THE “MC” MANUFACTURING/COMMERCIAL OVERLAY ZONE LOCATED AT 17181 GALE AVENUE, UNIT C, CITY OF INDUSTRY, CALIFORNIA, AND THE NOTICE OF EXEMPTION REGARDING SAME AND MAKING FINDINGS IN SUPPORT THEREOF

RECOMMENDED ACTION: Adopt Resolution No. PC 2016-06.

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

7. **ORAL COMMENTS FROM STAFF**

8. Adjournment. Next regular meeting: Thursday, March 10, 2016 at 11:00 a.m.

PLANNING COMMISSION

ITEM NO. 5.1



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

February 4, 2016

From: Paul J. Philips, City Manager

Staff: Troy Helling, Senior Planner

Subject: Conditional Use Permit 15-9 – Presence Quotient, 17181 Gale Avenue, Unit C

Proposal

Section 17.20.030.b of the Municipal Code requires approval of a Conditional Use Permit (CUP) by the Planning Commission to establish a commercial business in the “MC” Manufacturing/Commercial overlay zone. This application is to establish an office use within an existing 3,282 square foot office space as shown on the site plan (Attachment 1) located at 17181 Gale Avenue unit C. Presence Quotient proposes to offer administrative services related to professional psychological assessment and consultation and would operate during the hours of 9:30 AM to 5:30 PM Monday through Friday. The use would be an administration office only and no patients would be seen accept at the site.

Location and Surroundings

As shown on the location map (Attachment 2), the existing space is located at 17181 Gale Avenue, unit C within an existing 43,356 square foot industrial and commercial complex. The complex is located at the northwest corner of Gale Avenue and Azusa Avenue.

The project is surrounded on the west, north and south by industrial uses, commercial uses across Gale Avenue and vacant “AZ” Auto Zone property to the east across Azusa Avenue.

Staff Analysis

The proposal to use existing office space within a warehouse building is consistent with the Zoning “MC” (Manufacturing/Commercial overlay zone) and General Plan (Employment) designations of the site and complies with the standards in Sections 17.20, “MC” Manufacturing/Commercial overlay zone, of the City’s Municipal Code.

Parking

Per Section 17.36.060 K1 b of the Municipal Code, an office is parked at the rate of one space per 250 square feet. Based on this formula, the proposed use requires 13 parking spaces. When considering all the uses in the complex and the proposed use, there are a total of 94 parking spaces required for the property and 112 parking spaces provided, which is more than sufficient to accommodate the parking required for the proposed use.

Environmental Analysis

The proposed project is exempt from the California Environmental Quality Act (CEQA) per

Section 15332 (Class 32 In-Fill Development Projects (a) and (d)) of the CEQA Guidelines, because the office use is consistent with the general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations and would not result in any significant effects relating to traffic, noise, air quality, or water quality. A CUP is required for the office use in the "MC" Manufacturing/Commercial overlay zone and there will be no modifications to the existing space that would intensify the existing use. The Notice of Exemption (Attachment 3) 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 4) 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 on January 29, 2016.

Recommendation

Because the proposed use complies with the use standards of the Municipal Code and satisfies the findings noted in the Resolution, Staff recommends that the Planning Commission adopt Resolution No. PC 2016-06 with the findings for approval and Standard Requirements and Conditions of Approval contained in the Resolution (Attachment 5) and direct staff to file the Notice of Exemption.

Attachments

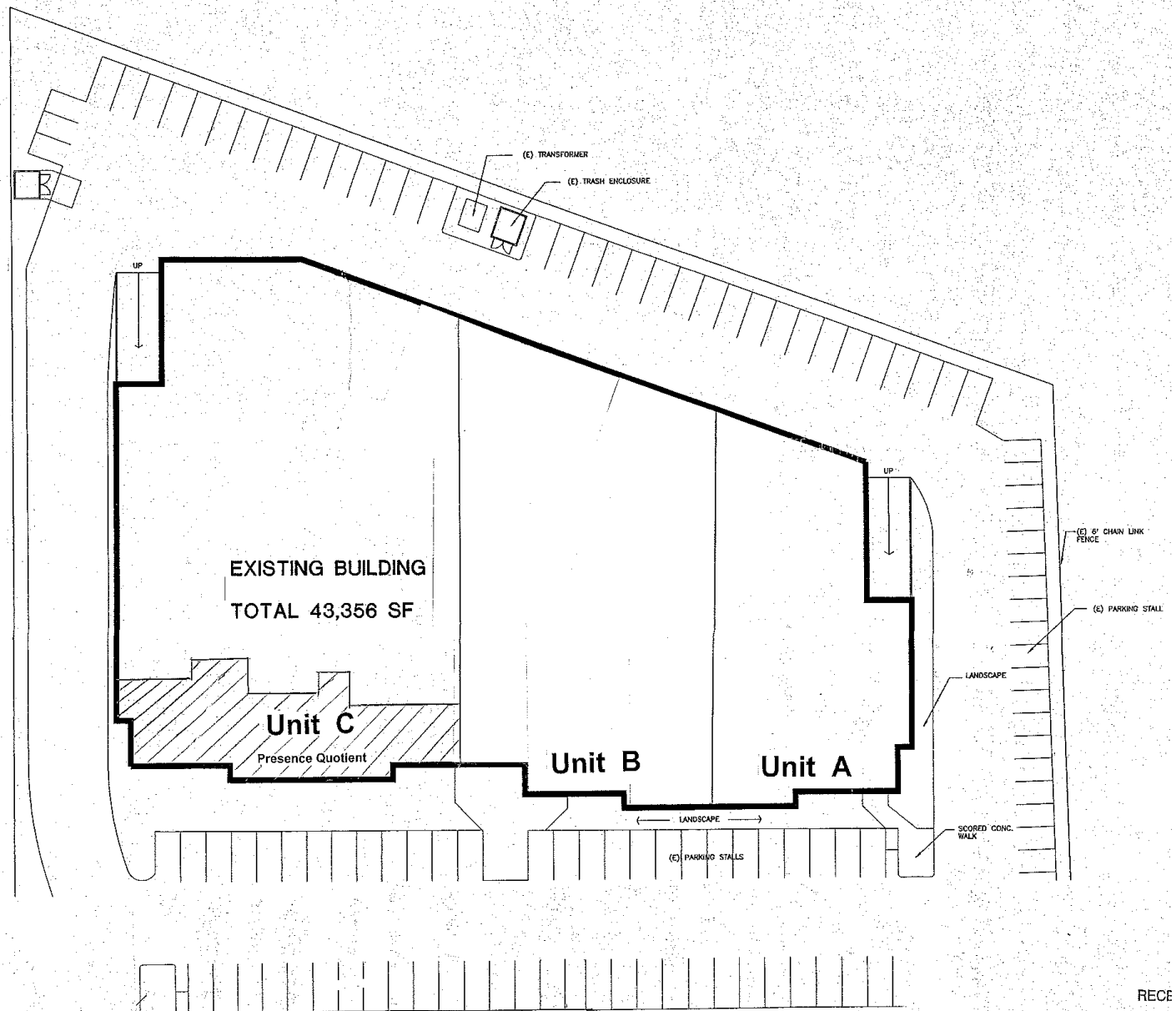
- Attachment 1: Site Plan
- Attachment 2: Location Map
- Attachment 3: Notice of Exception
- Attachment 4: Public Hearing Notice
- Attachment 5: Resolution No. PC 2016-06 approving Conditional Use Permit No. 15-9 with findings of approval and Standard Requirements and Conditions of Approval

Attachment 1

Site Plan

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CUP 15-9 Site Plan



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Attachment 2 Location Map

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CUP 15-9

Location Map



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Attachment 3

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 15-9

Project Location - Specific: 17181 Gale Avenue, Unit C

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

Description of Project: Conditional Use Permit 15-9 is an application is to establish an office use within an existing 3,282 square foot office space in the (M-C) Manufacturing – Commercial overlay zone.

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

Name of Person or Agency Carrying Out Project: Presence Quotient

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:* 15332 (a) and (d)
- Statutory Exemptions. *State code number:*

Reasons why project is exempt: Section 15332 Class 32, which exempts office uses that are consistent with the general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations and would not result in any significant effects relating to traffic, noise, air quality, or water quality. The CUP is required for the office use in the “MC” Manufacturing / Commercial zone and there will be no modifications to the office space that would intensify the existing use.

Lead Agency

Contact Person: Troy Helling

Telephone: (626)333-2211

Signature: _____

Date: _____

Title: Senior Planner

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Attachment 4
Public Hearing Notice

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NOTICE OF PUBLIC HEARING

Conditional Use Permit No. 15-9

On January 29, 2016, notice has been given that the Planning Commission of the City of Industry will hold a public hearing on the application for Conditional Use Permit 15-9 to establish an administration office (Presence Quotient) in the (M-C) Manufacturing – Commercial overlay zone within an existing 3,282 square foot office at 17181 Gale Avenue #C in the City of Industry.

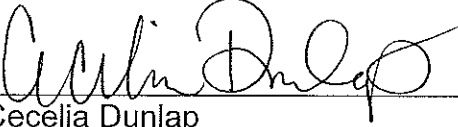
A copy of all relevant material, including the Conditional Use Permit application, is on file in the City Administrative Offices, 15625 East Stafford Street, Suite 100, City of Industry, California 91744. Please contact Troy Helling, Senior Planner, at the City of Industry at 626-333-2211 or by email at thelling@cityofindustry.org if you have questions.

The time, date, and place of the hearing will be as follows:

Time: 11:00 a.m.
Date: February 11, 2016
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 US Mail or by hand delivery to the City of Industry at the address listed above 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 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 5
Resolution No. PC 2016-06

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RESOLUTION NO. PC 2016-06

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF INDUSTRY, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT NO. 15-9 TO ALLOW AN OFFICE IN THE “MC” MANUFACTURING/COMMERCIAL OVERLAY ZONE LOCATED AT 17181 GALE AVENUE, UNIT C, CITY OF INDUSTRY, CALIFORNIA, AND THE NOTICE OF EXEMPTION REGARDING SAME AND MAKING FINDINGS IN SUPPORT THEREOF

RECITALS

WHEREAS, on July 16, 2015, Presence Quotient (“Applicant”) filed a complete application requesting the approval of Conditional Use Permit (“CUP”) No. 15-9 described herein (“Application”); and

WHEREAS, the Application applies to an existing 3,282 square-foot retail space located on a 2.64 acre property, at 17181 Gale Avenue, City of Industry, California, Assessor’s Parcel Number 8242-025-047 (“Property”); and

WHEREAS, the Applicant desires to provide an office use in the “MC” Manufacturing/Commercial overlay zone, and in accordance with Section 17.20.030 (B) of the City’s Municipal Code (“Code”), a CUP is required for this type of activity; and

WHEREAS, the Land Use Element of the General Plan designates the Property as employment. The proposed use is consistent with the General Plan as it would provide services commonly available at other professional office establishments, and does not conflict with the established goals and objectives of the Land Use Element. Office uses are permitted in the “MC” Manufacturing/Commercial overlay zone, subject to the approval of an CUP pursuant to Section 17.20.030(B) of 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 project was determined not to have a significant impact on the environment and is categorically exempt from the California Environmental Quality Act (“CEQA”), pursuant to Section 15332 (Class 32 In-Fill Development Projects (a) and (d)) of the CEQA Guidelines, because the office use is consistent with the general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations and would not result in any significant effects relating to traffic, noise, air quality, or water quality; and

WHEREAS, notice of the Planning Commission’s February 11, 2016 public hearing on CUP No. 15-9 was published in *The San Gabriel Valley Tribune* on January 29, 2016, in compliance with the City’s Municipal Code and Government Code Section

65091, and was posted at the Property and at three public places on January 29, 2016; and

WHEREAS, the notice of the Planning Commission's February 11, 2016, public hearing on CUP No. 15-9 was also mailed to property owners within 300 feet of the Property on January 29, 2016; and

WHEREAS, on February 11, 2016, 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: Upon independent review and consideration of the information contained in the Staff Report and the Notice of Exemption for Conditional Use Permit Application No. 15-9, the Planning Commission hereby finds and determines that Conditional Use Permit No. 15-9 will not result in or have a significant impact on the environment, because the office only involves a minor change in operations of an existing facility, and involves only a negligible expansion of the existing use. Therefore, the proposed project is categorically exempt from the California Environmental Quality Act ("CEQA") (Public Resources Code Section 21000 *et seq.*), pursuant to Section 15332 (Class 32 In-Fill Development Projects (a) and (d)), of the CEQA Guidelines (Title 14, Chapter 3 of the California Code of Regulations). Based on these findings, the Planning Commission adopts the Notice of Exemption and directs staff to file same as required by law

SECTION 4: Based upon substantial evidence presented to the Planning Commission during the February 11, 2016, 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 Employment, including office and services uses. The Zoning Ordinance, which implements the General Plan, allows for an office uses with approval of a CUP. In addition, the attached conditions of approval set operational and management standards that ensure the

business that 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 and shape, topography and location, to accommodate the yards, walls, fences, parking and loading facilities, landscaping, and items which may be required by Sections 17.20.060 and 17.36.060 of the Municipal Code, and there will be adequate utilities to accommodate the proposed use. The Property complies with the development standards outlined in Chapter 17.36, Zoning Code of the Industry Municipal Code and the office 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.

(c) The Property has adequate street access, traffic circulation and parking capacity to carry the kind and quantity of traffic such use would generate. There is no expansion of the Property's footprint of the industrial/commercial center, and the Property is currently served by Gale and Azusa Avenues, which are of adequate capacity to serve the office use. The addition of the office requires 13 additional parking spaces, and the Property currently requires 94 spaces and 112 spaces are provided.

(d) The office use is compatible with surrounding properties and uses because the surrounding area is composed of other similar office uses. The uses of the surrounding properties may change, but the character will remain industrial and commercial in nature consistent with the general plan and zoning designations of the site. The office complements existing and potential future uses.

(e) The nature, condition and proposed development of adjacent uses, buildings and structures has been considered, and the proposed use, an office, will not adversely affect or be materially detrimental to such adjacent uses, buildings or structures or to the public health, safety or general welfare, in that the surrounding area is composed of other similar office uses, including an established office building and which is regularly monitored by the Sheriff's Department. The addition of the office use will complement the adjacent uses by offering an additional service.

SECTION 5: Based upon the foregoing findings, the Planning Commission hereby approves CUP No. 15-9, subject to the conditions contained in Exhibit "A".

PASSED, APPROVED AND ADOPTED by the Planning Commission of the City of Industry at a regular meeting held on February 11, 2016 by the following vote:

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

Andria Welch
Chairwoman

ATTEST:

Cecelia Dunlap
Secretary



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 A

Standard Requirements and Conditions of Approval

Application:	Conditional Use Permit 15-9
Applicant:	Presence Quotient
Location:	17181 Gale Avenue, Unit C
Use:	Office

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. 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.

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 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 between the hours of 9:30 A.M. and 5:30 P.M. or as subsequently approved by the Planning Commission.
13. There shall be no adult entertainment, male or female performers or fashion shows permitted on the premises at any time.
14. No X-rated or adult films shall be maintained or shown anywhere on the premises.
15. The permittee shall not permit "Taxi Dancing" to occur on the permitted premises wherein partners are provided for dancing or social purposes.
16. No dancing or live entertainment by employees or customers will be permitted at any time.
17. No non-prescription drugs or drug paraphernalia shall be on the premises at any time.
18. All signs, banners, pennants, flags or other outside advertising materials or structures must be approved by the City.
19. Permittee will be held responsible for acquainting all employees with these rules and all local, county, state, or federal laws.
20. 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.
21. 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.
22. 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.
23. 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 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.