
PLANNING COMMISSION

CITY OF INDUSTRY

REGULAR MEETING AGENDA
SEPTEMBER 11, 2018 11:30 A.M.



CHAIRMAN MICHAEL GREUBEL
VICE CHAIRMAN JIM 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 9:00 a.m. to 5:00 p.m., Friday 9:00 a.m. to 4:00 p.m. Any person with a question concerning any agenda item may call the City Clerk's Office at (626) 333-2211.*
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1. Call to Order
2. Flag Salute
3. Roll Call
4. Public Comments

5. **PUBLIC HEARING ITEMS**

5.1 Consideration of Resolution No. PC 2018-10 approving Conditional Use Permit (CUP) No. 18-02 submitted by Eric Wang on behalf of Haidilao Hot Pot Industry, Inc. to allow for the operation of a full service restaurant within the Puente Hills Mall at 1600 Azusa Avenue in the City of Industry.

- a. Consideration of Resolution No. PC 2018-10 - A RESOLUTION OF THE PLANNING COMMISSION OF THE RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF INDUSTRY, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT NO. 18-2, TO ALLOW FOR THE OPERATION OF A FULL-SERVICE RESTAURANT LOCATED AT 1600 SOUTH AZUSA AVENUE UNIT 174 AND 178, CITY OF INDUSTRY, CALIFORNIA, AND THE NOTICE OF EXEMPTION REGARDING SAME, AND MAKING FININGS IN SUPPORT THEREOF

RECOMMENDED ACTION: Open Public Hearing and consider testimony, adopt Resolution No. PC 2018-10 and Notice of Exemption regarding same.

5.2 Consideration of Resolution No. PC 2018-11 approving Tentative Parcel Map 351, to subdivide an existing 22.002-acre parcel into two parcels, located on the north side of Gale Avenue, east of Bixby Drive and south of the Union Pacific Railroad.

- a. Consideration of Resolution No. PC 2018-11 A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF INDUSTRY, CALIFORNIA, APPROVING TENTATIVE PARCEL MAP 351 TO SUBDIVIDE AN EXISTING 22.002 ACRE PARCEL INTO TWO PARCELS, LOCATED ON THE NORTH SIDE OF GALE AVENUE, EAST OF BIXBY DRIVE AND SOUTH OF UNION PACIFIC RAILROAD, IN THE CITY OF INDUSTRY, CALIFORNIA AND THE NOTICE OF EXEMPTION REGARDING SAME, AND MAKING FINDINGS IN SUPPORT THEREOF

RECOMMENDED ACTION: Open Public Hearing and consider testimony, adopt Resolution No. PC 2018-11 and Notice of Exemption regarding same.

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

7. **ORAL COMMENTS FROM STAFF**

8. Adjournment. Next regular meeting will be held on Tuesday, October 9, 2018 at 11:30 a.m.

PLANNING COMMISSION

ITEM NO. 5.1



CITY OF INDUSTRY

MEMORANDUM

TO: Planning Commission

FROM: Troy Helling, Acting City Manager *TH*

STAFF: Nathalie Vazquez, Consultant Assistant Planner II *NV*
Dina Lomeli, Consultant Associate Planner *DL*

DATE: September 11, 2018

SUBJECT: Consideration of Conditional Use Permit 18-2 to allow for the operation of a full-service restaurant located at 1600 South Azusa Avenue, Unit 174 and Unit 178

Proposal:

Eric Wang, representing Haidilao Hot Pot Industry, Inc. (DBA Haidilao Hot Pot Industry), is requesting approval of a Conditional Use Permit ("CUP") No. 18-2 to allow for the operation of a new full-service restaurant without alcohol sales, at the Puente Hills Mall located at 1600 Azusa Avenue unit 174 and unit 178. Both units are currently vacant and were formally occupied by a Johnny Rockets and a Sushi restaurant. The new tenant, Haidilao Hot Pot Industry, will provide a communal eating experience in which patrons order a variety of meats, chicken and vegetables and boil them in a simmering pot of water.

The applicant is proposing to completely demolish unit 174 and unit 178, and replace with a remodeled restaurant with kitchen, dining, waiting area, storage room, offices, and restrooms. The proposed restaurant will accommodate a total of 236 patrons, will operate during the hours of 11:00 AM to 11:00 PM, seven days a week, and will employ up to 40 people. Pursuant to Section 17.12.025(14), an approval of a CUP by the Planning Commission is required for the operation of a full service restaurant. No expansion of floor area or modification to the structure is proposed as part of this project.

Project Background:

The Puente Hills Mall is approximately 1,335,210 square-feet in size, and has been serving the City since 1974. There are approximately 113 tenants offering a variety of retail shops, services, and restaurant uses throughout the 96 acre property. Mall tenants currently share 6,123 parking spaces.

On April 13, 2017, the City Council approved Development Plan No. 16-2 (DP 16-2) which allowed for an 80,000 square-foot expansion to the mall, increasing the building area from 1,335,210 square-feet to 1,415,210 square-feet. As a result of the expansion, a parking demand study along with a traffic study was prepared by KOA Corporation to justify the decrease in parking spaces from 6,123 to 5,527, and potential traffic impacts as a result of the proposed development. The study determined that there will be sufficient parking despite the reduction of spaces. The traffic study also determined that 5,819 weekday vehicle trips will be added, which equates to

approximately 310 weekday morning trips and 495 evening trips, and 632 during the weekend evening, which would not be a significant impact with the incorporation of mitigation measures which consist of improvements at the intersection of Azusa and SR-60. DP 16-12 is currently being reviewed by the Los Angeles County Building and Safety plan checker and no construction has been scheduled at this time.

Location and Surroundings:

As shown on the location map (Exhibit A), the project site is located within the existing Puente Hills Mall. The Property is currently surrounded by commercial uses to the north, south, east and west, and is bound by 60 Freeway to the north, Albatross Road to east, Colima Road to south and Azusa Avenue is west of the Property.

Staff Analysis:

The request for a new full-service restaurant in an existing commercial space is consistent with the Zoning "C" (Commercial) and General Plan land use designation of Commercial. There is no expansion of floor area or modification to the structure 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 full service restaurant will be located on the lower level of the Puente Hills mall near the AMC 20 Theater, and will occupy two existing units, unit 174 and unit 178. The applicant is proposing to merge both units into a 6,758 square-foot full service interior restaurant space along with an existing 992 square-foot outdoor patio space. The proposed restaurant will accommodate up to 192 patrons in the interior dining room, and seating for 44 patrons on the outdoor patio. 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 multiple street access adequate in width and improved as necessary to carry the kind and quantity of traffic such use would generate. The Property is currently served by the 60 Freeway, Azusa Avenue, Castleton Street, Albatross Road, and Colima which is of adequate capacity to serve the commercial use. In addition, a traffic study was prepared by KOA Corporation as part of DP 16-2, which determined that there will be no significant impacts at this site.

Compatibility

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

Parking

As a result of DP 16-2, the mall will be developed with 5,527 parking spaces. Also, a parking demand study was prepared by KOA Corporation with a determination that no additional parking spaces are required.

Environmental Analysis:

The proposed project is exempt from the California Environmental Quality Act (CEQA) per Section 15301 (Class 1 Existing Facilities (a)) of the CEQA Guidelines for the following reasons: (1) The Class 1 exemption allows for the operation, permitting, and minor alternation of existing private structures and facilities when there is negligible expansion of the existing use. The Puente Hills Mall is currently occupied by several restaurant and other commercial uses. The proposed restaurant use is consistent with what is presently operating at the Mall, and the use will have negligible impacts to the site because the applicant is not proposing any expansion to the existing tenant spaces and a full service restaurant is a compatible use with the at the Mall, and there is no expansion to the existing uses, as restaurants already operate at the Mall. (2) The proposed project consists only of interior alterations, the applicant is proposing to merge the two units into one 6,505 square-foot full service restaurant. These improvements include demolition the existing partition walls and to be replaced with new partition walls to allow for a dining area, restroom, kitchen, storage rooms, waiting area, and offices. (3) Finally, all existing plumbing and electrical services will also be upgraded to accommodate for the changes to the interior of unit 174 and unit 178. 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 August 31, 2018, pursuant to Government Code section 65091.

Fiscal Impact:

Conditional Use Permit 18-2 will have a positive fiscal impact to the City of Industry.

Recommendation:

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 2018-10 (Exhibit F) approving Conditional Use Permit 18-2 with the findings for approval and Standard Requirements and Conditions of Approval contained in the Resolution.

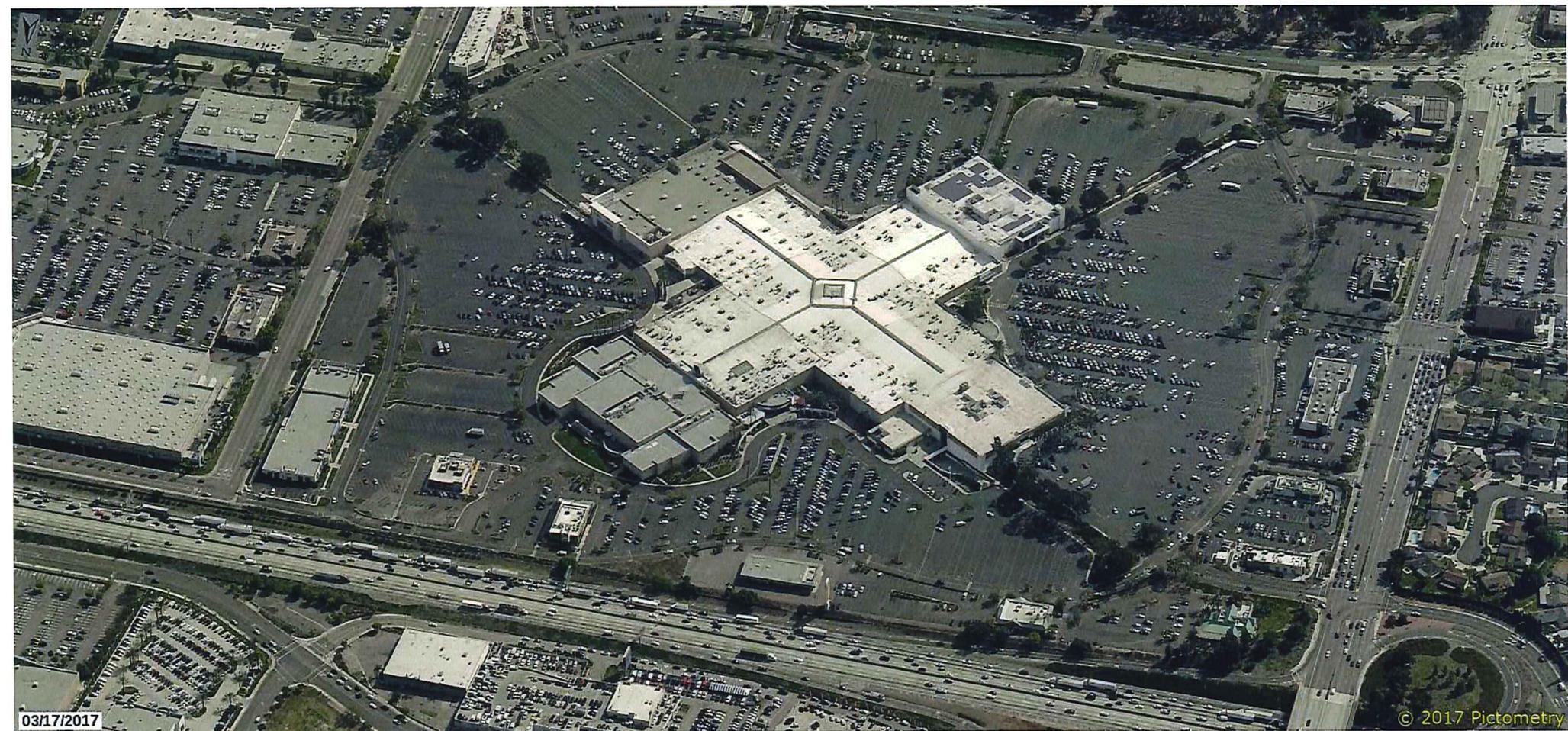
Exhibits:

- A. Location Map - Amendment of CUP 18-2
- B. Site Plan - CUP 18-2
- C. Floor Plan - CUP 18-2
- D. Notice of Exemption CUP 18-2
- E. Public Hearing Notice
- F. Resolution No. PC 2018-10 recommending Planning Commission approval of Conditional Use Permit No. 18-2 with findings of approval, Standard Requirements and Conditions of Approval.

EXHIBIT A

Location Map –CUP 18-2

[Attached]



03/17/2017

© 2017 Pictometry

EXHIBIT B

Site Plan – CUP 18-2

[Attached]



PROJECT LOCATION
TENANT SPACE = 6,758 S.F.

EXISTING PARKING

1
SP1.1

EXISTING PARKING

SEARS

BURLINGTON

24 HOUR FITNESS

EXISTING PARKING

MACY'S

EXISTING PARKING

AZUSA AVE

COLIMA ROAD



IGNISIO
STUDIOS

15141 Woodport Ave.
Tustin, CA 92780
phone: 949.231.6247



HAI DI LAO HP
CITY OF
INDUSTRY, CA
1606 AZUSA AVE., SPACE #174
CITY OF INDUSTRY, CA 91748

HDL-002

submission: XXXX/18
permits:
date:
revisions:
△

designed by: DT
checked by:



OVERALL SITE PLAN

SP1.0

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

EXHIBIT C

Floor Plan – CUP 18-2

[Attached]

WALL LEGEND

KEY LEGEND

- EXISTING WALL**
- NEW FULL HEIGHT WALL PARTITION WALL**
 2/4" CYP. BOARD OVER 18 GA. 4" METAL STUD AT 16" O.C. (U.A.D.)
- NEW PARTITION WALL UNDER 14'-0" CYP. BOARD OVER 20 GA. 3-3/8" OR 4" METAL STUD AT 16" O.C. (U.A.D.)**
- NEW PARTITION WALL UNDER 14'-0" CYP. BOARD OVER 20 GA. 3-3/8" OR 4" METAL STUD AT 16" O.C. (U.A.D.)**
- NEW LOW WALL 2'-4" CYP. BOARD OVER 20 GA. 3-3/8" METAL STUD AT 16" O.C. (U.A.D.)**
- NOTE:**
 1. ALL WALLS AT KITCHEN AND RESTROOM AREA ARE NON-FULL HEIGHT WALLS, U.A.D.
 2. ALL FULL HEIGHT WALLS AND WALLS BELOW SERVICE PLATFORM TO BE 18 GA.
 3. A FULL HEIGHT WALL ABOVE 15'-0" TO BE 18 G.A.
 4. REFER TO SHEET A&2 FOR METAL FRAMING DETAIL AND NOTES.

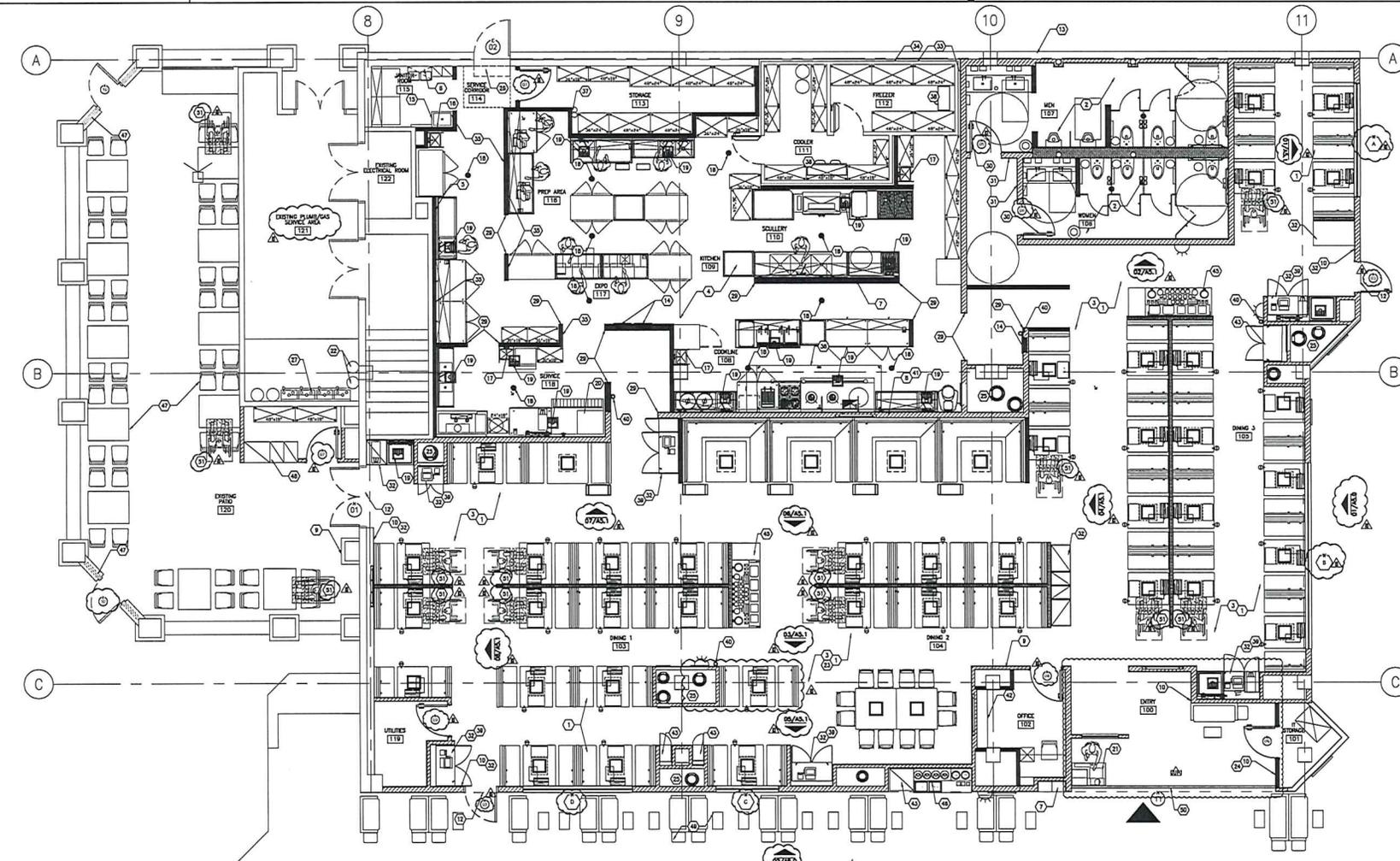
- 1 NEW FURNITURE AT FRONT OF HOUSE BY G.C.
 2 NEW RESTROOM FURNITURE. SEE DIMAILED RESTROOM PLANS AND PLUMBING SHEETS FOR MORE INFORMATION.
 3 NEW FLOOR FINISH. SEE FLOOR FINISH PLAN FOR MORE INFORMATION.
 4 NEW KITCHEN EQUIPMENT AT BACK OF HOUSE. SEE KITCHEN SHEETS FOR MORE INFORMATION.
 5 NEW FUR-OUT WALL AT BACK OF HOUSE.
 6 IMPULSER LIGHTS.
 7 MERCHANTS DISPLAY CABINET PROVIDE AND INSTALL BY G.C.
 8 STAINLESS STEEL OR DURA ROCK (CONCRETE BOARD) WALLS & COORING & SCULLERY WITH MAIN GAS LINE IN WALL. REFER TO PLUMBING DRAWINGS. G.C. TO PROVIDE SCHEDULED UP TO 12" A.F.F. WALL TO BE FINISHED WITH STAINLESS STEEL.
 9 OCCUPANCY SIGNAGE POSTED PER CODE.
 10 PROVIDE "EXIT ROUTE" SIGNAGE.
 11 G.C. TO PROVIDE SIGNAGE. THIS DOOR SHALL REMAIN UNLOCKED DURING BUSINESS HOURS. THE SIGN MUST BE PERMANENTLY ATTACHED TO THE DOOR AND MUST BE VISIBLE FROM THE INTERIOR OF THE STORE.
 12 RESTROOM 1-HOUR RATED GLASSING WALL. G.C. TO MANTAIN FIRE RESISTANCE RATING FOR ALL 1-HOUR GLASSING WALLS.

- 13 NEW ELECTRICAL PANEL. SEE ELECTRICAL SHEETS FOR MORE INFORMATION.
 14 NEW HOP SINK. REFER TO DETAIL, **PREP & P-SHEETS**.
 15 SINKS WALLS FULL HEIGHT IN NEW FINISH AREA FOR STAINLESS STEEL TO 4'-0" A.F.F. TO CEILING.
 16 WARDING WITH 4" SINK SPLASHES BY F.A.C.C. WITH TOWEL AND SOAP DISPENSER BY TRINER. VERIFY #/ KITCHEN SHEETS.
 17 MERCHANTS DISPLAY CABINET PROVIDE AND INSTALL BY G.C.
 18 NEW FLOOR SINK. SEE PLUMBING SHEETS FOR MORE INFORMATION.
 19 ICE MASHING. REFER TO KITCHEN FINISHING AND REFER FOR FINISH DETAIL.
 20 24" HIGH COLORED COUNTER WITH MINIMUM 30" CLEAR SPACE. G.C. TO PROVIDE POWER AND DATA. REFER TO ELECTRICAL DRAWINGS.
 21 WATER SOFTENER SYSTEM. REFER TO PLUMBING DRAWINGS.
 22 ALL FLOOR DUCTWORK. REFER TO SHEET **ME2** FOR LOCATION.
 23 G.C. OVER AN INTERNATIONAL ACCESSIBILITY STANDARD, ON ALL ACCESSIBLE OUTRAGES.
 24 NEW 12 INCH DIAMETER STAINLESS STEAM SUCT FOR TYPE 1 HOOD. SEE DETAIL, **PREP & P**.

- 25 AIR CURTAIN. REFER TO MECHANICAL AND KITCHEN FINCS.
 26 TANKLESS WATER HEATER. REFER TO PLUMBING FINCS.
 27 DISCONNECT FOR DISH WASHING & ICE MASHING. REFER TO ELEC. FINCS.
 28 S.S. WALL PROTECTION, CAP & CORNER GUARD.
 29 SIGN MOUNTED ON DOOR POOR SHEET # 9 CA. RESTROOM DOORS.
 30 SIGN ADJACENT TO DOOR POOR SHEET # 9 CA. RESTROOM DOORS.
 31 NEW BASE AND TOP CABINET /W/ COORING/ TOP PLASTIC LAMINATE FINISH ALL SURFACES AND QUARTZ COUNTERTOPS, PROVIDE AND INSTALL BY G.C.
 32 PROVIDE FIRE SAFE AT WALL BEHIND COOLER/FREEZER.
 33 1" GAP AT COOLER. PROVIDE STAINLESS STEEL CLOSING STRIP BY F.A.C.C. ALL GAPS AT COOLER WALL.
 34 KITCHEN WALLS TO RECEIVE OFF FINISH OVER WATER RESISTANT CYP BOARD AND 1/2" DURA SHIELD, U.A.D.
 35 HOOD FINISH. REFER TO **ME2** AND MECHANICAL SHEETS.
 36 (2) 4" X 6" TRAYS FOR AS-BUILT & POINT DRAINAGES.

- 37 HEAVY DUTY REFRIGERATION WALK-IN AND FREEZER.
 38 G.C. TO INSTALL AND PROVIDE POWER AND DATA AT POS. REFER TO KITCHEN AND ELECTRICAL SHEETS.
 39 G.C. TO FINISH FIRE EXTINGUISHER HOUSING TO FEET TRAVEL DISTANCE FROM THE STORE. LOCATION AND CLAMPINGS OF EXTINGUISHERS SHALL BE IN ACCORDANCE WITH 903 AND 904. SEE 18.
 40 2" TO PROVIDE 2 1/2" 24" FLOOR CLEAR FOR UTILITY STAIR UP. REFER TO **ME2** AND RESTROOM FINCS FOR LOCATION.
 41 2" TO PROVIDE 2 1/2" 24" FLOOR CLEAR FOR UTILITY STAIR UP. REFER TO **ME2** AND RESTROOM FINCS FOR LOCATION.
 42 FULL HEIGHT CABINET PLASTIC LAMINATE FINISH ALL SURFACES, PROVIDE AND INSTALL BY G.C.
 43 OUTDOOR FULL HEIGHT CABINET PROVIDE AND INSTALL BY G.C.
 44 COUNTER CHART PROVIDE AND INSTALL BY G.C.
 45 SHACK CHART PROVIDE AND INSTALL BY G.C.
 46 PHOTO/CAMERA/MENT DET SIGN AT PATIO GATES (SIGNAL). THE DET LIGHTING/MOUNTING/PHOTO/CAMERA/MENT DET SIGN - F&B 109
 47 NEW PATIO FURNITURE BY G.C.
 48 BAKING FURNITURE BY G.C.

- 49 COMMERCIAL DRIBLE DOOR PROVIDE BY ALPINE OVERHEAD DOOR, G.C. TO INSTALL.
 50 ADA SEATING.



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



project info
HAIDI LAO HP
CITY OF INDUSTRY, CA
 1600 AZULSA AVE. SPACE #174
 CITY OF INDUSTRY, CA 91748

HDL-002

REVISION	DATE
Owner Change	06/19/16
Building Dept.	06/22/16
Health Dept.	07/08/16
Planning Dept.	07/26/16

designed by: JT
 checked by: BT

sheet info

NOTED FLOOR PLAN
A1.1

CHONG STUDIO AND PSC EXPRESSLY RESERVE HIS COMMON LAW COPYRIGHT AND OTHER PROPERTY RIGHTS IN THESE PLANS. THESE PLANS ARE NOT TO BE REPRODUCED, CHANGED, OR COPIED IN ANY FORM OR MANNER WHATSOEVER, NOR ARE THEY TO BE ASSIGNED TO A THIRD PARTY WITHOUT FIRST OBTAINING THE WRITTEN PERMISSION AND CONSENT OF CHONG STUDIO AND PSC. IN THE EVENT OF UNAUTHORIZED REUSE OF THESE PLANS BY A THIRD, THE THIRD PARTY SHALL HOLD CHONG STUDIO AND PSC HARMLESS.

Exhibit D

Notice of Exemption - CUP 18-2

[Attached]

NOTICE OF EXEMPTION

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

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

Project Title: Haidilao Hot Pot, Conditional Use Permit No. 18-2

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

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

Description of Project: Haidilao Hot Pot Industry, Inc. (DBA Haidilao Hot Pot Industry), is requesting approval of a Conditional Use Permit ("CUP") No. 18-2 to allow for the operation of a new full-service restaurant without alcohol sales.

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

Name of Person or Agency Carrying Out Project:

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: The proposed project is exempt from the California Environmental Quality Act (CEQA) per Section 15301 (Class 1 Existing Facilities (a)) of the CEQA Guidelines for the following reasons: (1) The Class 1 exemption allows for the operation, permitting, and minor alternation of existing private structures and facilities when there is negligible expansion of the existing use. The Puente Hills Mall is currently occupied by several restaurant and other commercial uses. The proposed restaurant use is consistent with what is presently operating at the Mall, and the use will have negligible impacts to the site because the applicant is not proposing any expansion to the existing tenant spaces and a full service restaurant is a compatible use with the at the Mall, and there is no expansion to the existing uses, as restaurants already operate at the Mall. (2) The proposed project consists only of interior alterations, the applicant is proposing to merge the two units into one 6,505 square-foot full service restaurant. These improvements include demolition the existing partition walls and to be replaced with new partition walls to allow for a dining area, restroom, kitchen, storage rooms, waiting area, and offices. (3) Finally, all existing plumbing and electrical services will also be upgraded to accommodate for the changes to the interior of unit 174 and unit 178

Lead Agency

Contact Person: Nathalie Vazquez

Telephone: (626) 333-2211

Signature: _____

Date: September 11, 2018

Title: Consultant Assistant Planner II

Exhibit E

Public Hearing Notice – CUP 18-2

[Attached]



CITY OF INDUSTRY

NOTICE OF PUBLIC HEARING

Conditional Use Permit No. 18-2

On September 11, 2018 notice has been given that the Planning Commission of the City of Industry will hold a public hearing to consider an application from Eric Wang on behalf of Haidilao Hot Pot Industry, Inc. requesting approval of a Conditional Use Permit ("CUP") No. 18-2 to allow for the operation of a new full-service restaurant without alcohol sales, at the Puente Hills Mall located at 1600 Azusa Avenue unit 174 and unit 178

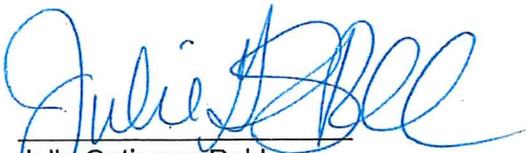
A copy of all relevant material, including the Conditional Use Permit application, and Notice of Exemption are on file in the City Administrative Offices, 15625 East Stafford Street, Suite 100, City of Industry, California 91744. Please contact Nathalie Vazquez, Consultant Assistant Planner II, at the City of Industry at 626-333-2211 extension 107 or by email at nvazquez@cityofindustry.org if you have questions.

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

Time: 11:30 a.m.
Date: September 11, 2018
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.


Julie Gutierrez-Robles
Deputy City Clerk

JN 9321

Exhibit F

Resolution No. PC 2018-10

[Attached]

RESOLUTION NO. PC 2018-10

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

RECITALS

WHEREAS, on May 24, 2018, Eric Wang representing Haidilao Hot Pot (“Applicant”) filed a complete application requesting approval of CUP No. 18-2 described herein (“Application”); and

WHEREAS, the Application applies to two existing vacant units that will be combined into 6,758 square-foot full service restaurant, on an existing 96 acre property located at 1600 South Azusa Avenue, within the Puente Hills Mall, City of Industry, California Assessor Parcel Number 8265-004-120 (“Property”); and

WHEREAS, in accordance with Section 17.12.025(14) of the City’s Municipal Code (“Code”), a CUP is required for the operation of a full service restaurant with or without alcohol sales; 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 it would provide essential goods and services commonly available at other shopping centers, and does not conflict with the established goals and objectives of the Land Use Element. Full service restaurants with no alcohol service are permitted in the “C” Commercial zone, subject to the approval of a CUP pursuant to Section 17.12.025(14) 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 proposed project is exempt from the California Environmental Quality Act (CEQA) per Section 15301 (Class 1 Existing Facilities (a)) of the CEQA Guidelines for the following reasons: (1) The Class 1 exemption allows for the operation, permitting, and minor alternation of existing private structures and facilities when there is negligible expansion of the existing use. The Puente Hills Mall is currently occupied by several restaurant and other commercial uses. The proposed restaurant use is consistent with what is presently operating at the Mall, and the use will have negligible impacts to the site because the applicant is not proposing any expansion to the existing tenant spaces and a full service restaurant is a compatible use with the existing restaurants at the Mall, and there is no expansion to the existing uses, as restaurants already operate at the Mall. (2) The proposed project consists of interior alterations

because the applicant is proposing to merge two units into one 6,505 square-foot full service restaurant. These improvements include the demolition of the existing partition walls to be replaced with new partition walls to allow for a dining area, restroom, kitchen, storage rooms, waiting area, and offices. (3) Finally, all existing plumbing and electrical services will also be upgraded to accommodate for the changes to the interior of unit 174 and unit 178. In addition, it was determined that no further traffic or parking impacts are anticipated because of a traffic study and parking study that were prepared by KOA Corporation under a previously approved entitlement, Development Plan No. 16-2 ("DP 16-2"), by the City of Industry City Council on April 13, 2017.

WHEREAS, notice of the Planning Commission's September 11, 2018 public hearing on the approval of CUP No. 18-2 was published in the *San Gabriel Valley Tribune* on August 31, 2018, in compliance with the City's Code and Government Code Section 65091, and was posted at the Property and at three public places on August 30, 2018; and

WHEREAS, on September 11, 2018 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 the approval of CUP No. 18-2, the Planning Commission hereby finds and determines that approving the application will not result in or have a significant impact on the environment for the following reasons: (1) The Class 1 exemption allows for the operation, permitting, and minor alternation of existing private structures and facilities when there is negligible expansion of the existing use. The Puente Hills Mall is currently occupied by several restaurant and other commercial uses. The proposed restaurant use is consistent with what is presently operating at the Mall, and the use will have negligible impacts to the site because the applicant is not proposing any expansion to the existing tenant spaces and a full service restaurant is a compatible use with the at the Mall, and there is no expansion to the existing uses, as restaurants already operate at the Mall. (2) The proposed project consists only of interior alterations, the applicant is proposing to merge the two units into

one 6,505 square-foot full service restaurant. These improvements include demolition the existing partition walls and to be replaced with new partition walls to allow for a dining area, restroom, kitchen, storage rooms, waiting area, and offices. (3) Finally, all existing plumbing and electrical services will also be upgraded to accommodate for the changes to the interior of unit 174 and unit 178.

SECTION 4: Based upon substantial evidence presented to the Planning Commission during the September 11, 2018 public hearing, including public testimony and written and oral staff reports, this Commission finds as follows:

(a) The proposed use is consistent with the goals and objectives of the General Plan. The General Plan designates the site as Commercial, which allows for dining uses. The Zoning Ordinance, which implements the General Plan, allows for a full service restaurant with 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 yards, walls, fences, parking, and locating facilities, and items which may be required by Sections 17.12.050 and 17.36 of the Municipal Code. The proposed full service restaurant is located on the first floor of an existing commercial structure which is part of a fully developed commercial shopping center with multiple tenants and buildings. The proposed restaurant 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 adequate street access and improved as necessary to carry the kind and quantity of traffic such use would generate. The Property is currently served by the 60 Freeway, Azusa Avenue, Castleton Street, Albatross Road, and Colima which are of adequate capacity to serve the commercial use. In addition, a traffic study was prepared as part of DP 16-2 which determined that there will be no significant impacts in regards to traffic at this site.

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

(e) The nature, condition and proposed development of adjacent uses, buildings and structures have been considered, and the proposed use, the

full service restaurant with no alcohol sales, will not adversely affect or be materially detrimental to such adjacent uses, buildings or structures or to the public health, safety or general welfare, in that the surrounding area is composed of other similar commercial uses.

SECTION 5: Based upon the foregoing findings, the Planning Commission hereby approves CUP No. 18-2, subject to the conditions contained in Attachment 1, which shall apply to both Unit 174 and Unit 178 at the Property.

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 September 11, 2018 by the following vote:

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

Michael Greubel
Chairman

ATTEST:

Julie Gutierrez-Robles
Secretary

Resolution No. PC 2018-10
CUP No. 18-2
Page 5 of 5

Attachment 1

Conditions of Approval – Amendment of CUP 18-2

[Attached]



CITY OF INDUSTRY

Standard Requirements and Conditions of Approval

APPLICATION: Conditional Use Permit No. 18-2

APPLICANT: Eric Wang, D.B.A. Haidlao Hot Pot Industry

LOCATION: 1600 South Azusa Avenue unit 174 and unit 178

USE: Full service restaurant with no alcohol

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. The sale of alcoholic beverages is prohibited. A separate CUP from the City, and requisite license must be obtained from the State Department of Alcoholic Beverage Control ("ABC") to sell alcoholic beverages.
3. No changes to the floor plan may be permitted without prior written permission from the City of Industry. This includes any minor partition walls.
4. 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.
5. 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.
6. 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.

7. 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.

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 10:00 A.M. and 12:00 A.M. or as subsequently approved by the Planning Commission.
13. There shall be no adult entertainment, male or female performers or fashion shows permitted on the premises at any time.
14. No X-rated or adult films shall be maintained or shown anywhere on the premises.
15. The permittee shall not permit "Taxi Dancing" to occur on the permitted premises wherein partners are provided for dancing or social purposes.
16. No dancing, live entertainment, DJ or karaoke by employees or customers will be permitted at any time.
17. No employee or agent shall be permitted to accept money or any other thing of value from a customer for the purpose of sitting or otherwise spending time with customers while in the premises, nor shall the permittee provide or permit, or make available either gratuitous or for compensation, male or female persons who act as escorts, companions, or guests of and for the customers.
18. No employee or agent shall solicit or accept any alcoholic or non-alcoholic beverage from any customer while in the premise.
19. No illegal drugs or drug paraphernalia shall be on the premises at any time.
20. All signs, banners, pennants, flags or other outside advertising materials or structures must be approved by the City.
21. Permittee will be held responsible for acquainting all employees with these rules and all local, county, state, or federal laws.
22. No changes to the approved floor plan shall be permitted without written permission from both the Los Angeles County Sheriff's Department and the City of Industry.
23. The noise level created by the business shall not exceed the following at the property line of any adjacent or nearby residential land use, hospital, school in session, church or public library as measured by a sound level meter:

- (a) 55 dBA between 7:00 a.m. - 10:00 p.m.
50 dBA between 10:00 p.m. - 7:00 a.m.
for a cumulative period of more than 30 minutes in any hour;
- (b) 60 dBA between 7:00 a.m. - 10:00 p.m.
55 dBA between 10:00 p.m. - 7:00 a.m.
for a cumulative period of more than 15 minutes in any hour;
- (c) 65 dBA between 7:00 a.m. - 10:00 p.m.
60 dBA between 10:00 p.m. - 7:00 a.m.
for a cumulative period of more than 5 minutes in any hour;
- (d) 70 dBA between 7:00 a.m. - 10:00 p.m.
65 dBA between 10:00 p.m. - 7:00 a.m.
at any time.

24. Any violation of these conditions or any local, county, state or federal laws shall constitute grounds for revocation or suspension of the Conditional Use Permit.

25. No outside cooking, food preparation, or sales of product or merchandise is allowed, unless approved in advance by the Planning Department.

26. Prior to Planning Final, all outstanding fees and invoices due to the City shall be paid in full. If requested by City Staff, the applicant shall provide proof of payment.

Interpretation and Enforcement

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

Indemnification and Hold Harmless Condition

1. The owner of the property that is the subject of this project, and the project applicant if different from the property owner, and each of their heirs, successors and assigns, shall defend, indemnify and hold harmless the City of Industry and its agents, officers, and employees from any claim, action or proceedings, liability

cost, including attorney's fees and costs against the City or its agents, officers or employees, to attack, set aside, void or annul any approval of the City, including but not limited to any approval granted by the City Council and Planning concerning this project. The City shall promptly notify the applicant of any claim, action or proceeding and should cooperate fully in the defense thereof.

2. The Applicant and Property owner shall file an executed and acknowledged Acceptance of Terms and Conditions of CUP 18-2 within 10 days of approval.

PLANNING COMMISSION

ITEM NO. 5.2



CITY OF INDUSTRY

MEMORANDUM

TO: Planning Commission

FROM: Troy Helling, Acting City Manager *TH*

STAFF: Dina Lomeli, Associate Planner *DL*
Nathalie Vazquez, Assistant Planner II *NV*

DATE: September 11, 2018

SUBJECT: Public Hearing for the consideration of Tentative Parcel Map 351, to subdivide an existing 22.002 acre parcel into two parcels, located on the north side of Gale Avenue, east of Bixby Drive and south of the Union Pacific Railroad.

Proposal:

Bob Kubicheck is requesting approval of a tentative parcel map to subdivide a parcel into two industrial lots leaving one lot with two existing industrial buildings, and the second lot with a future development that was previously approved by the City of Industry City Council. Section 16.12.030 of the Municipal Code ("Code") requires that when a parcel map is proposed it shall be filed with the Planning Commission for review and for a final decision. Before the Commission today is:

- Consideration of Tentative Parcel Map 351, to subdivide an existing 22.002 acre parcel into two industrial parcels in accordance with Section 16.12.030 of the Code.

Project Background:

On October 13, 2016, the City Council approved Development Plan No. 15-21 (DP 15-21) to allow for the construction of a new 36,030 square-foot industrial building. DP 15-21 also had an initial study prepared for the project with the determination of a negative declaration ("IS/ND"). The negative declaration concluded that DP 15-21 will not have a significant impact on the environment. Currently, this project is in the processes of obtaining all necessary permits with the Los Angeles County Building and Safety Department.

Location and Surroundings:

As shown on the location map (Exhibit A), the project site is located on the north side of Gale Avenue with a frontage of approximately 953.28 feet, east of Bixby Drive with a frontage of 206.86 feet and south of the Union Pacific Railroad. The site is 22.002 acres, totaling 958,199 square feet. The Los Angeles County Tax Assessor Parcel Number (APN) is 8242-011-059. Warehousing and industrial uses are located to the south, east, west and north across the UPRR tracks.

Project Description:

Tentative Parcel Map 351, is to subdivide an existing 22.002 acre parcel into two parcels (Exhibit B). Currently, there are two existing industrial buildings on the site, building one and two are 326,302 square-feet and 55,662 square-feet respectively, totaling approximately 396,070 square feet. The proposed subdivision will consist of the following configuration; parcel 1 will be a 19.367 acre lot (843,635 square feet) and parcel No. 2 will be a 2.630 acre lot (114,565 square feet). The two existing industrial buildings will be located on future Parcel No. 1. Future parcel 2 is currently an existing parking area and will contain a new 36,030 square-foot industrial building that was previously approved under DP 15-21. Each parcel meets minimum lot size, minimum frontage, access and drainage requirements.

Staff Analysis:

The Planning Commission is the approving body for Tentative Parcel Maps. The applicant is proposing to subdivide an existing 22.002 acre parcel into two parcels. Staff recommends approval of Tentative Parcel Map based on the following findings:

- The map is consistent with the General Plan and any applicable specific plans. The proposed subdivision is located in an area designated as Employment in the General Plan, which allows for industrial uses when zoned appropriately. The proposed subdivision would allow two existing industrial warehouse buildings to remain on Parcel No. 1 and a future industrial development on Parcel No. 2, in keeping with surrounding uses and in accordance with the direction of the General Plan. The project site is not located within an adopted specific plan.
- The improvement is consistent with the General Plan and any applicable specific plans. The proposed subdivision complies with the minimum size, frontage, access, and drainage requirements addressed in Section 16.10 of the Municipal Code and the development standards in Section 17.36 of the Municipal Code. The project site is not located within an adopted specific plan. Additionally, per the City's Code cross lot draining is not permitted the applicant proposes to solve the issue by proposing a catch basin per the conditions of approval.
- The site is physically suitable for the type of development. The project site has an existing development and a future development under DP 15-21 with all the required improvements that were reviewed when the development was originally proposed, and there are no known physical or environmental hazards.
- The site is physically suitable for the proposed density of development. The proposed subdivision would result in two parcels that exceed minimum lot area and width requirements. The resulting density for Parcel No. 1 will be 40% and Parcel No. 2 will be suitable for the proposed density of development.
- The design of the proposed subdivision is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife in their habitat. The site is located in an urbanized area with no known fish or wildlife population existing on the project site. Additionally, a future development was previously approved under DP 15-21 with IS/ND, which made a determination that the proposed development will have no significant impacts on the environment. Therefore, the proposed subdivision will not cause

substantial environmental damage or substantially and avoidably injure fish and wildlife of their habitat.

- The design of the subdivision is not likely to cause serious public health problems. As documented IS/ND, the project complies with development standards, complies with access and circulation requirements, does not alter emergency response, is not located in flood zones, near active earthquake faults, will not be used to store or produce hazardous materials, and will comply with applicable building and fire codes.
- The design or improvement will not conflict with easements. All easements are identified on Tentative Parcel Map and the proposed subdivision will not conflict with, be located on, or alter the easements.
- Pursuant to Government Code Section 66474.6, the discharge of the waste from the proposed subdivision into the existing sewer system will not result in violation of existing requirements by the Los Angeles County Regional Water Quality Control Board because there is an existing development that complies with the Board's current requirements and as addressed in DP 15-21, The Applicant is required to supply sanitary sewers that will serve all buildings and parcels.
- The subdivision is consistent with Section 66412.3 of the Subdivision Map Act regarding the City's share of the regional housing need and that it balances the housing needs of the region against the public service needs of the City's residents and available fiscal and environmental resources because the subdivision is located in the City's Industrial Zone, and is therefore only suitable for industrial development, and no residential development is permitted.

Environmental Analysis:

An environmental assessment form was submitted by the Applicant pursuant to the City's requirements for TPM 351. Based on the information received and Staff's review and assessment, the project was determined to not have any significant impacts on the environment and is categorically exempt from the California Environmental Quality Act ("CEQA"), pursuant to Section 15315 of the CEQA guidelines. This Class 15 exemption allows for the division of property in urbanized areas zoned for industrial use into four or fewer parcels. The division of the property is in conformance with the General Plan and the City's zoning requirements, no variances or exceptions are required as part of this project, the property is currently a fully developed industrial property with all necessary services, the property is currently accessible from Gale Avenue and Bixby Drive, was not divided within the last two years, and does not contain an average slope greater than 20 percent,.

Fiscal Impact:

The projects fiscal impact will include increased property tax revenue to the City of Industry but also will include increased street, lighting, stormdrain and sewer maintenance.

Recommendation:

Staff recommends that the Planning Commission approve Tentative Parcel Map 351 because the project complies with the development standards of the Municipal Code, does not pose a significant impact on the environment, and satisfies the above-mentioned findings, Staff recommends that the Planning Commission:

- 1) Adopt Resolution PC 2018-11 Approving Tentative Parcel Map 351, and Standards Requirements and Conditions of Approval contained in the resolution (Exhibit D) and direct staff to file a Notice of Exemption.

Exhibits:

- A. Location Map – TPM 351
- B. Tentative Parcel Map 351 – TPM 351
- C. Public Hearing Notice – TPM 351
- D. Notice of Exemption – TPM 351
- E. Resolution PC 2018-11 Approving Tentative Parcel Map 351 and Standards Requirements and Conditions of Approval contained in the resolution

EXHIBIT A

Location Map – TPM 351

[Attached]



05/20/2017

© 2017 Pictometry

EXHIBIT B

Tentative Parcel Map 352 – TPM 351

[Attachment]

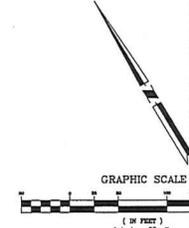
TITLE REPORT
BOUNDARY AND EASEMENTS SHOWN HEREIN ARE BASED ON THE PRELIMINARY TITLE REPORT PREPARED BY:
FIRST AMERICAN TITLE INSURANCE COMPANY
1001 S. GILBERT STREET, 4TH FLOOR
DOWNEY, CALIFORNIA 90241
(714) 251-4200
TITLE OFFICE: AMERICA REPORTING
1500 N. GARDEN STREET
DOWNEY, CALIFORNIA 90241
DATE: JUNE 24, 2017

LEGAL DESCRIPTION
REAL PROPERTY IN THE CITY OF INDUSTRY, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, RECORDED AS FOLLOWS:
INDUSTRY PARCEL NO. (70 FOLLOWS), BEING A DIVISION OF THE FOLLOWING:
PARCEL 2, IN THE CITY OF INDUSTRY, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON PARCEL MAP NO. 42, FILED IN BOOK 42, PAGE 18 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.
ACCEPTING THEREON THAT PORTION OF SAID LAND FORMERLY KNOWN THAT PORTION OF PARCEL 4, AS SHOWN ON PARCEL MAP NO. 2, IN THE CITY OF INDUSTRY, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 21, PAGES 17 TO 18 RECORDED IN PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, LINGO SOUTH-EASTERNLY OF A LINE DESCRIBED AS FOLLOWS:

BEING AT A POINT IN THE INTERSECTION LINE OF SAID PARCEL 4, SAID POINT BEING 200.00' BY 30.00' DISTANCE FROM THE INTERSECTION CORNER OF SAID PARCEL 4, BEING SOUTH 30° 00' 00" WEST 300.00 FEET TO THE INTERSECTION CORNER OF SAID PARCEL 4, ALL THE CORNERS AND INTERSECTION POINTS IN AND UNDER SAID LAND, BUT WITH NO RIGHT TO ENTER UPON THE SURFACE OF THE PROPERTY OR TO USE THE PROPERTY OR ANY PORTION THEREOF ABOVE THE LEVEL OF A PLANE PARALLEL TO AND 500 FEET BELOW THE SURFACE OF SAID LAND, AS SAID SURFACE CREATED AS DESCRIBED IN 1971 AS RECORDED BY FRANCHIS LOS ALAMITOS CORPORATION, A CALIFORNIA CORPORATION, SOME RECORDS AS BEING RECORDED IN BOOK 18, PAGE 18 OF OFFICIAL RECORDS, 1971 AS INSTRUMENT NO. 227 IN BOOK 18, PAGE 18 OF OFFICIAL RECORDS.
ALSO ACCEPTING THEREON THAT PORTION OF SAID LAND FORMERLY KNOWN THAT PORTION OF PARCEL 1, IN THE CITY OF INDUSTRY, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON PARCEL MAP NO. 2, IN THE CITY OF INDUSTRY, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 21, PAGES 17 TO 18 RECORDED IN PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, LINGO SOUTH-EASTERNLY OF A LINE DESCRIBED AS FOLLOWS:
BEING AT A POINT IN THE INTERSECTION LINE OF SAID PARCEL 1, SAID POINT BEING 200.00' BY 30.00' DISTANCE FROM THE INTERSECTION CORNER OF SAID PARCEL 1, ALL THE CORNERS AND INTERSECTION POINTS IN AND UNDER SAID LAND, BUT WITH NO RIGHT TO ENTER UPON THE SURFACE OF THE PROPERTY OR TO USE THE PROPERTY OR ANY PORTION THEREOF ABOVE THE LEVEL OF A PLANE PARALLEL TO AND 500 FEET BELOW THE SURFACE OF SAID LAND, AS SAID SURFACE CREATED AS DESCRIBED IN 1971 AS RECORDED BY FRANCHIS LOS ALAMITOS CORPORATION, A CALIFORNIA CORPORATION, SOME RECORDS AS BEING RECORDED IN BOOK 18, PAGE 18 OF OFFICIAL RECORDS, 1971 AS INSTRUMENT NO. 227 IN BOOK 18, PAGE 18 OF OFFICIAL RECORDS.
APR 842-01-009

EXISTING EASEMENT NOTES:

- 1 WATER MAINS, CLONES OR TIE-INS, WHETHER OR NOT SHOWN BY THE PUBLIC RECORDS.
- 2 AN EASEMENT FOR STORM DRAIN AND INCIDENTAL PURPOSES, RECORDED AS INSTRUMENT NO. 423 IN BOOK 31, PAGE 811 OF OFFICIAL RECORDS, IN FAVOR OF: CITY OF INDUSTRY, A MUNICIPAL CORPORATION, AS DESCRIBED THEREIN.
- 3 AN EASEMENT FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES, RECORDED AS INSTRUMENT NO. 1462 IN BOOK 31, PAGE 202 OF OFFICIAL RECORDS, IN FAVOR OF: CALIFORNIA CALIFORNIA Edison COMPANY, A CORPORATION IN FAVOR OF: GENERAL TELEPHONE COMPANY OF CALIFORNIA, A CORPORATION, AS DESCRIBED THEREIN.
- 4 AN EASEMENT FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES, RECORDED APRIL 18, 1986 AS INSTRUMENT NO. 2711 IN BOOK 5-2074, PAGE 870 OF OFFICIAL RECORDS, IN FAVOR OF: GENERAL TELEPHONE COMPANY OF CALIFORNIA, A CORPORATION, AS DESCRIBED THEREIN.
- 5 AN EASEMENT FOR SWANNEY STAIRS AND INCIDENTAL PURPOSES, RECORDED NOVEMBER 4, 1960 AS INSTRUMENT NO. 3708 IN BOOK 4-3168, PAGE 202 OF OFFICIAL RECORDS, IN FAVOR OF: CITY OF INDUSTRY, AS DESCRIBED THEREIN.
- 6 CONTRACTING, CONTRACTING RESTRICTIONS AND EASEMENTS IN THE RECORDS RECORDED SEPTEMBER 12, 1987 AS INSTRUMENT NO. 3840 IN BOOK 4-2852, PAGE 771 OF OFFICIAL RECORDS, WHEREBY PROVIDE THAT A RESIDENT THEREOF SHALL NOT RETAIN OR REMOVE THE SIGN OF ANY FIRST MORTGAGE OR DEED OF TRUST MADE OR OBTAIN FOR ANY USE, BUT BEARING ANY CONTRACT, CONDITION OR RESTRICTION PROHIBITING OR PREVENTING, LIMITATION OR DISCRETION BASED ON RACE, COLOR, RELIGION, SEX, HANICAP, FAMILIAL STATUS, NATIONAL ORIGIN, SOCIAL ORIGIN, ORIGIN, MARITAL STATUS, ANCESTRY, COMPLEX OF RACE OR DISABILITY, TO THE EXTENT SUCH CONTRACTS, CONDITIONS OR RESTRICTIONS VIOLATE TITLE 42, SECTION 53000 OF THE UNITED STATES CODE OF SECTION 15500 OF THE CALIFORNIA CONSUMER CODE, LAWS, RESTRICTIONS UNDER TITLE 42, SECTION 53000 OF THE UNITED STATES CODE OF SECTION 15500 OF THE CALIFORNIA CONSUMER CODE, OCCURRED IN SOME RECORDS OR RECORDS FOR SAID RECORDS SHALL NOT BE CONSIDERED AS RESTRICTIONS BASED ON PARCEL MAPS.
- 7 DOCUMENT(S) DECLARING MORTGAGE(S) THEREOF RECORDED MARCH 27, 1964 AS INSTRUMENT NO. 2225 IN BOOK 4-2812, PAGE 441 OF OFFICIAL RECORDS.
- 8 DOCUMENT(S) DECLARING MORTGAGE(S) THEREOF RECORDED NOVEMBER 20, 1965 AS INSTRUMENT NO. 1853 IN BOOK 4-3336, PAGE 249 OF OFFICIAL RECORDS.
- 9 DOCUMENT(S) DECLARING MORTGAGE(S) THEREOF RECORDED DECEMBER 26, 1971 AS INSTRUMENT NO. 238 AND 239 OF OFFICIAL RECORDS.
- 10 ALL OF THE RIGHTS, POWERS AND RESERVATIONS OF THE DECLARANT IN THE DECLARATION FIRST MADE ADDRESSED MORE PARTICULARLY ACCORDING TO FRANCHIS LOS ALAMITOS CORPORATION, A CALIFORNIA CORPORATION, SOME RECORDS AS BEING RECORDED IN BOOK 18, PAGE 18 OF OFFICIAL RECORDS, BY AN INSTRUMENT RECORDED DECEMBER 26, 1971 AS INSTRUMENT NO. 238 IN BOOK 4-3336, PAGE 249 OF OFFICIAL RECORDS.
- 11 AN EASEMENT AS CONTAINED IN THE ABOVE DOCUMENT: PUBLIC UTILITIES, RAILROAD TRACKS AND INCIDENTAL PURPOSES.
- 12 THE FOLLOWING MATTER SHOWN OR DESCRIBED BY PARCEL MAP NO. 2 RECORDED IN BOOK 21, PAGES 17, 18 AND 19 OF PARCEL MAPS, A 10 FOOT EASEMENT FOR STORM DRAINAGE TO THE CITY OF INDUSTRY.
- 13 THE FOLLOWING MATTER SHOWN OR DESCRIBED ON PARCEL MAP NO. 21 RECORDED IN BOOK 42, PAGES 4 AND 5 OF PARCEL MAPS, A 10 FOOT EASEMENT FOR STORM DRAINAGE TO THE CITY OF INDUSTRY.
- 14 AN OFFER OF DECLARATION FOR STORM DRAIN AND INCIDENTAL PURPOSES, RECORDED DECEMBER 26, 1972 AS INSTRUMENT NO. 304 OF OFFICIAL RECORDS, IN FAVOR OF: CITY OF INDUSTRY, A MUNICIPAL CORPORATION, AS DESCRIBED THEREIN.
- 15 AN EASEMENT FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES, RECORDED SEPTEMBER 6, 1973 AS INSTRUMENT NO. 1258 OF OFFICIAL RECORDS, IN FAVOR OF: CALIFORNIA CALIFORNIA Edison COMPANY, A CORPORATION, AS DESCRIBED THEREIN.
- 16 EASEMENTS PLOTTABLE EASEMENT HEREON.
- 17 EASEMENTS EASEMENT THAT IS BLANKET IN NATURE AND NOT PLOTTED HEREON.



BENCHMARK
CITY OF INDUSTRY DEPARTMENT PUBLIC WORKS BENCHMARK NO. C-7 ELEVATION = 378.401
BEING IN S.W. CORNER OF GALE AVENUE 8' X 16' OF CENTERLINE GALE AVE. AND 4' EAST OF S. CORNER OF GALE AVE. AND 4' WEST FROM SOUTH 21° 30' 00" E.

BASE OF BEARING
THE BEARING NORTH 30° 00' 00" EAST FOR THE CENTERLINE OF GALE AVE AS SHOWN ON PARCEL MAP NO. 42 AS FILED IN BOOK 42, PAGE 18 OF PARCEL MAPS, RECORDS OF COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, WAS USED AS THE BASIS OF BEARINGS.

RECORD DATA NOTE
RECORDS AND DISTANCES SHOWN ARE RECORD DATA PER PARCEL MAP NO. 42 FILED IN BOOK 42, PAGE 18 OF PARCEL MAPS, UNLESS OTHERWISE NOTED.

FLOOD ZONE
COMMUNITY NUMBER: 060335 17000' EFFECTIVE DATE: SEPTEMBER 26, 2009 ZONE: X (DROWNING)
PROPERTY NOT IN A SPECIAL FLOOD HAZARD AREA DETERMINED TO BE OUTSIDE THE SPECIAL ANNUAL DROWNING ZONE/LAKE.

SITE AREA
TOTAL AREA (GROSS): 80,949 SQUARE FEET OR 18,522 ACRES
PARCEL 1 (GROSS): 34,548 SQUARE FEET OR 7.847 ACRES
PARCEL 2 (GROSS): 46,401 SQUARE FEET OR 10.680 ACRES

MONUMENT NOTES:

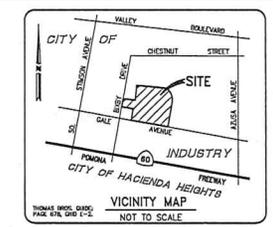
- 1 SEARCHED FOUND NOTHING. ESTABLISHED CENTERLINE INTERSECTION OF GALE AVENUE AND BUSBY DRIVE BY FOUND TIES PER CORNER RECORD IN P.W.F.A. 1133, PAGE USE AND 187.
- 2 FOUND PLUNGED RAILROAD SPIKE, NO TAG, ACCEPTED AS BEING CORNER OF CURVE AS SHOWN ON PARCEL MAP NO. 40, PARCEL 42, PAGE 18 OF PARCEL MAPS.

NOTE:
IF THE STIP OF LAND TO BE RECEIVED FOR RAILROAD PURPOSES AS SHOWN ON PARCEL MAP NO. 42, FILED IN BOOK 42, PAGE 18 OF PARCEL MAPS, (ITEM NOT LISTED IN P-18)
FOR PROPOSED SITE AND BUILDING IMPROVEMENTS, SEE WARE MALCOLM ARCHITECTURAL PLANS.

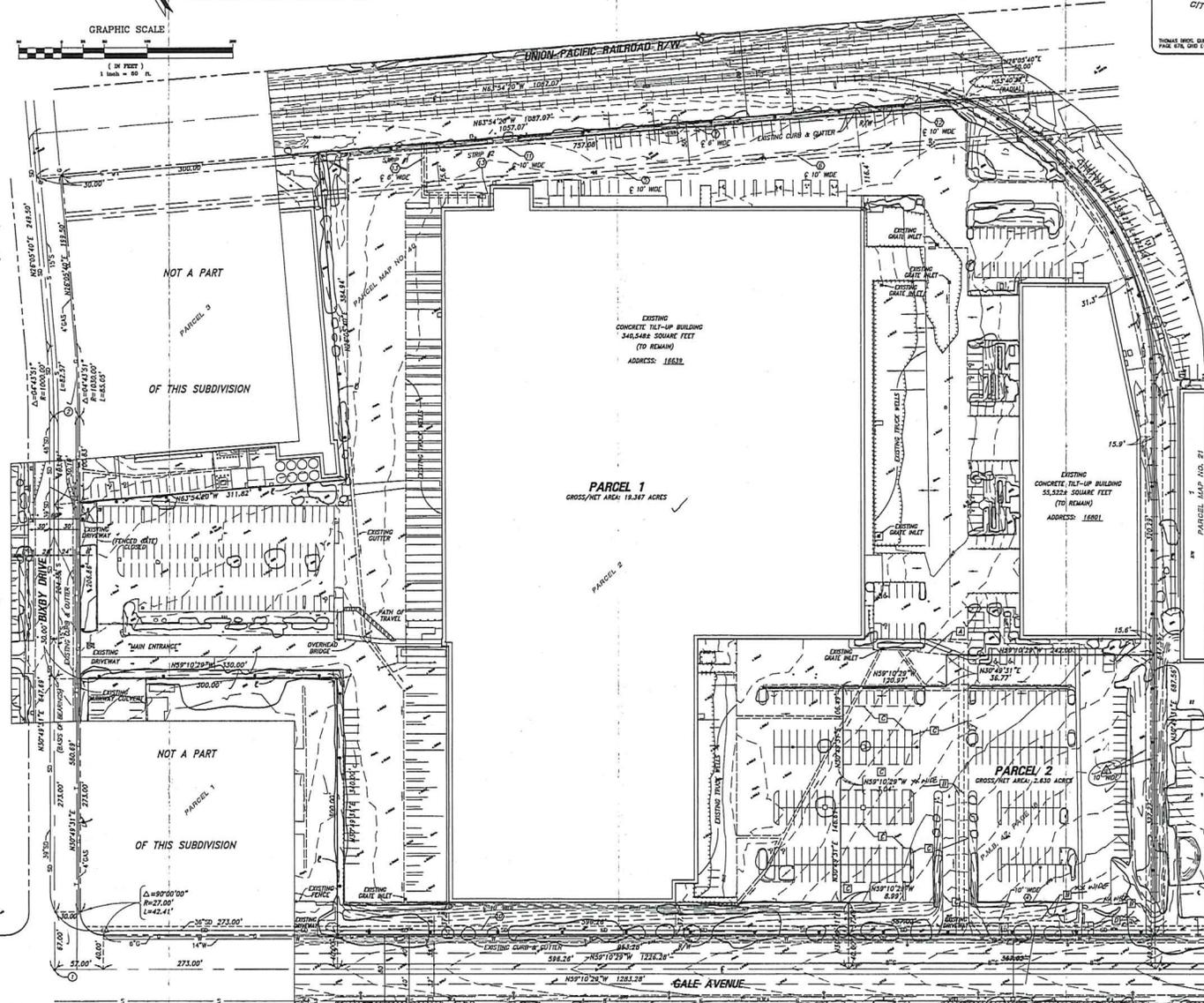
PROPOSED EASEMENTS:

- 1 VARIABLE WIDTH EASEMENT FOR DRY STORM DRAIN PURPOSES FOR THE BENEFIT OF PARCEL 2, RESERVED HEREON.
- 2 PRIVATE EASEMENT FOR THE BENEFIT OF PARCELS 1 AND 2, RESERVED HEREON.
- 3 VARIABLE WIDTH EASEMENT FOR WIDE AREA ACCESS PURPOSES OVER AND ABOVE THE BENEFIT OF PARCEL 1, RESERVED HEREON.
- 4 EASEMENT TO RAILROAD WATER DISTRICT FOR MAINTENANCE PURPOSES, RESERVED HEREON.

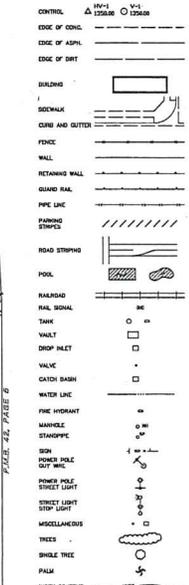
NOTE:
THERE ARE NO PROPOSED DESIGNATIONS FOR PUBLIC STREETS HEREON.
SEE COUNTY FOR DRAWING OF CROSS LOT DRAINAGE, PARKING, ACCESS AND INTERLOCKED EASEMENTS.



WARE MALCOLM
Leading Design for Commercial Real Estate



NOTE:
AERIAL PHOTOGRAPHY PROVIDED BY: AERIAL SURVEY CO. INC. DATED JULY 15, 2017



TENTATIVE PARCEL MAP NO. 351
LBA REALTY
16801 GALE AVENUE
IN THE CITY OF INDUSTRY, CA. 91745

DATE: _____
REVISIONS: _____
DATE: _____
REVISIONS: _____
DATE: _____
REVISIONS: _____
DATE: _____
REVISIONS: _____
DATE: _____
REVISIONS: _____

THIS TENTATIVE PARCEL MAP WAS PREPARED UNDER MY DIRECT SUPERVISION AND I AM A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF CALIFORNIA.
JOSEPH C. THURMAN
PROFESSIONAL LAND SURVEYOR NO. 6571



UTILITY PROVIDERS:
WATER: IRVINE WATER DISTRICT (714) 637-1708
SEWER: LOS ANGELES COUNTY SANITATION DISTRICT NO. 2 (714) 408-4388
STORM DRAIN: LOS ANGELES COUNTY (714) 408-3300
GAS: SOUTHERN CALIFORNIA GAS COMPANY (714) 313-7017
TELEPHONE: FRONTIER (714) 629-2468
ELECTRIC: SOUTHERN CALIFORNIA Edison (714) 796-8622
TV: FRONTIER (714) 629-2468

APPROXIMATE THE BOUNDARY OF THE LAND BEING SURVEYED BY THIS MAP.

SEE APPROVED CIVIL PLANS PREPARED BY WARE MALCOLM FOR "PROPOSED" CONDITIONS.

THIS SURVEY SHOWS "EXISTING CONDITIONS"

PLAN PREPARED BY:
JOSEPH C. THURMAN AND ASSOCIATES, INC.
Civil Engineers & Land Surveyors
345 S. ANTELOPE DRIVE, SUITE 111
INDUSTRY, CA 91745
PHONE: (714) 855-2845
FAX: (714) 855-0194

OWNER:
BPP PACIFIC INDUSTRIAL CA
REIT OWNER 2 LLC
245 PARK AVENUE
NEW YORK, NY 10154

PLAN PREPARED FOR:
WARE MALCOLM
10 EDELMAN
IRVINE, CA 92618

EXHIBIT C

Public Haring Notice – TPM 351

[Attachment]



CITY OF INDUSTRY

NOTICE OF PUBLIC HEARING

Tentative Parcel Map 351

On September 11 2018 notice has been given that the Planning Commission of the City of Industry will hold a public hearing to consider an application from Bob Kubichek for approval of Tentative Parcel Map 351 generally located at 17961 Gale Avenue (the "Project"), which consists of an existing development of 22.002 acre property of industrial uses.

Project Location: The property is located on the north side of Gale Avenue, east of Bixby Drive and south of the Union Pacific Railroad, Assessor Parcel Number ("APN") 8242-011-059.

Project Description: The applicant is proposing to subdivide the 22.002 acre parcel into two industrial lots leaving one lot with two existing industrial buildings, and the second lot with a future development under Development Plan No. 15-2 that was previously approved by the City of Industry City Council.

A copy of all relevant material, including the Tentative Parcel Map application, and Notice of Exemption are on file in the City Administrative Offices, 15625 East Stafford Street, Suite 100, City of Industry, California 91744. Please contact Nathalie Vazquez, Consultant Assistant Planner II, at 626-333-2211 extension 107 or by email at nvazquez@cityofindustry.org if you have questions.

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

Time: 11:30 a.m.
Date: September 11, 2018
Place: City Council Chamber
15651 East Stafford Street
City of Industry, CA 91744

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

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

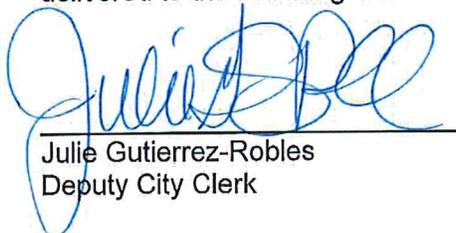

Julie Gutierrez-Robles
Deputy City Clerk

EXHIBIT D

Notice of Exemption – TPM 351

[Attachment]

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: Tentative Parcel Map 351

Project Location - Specific: The property is located on the north side of Gale Avenue, east of Bixby Drive and south of the Union Pacific Railroad, APN: 8242-011-059.

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

Description of Project: Proposing to subdivide the 22.002 acre parcel into two industrial lots leaving one lot with two existing industrial buildings, and the second lot with a future development under Development Plan No. 15-2 that was previously approved by the City of Industry City Council.

Name of Public Agency Approving Project: City Council, City of Industry

Name of Person or Agency Carrying Out Project: Bob Kubichek

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:* 15315
- Statutory Exemptions. *State code number:*

Reasons why project is exempt: Section 15315 of the CEQA guidelines. This Class 15 exemption allows for the division of property in urbanized areas zoned for industrial use into four or fewer parcels. The division of the property is in conformance with the General Plan and the City's zoning requirements, no variances or exceptions are required as part of this project, the property is currently a fully developed industrial property with all necessary services, the property is currently accessible from Gale Avenue and Bixby Drive, was not divided within the last two years, and does not contain an average slope greater than 20 percent,.

Lead Agency

Contact Person: Nathalie Vazquez

Telephone: (626)333-2211

Signature: _____

Date: 09-11-2018

Title: Consultant Assistant Planner II

EXHIBIT E

Resolution PC 2018-11

[Attachment]

RESOLUTION NO. PC 2018-11

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF INDUSTRY, CALIFORNIA, APPROVING TENTATIVE PARCEL MAP 351 TO SUBDIVIDE AN EXISTING 22.002 ACRE PARCEL INTO TWO PARCELS, LOCATED ON THE NORTH SIDE OF GALE AVENUE, EAST OF BIXBY DRIVE AND SOUTH OF THE UNION PACIFIC RAILROAD, IN THE CITY OF INDUSTRY, CALIFORNIA AND NOTICE OF EXEMPTION REGARDING SAME, AND MAKING FINDINGS IN SUPPORT THEREOF

RECITALS

WHEREAS, on October 30, 2017, Bob Kubichek (the "Applicant") filed an application for approval of Tentative Parcel Map ("TPM") No. 351 described herein ("Application"); and

WHEREAS, the Application applies to an existing parcel that is approximately 22.002 acres and is currently developed with two existing industrial buildings at 326,302 square-feet and 55,662 square-feet, along with the imminent construction of a new 36,030 square-foot industrial building, approved on October 13, 2016 under Development Plan No. 15-21 (DP 15-21), located north of Gale Avenue, west of Bixby Drive and south of the Union Pacific Railroad, City of Industry, California, Assessor's Parcel Number 8242-011-059. ("Property"); and

WHEREAS, the Applicant desires to subdivide the Property into two numbered parcels, via Tentative Parcel Map No. 351 ("TPM No. 351") within the "M" Industrial Zone, and in accordance with Sections 16.12.030 of the City's Municipal Code ("Code"), and Government Code Section 66426(c), a Tentative Parcel Map is required for the subdivision of land and the creation of new parcels; and

WHEREAS, the Land Use Element of the General Plan designates the Property as Employment. The Project is consistent with the General Plan, because the proposed subdivision, as conditioned, complies with all elements of the General Plan and the City's zoning requirements as it allows for the creation of two parcels for the purpose of development, along with the approved future development under DP 15-21. The proposed subdivision is similar to other industrial and manufacturing sites in the same land use designation, and does not conflict with the established goals and objectives of the Land Use Element; 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, it was determined that the Project does not to have a significant impact on the environment and is categorically exempt from the California Environmental Quality Act ("CEQA"), pursuant to Section 15315 of the CEQA Guidelines (Minor Land Divisions) because the division of the Property is in conformance with the General Plan and the City's zoning requirements as the subdivision complies with the City's minimum parcel size, setback, landscaping, parking, drive aisle and minimum frontage requirements found in Chapter 17.36 of the City's Municipal Code, no variances or exceptions are required as part of this project, the Property is currently a fully developed

industrial property with all necessary services, the Property is currently accessible from Gale Avenue and Bixby Drive, and does not contain an average slope of greater than 20 percent, and was not divided within the last two years; and

WHEREAS, notice of the Planning Commission's September 11, 2018, public hearing on TPM No. 351 was published in The San Gabriel Valley Tribune on August 31, 2018, in compliance with the City's Code and Government Code Section 65091, and was posted at the Property and at three public places on August 30, 2018; and

WHEREAS, on September 11, 2018, the Planning Commission of the City of Industry conducted a duly noticed public hearing on TPM No. 351, and considered all testimony written and oral; 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 hereby resolve, determine, find, and order 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 City's Code.

SECTION 3: An environmental assessment form was submitted by the Applicant pursuant to the City's requirements for TPM 351. Based on the information received and Staff's review and assessment, the project was determined to not have any significant impacts on the environment and is categorical exempt from the California Environmental Quality Act ("CEQA"), pursuant to Section 15315 of the CEQA guidelines. This Class 15 exemption allows for the division of property in urbanized areas zoned for industrial use into four or fewer parcels when the property was not involved in a division of a larger parcel within the previous two years, and the parcel does not have an average slope greater than 20 percent. The division of the Property is in conformance with the General Plan and the City's zoning requirements including building setbacks, building height, parking, landscaping, parcel size and frontage size, no variances or exceptions are required as part of this project, the property is currently a fully developed industrial property with all necessary services, and the property is currently accessible from Gale Avenue and Bixby Drive. Based on the foregoing, the Planning Commission hereby 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 September 11, 2018 public hearing, including public testimony and written and oral staff reports, and which includes without limitation, the CEQA Guidelines, along with the previously approved DP 15-21 along with the IS/ND, and the City's Code, the Planning Commission finds as follows:

A. The Project is located in an area designated as Employment in the General Plan, and zoned Industrial. Policy LU1-1 of the General Plan states that the City should accommodate business and employment uses as the primary land use. The Project would subdivide the Property consistent with this policy and is therefore consistent with the General Plan. The Property is not located within an adopted specific plan; and

B. Each parcel meets minimum lot size, minimum frontage, and access. Drainage requirements will be met with the added condition in the attached Conditions of Approval, therefore the design of the proposed subdivision is consistent with the General Plan and conforms with all applicable zoning requirements; and

C. The site is physically suitable for the type of development that exists on the Property as well as all proposed developments. The Property is being subdivided into two developed parcels. Parcel 1 is a total of 19.37 acres and includes two existing concrete tilt-up buildings. Parcel 2 is a total of 2.63 acres, is currently undeveloped, however a 36,030 square-foot industrial building was previously approved by the City under DP 15-21.

D. The site is physically suitable for the existing density of development. The Property is zoned Industrial and is within a fully developed industrial area. The proposed subdivision would result in parcels that comply with the minimum lot area and width requirements. The project site has an existing development and proposed new development was approved under DP 15-21, and there are no known physical or environmental hazards.

E. The design of the proposed subdivision is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife in their habitat. The site is located in an urbanized area with no known fish or wildlife population existing on the project site. Additionally, a future development proposed on parcel was previously approved under DP 15-21 with IS/ND, which made a determination that the proposed development will have no significant impacts on the environment. Therefore, the proposed subdivision will not cause substantial environmental damage or injure any habitat.

F. The design of the subdivision is not likely to cause serious public health problems. As documented IS/ND approved under DP 15-21, the project complies with development standards, complies with access and circulation requirements, does not alter emergency response, is not located in flood zones, near active earthquake faults, will not be used to store or produce hazardous materials, and will comply with applicable building and fire codes.

G. The design of the subdivision will not conflict with easements, acquired by the public at large, for access through or use of, property within the subdivision. All easements are identified on TPM 351 and the proposed layout will not conflict with or alter the easements; and

H. Pursuant to Government Code Section 66474.6, the discharge of the waste from the proposed subdivision into the existing sewer system will not result in violation of existing requirements by the Los Angeles County Regional Water Quality Control Board because there is an existing development that complies with the Board's current requirements. Additionally, as conditioned in DP 15-21, the Applicant is required to supply sanitary sewers that will serve all buildings and parcels.

I. The Project is consistent with Section 66412.3 of the Subdivision Map Act regarding the City's share of the regional housing needs and it balances the housing needs of the region against the public service needs of the City's residents and available fiscal and environmental resources, because the subdivision is located in the City's Industrial Zone, and is therefore only suitable for industrial development, and no residential development is permitted; and

Based on the foregoing, the Planning Commission hereby approves TPM 351 subject to the Conditions of Approval, attached hereto as Attachment 1, and incorporated herein by reference.

SECTION 4: 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 5: The Secretary of the Planning Commission shall certify to the adoption of this Resolution, and that 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 September 11, 2018, by the following vote:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

ABSENT: COMMISSIONERS:

Michael Greubel, Chairman

ATTEST:

Julie Gutierrez-Robles
Secretary

Resolution No. PC 2018-11
TPM 351
September 11, 2018
Page 5 of 5

Attachment 1

Conditions of Approval – Tentative Parcel Map 351

[Attached]



CITY OF INDUSTRY

Standard Requirements and Conditions of Approval

APPLICATION: Tentative Parcel Map 351

APPLICANT: Bob Kubichek

LOCATION: 22.002 acre parcel located on the north side of Gale Avenue, east of Bixby Drive and south of the Union Pacific Railroad

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 shall construct catch basins to capture the water to prevent cross lot drainage and build a public storm drain and dedicate easements to the City to access and maintain the storm water. The public storm drain shall be a minimum 24" RCP drain.
2. Concurrently with the recordation of the final Parcel Map, the property owner(s) of Parcel 1 and 2 of Parcel Map No. 351, shall file for record with the County Recorder of Los Angeles County a Covenant and Agreement to Hold Property as One Parcel for the purpose of creating a single building site.

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 City Council 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. Approved drainage and landscaping plan will be required for both parcels to the satisfaction of the City Engineer and Planning Department.
2. Approved water, utility and sewer facilities will be required for both parcels to the satisfaction of the City Engineer prior to issuance of a grading permit.

3. Per Sections 66495-66497 of the Subdivision Map Act, the final monumentation for at least one exterior boundary line shall be completed prior to recordation. A bond shall be required in the amount as determined by the City Engineer
4. Final Parcel Map to substantially conform to Tentative Parcel Map.
5. Applicant/Property Owner shall dedicate necessary right of way by separate instrument along all street frontages after all improvements are accepted by the City.
6. Applicant shall construct curb, gutter, pavement paveout, and necessary drainage facilities along all street frontages.
7. All utilities, including electrical and telephone, shall be installed underground and shall be concealed from view.
8. To comply with the City requirement of Proof of Title, the subdivider shall submit a Preliminary Subdivision Guarantee.
9. A Waiver Letter from each utility company shall be provided to the City, stating that the subdivision is not in conflict with any utility easements prior to recordation of the final map.
10. Applicant shall provide a tax clearance and/or bond to the Los Angeles County Engineer's Office prior to recordation of final Parcel Map.
11. Submittal of the final Parcel Map mylar shall include a digital copy being a Microstation File or AutoCad 14 or higher.
12. Street lights shall be designed and installed along all public streets shown on Parcel Map in accordance with Los Angeles County Department of Public Works designs standards at sole expense of Applicant. Three (3) years of advance energy fees shall also be paid by the Applicant to the local utility and upon request, Applicant shall approve and execute any petition for the street lights to be annexed into a lighting maintenance district.

Final Map Requirements:

1. The Final Map shall be submitted to the City for review and approval prior to recordation.

Access Requirements:

Specific comments and requirements for water and access will be addressed at further subdivision of the land and the submittal of design or construction plans to the Fire Department.

1. All fire lanes shall be clear of all encroachments, and shall be maintained in accordance with the Title 32, County of Los Angeles Fire Code

2. All future buildings shall provide approved address numbers. Compliance required prior to occupancy to the satisfaction of the City Of Industry Public Works and the County of Los Angeles Fire Code.
3. Fire Department vehicular access roads must be installed and maintained in a serviceable manner prior to and during the time of construction. Fire Code 501.4.
4. The development of this project must comply with all applicable code and ordinance requirements for construction, access, water mains, fire flows and fire hydrants.

Water System Requirements:

1. All hydrants shall measure 6"x 4"x 2-1/2" brass or bronze, conforming to current AWWA standard C503 or approved equal.
2. Vehicular access must be provided and maintained serviceable throughout construction to all future required fire hydrants. All future required fire hydrants shall be installed, tested, and accepted prior to construction.
3. All proposed structures shall be equipped with fire sprinkler systems that are designed and maintained in accordance with NFPA 13.
4. Upon approval from Land Development under DP 15-21, this project will require an additional review by the Fire Prevention Engineering Unit during the Building Plan Check Phase. Contact Fire Prevention Engineering at 909 620-2402 for submittals and location requirements.

Interpretation and Enforcement:

1. The Applicant shall comply with all applicable code requirements, conditions of approval, laws, rules, and regulations applicable to the development of the project.
2. The Director of Development Services 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 Applicant and each of its 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 Commission concerning this project, which action is brought within the time period provided for in Government Code Section 66499.37. The City shall promptly notify the Applicant of any claim, action or proceeding and should cooperate fully in the defense thereof.

2. The Applicant and property owner shall file an executed and acknowledged Acceptance of Terms and Conditions of the Tentative Parcel Map within 10 days after the granting of said Tentative Parcel Map.