



CITY OF IRWINDALE

5050 N. IRWINDALE AVE., IRWINDALE CA 91706 • PHONE: (626) 430-2200

ARTHUR R.
TAPIA
CHAIR

ENOCH Y.
BURROLA
VICE-CHAIR

RICHARD
CHICO
COMMISSIONER

LORETTA
CORPIS
COMMISSIONER

ROBERT E.
HARTMAN
COMMISSIONER

AGENDA FOR THE REGULAR MEETING OF THE PLANNING COMMISSION

May 19, 2021

6:30 P.M.

IRWINDALE COUNCIL CHAMBER

(Closed to the Public)

Pursuant to Executive Order N-29-20

The Governor has declared a State of Emergency to exist in California as a result of the threat of COVID-19 (aka the "Coronavirus"). The Governor also issued Executive Order N-25-20, which directs Californians to follow public health directives including canceling large gatherings. The Executive Order also allows local legislative bodies to hold meetings via conference calls while still meeting state transparency requirements.

The public's health and well-being are the top priority for the City, and you are urged to take all appropriate health safety precautions. To facilitate this process, the meeting and opportunities to participate will also be available through the following options:

Join Webinar at

<https://us02web.zoom.us/j/86349691359>

Webinar ID

863 4969 1359

Submit public comments by email to baguila@irwindaleca.gov before or during the meeting, prior to the close of public comment on an item. Comments will be read by the Administrative Secretary during public comment. Lengthy public comment may be summarized in the interest of time.

Spontaneous Communications: The public is encouraged to address the Planning Commission on any matter listed on the agenda



or on any other matter within its jurisdiction. The Planning Commission will hear public comments on items listed on the agenda during discussion of the matter and prior to a vote. The Planning Commission will hear public comments on matters not listed on the agenda during the Spontaneous Communications period.

Pursuant to provisions of the **Brown Act**, no action may be taken on a matter unless it is listed on the agenda, or unless certain emergency or special circumstances exist. The Planning Commission may request staff to investigate and/or schedule certain matters for consideration at a future Commission or City Council meeting.

Americans with Disabilities Act: In compliance with the ADA, if you need special assistance to participate in a Commission meeting or other services offered by this City, please contact City Hall at (626) 430-2200. Assisted listening devices are available at this meeting. Ask the Chief Deputy City Clerk if you desire to use this device. Upon request, the agenda and documents in the agenda packet can be made available in appropriate alternative formats to persons with disabilities. Notification of at least 48 hours prior to the meeting or time when services are needed will assist the City staff in assuring that reasonable arrangements can be made to provide accessibility to the meeting or service.

Note: Staff reports are available for inspection at the Planning Division Counter, 16102 Arrow Highway or at City Hall, 5050 N. Irwindale Avenue, during regular business hours (8:00 a.m. to 6:00 p.m., Monday through Thursday) by appointment only, and by contacting the Planning Division at 626-430-2208.

Code of Ethics

As City of Irwindale Planning Commissioners, our fundamental duty is to serve the public good. We are committed to the principle of an efficient and professional local government. We will be exemplary in obeying the letter and spirit of Local, State and Federal laws and City policies affecting the operation of the government and in our private life. We will be independent and impartial in our judgment and actions.

We will work for the common good of the City of Irwindale community and not for any private or personal interest. We will endeavor to treat all people with respect and civility. We will commit to observe the highest standards of morality and integrity, and to faithfully discharge the duties of our office regardless of personal consideration. We shall refrain from abusive conduct, personal charges or verbal attacks upon the character or motives of others.

We will inform ourselves on public issues, listen attentively to public discussions before the body, and focus on the business at hand. We will base our decisions on the merit and substance of that business. We will be fair and equitable in all actions, claims or transactions. We shall not use our official position to influence government decisions in which we have a financial interest or where we have a personal relationship that could present a conflict of interest, or create a perception of a conflict of interest.

We shall not take advantage of services or opportunities for personal gain by virtue of our public office that are not available to the public in general. We shall refrain from accepting gifts, favors or promises of future benefit that might compromise our independence of judgment or action or give the appearance of being compromised.

We will behave in a manner that does not bring discredit or embarrassment to the City of Irwindale. We will be honest in thought and deed in both our personal and official lives.

Ultimate responsibility for complying with this Code of Ethics rests with the individual elected official. In addition to any other penalty as provided by law, violation of this Code of Ethics may be used as a basis for disciplinary action or censure of a Commissioner.

These things we hereby pledge to do in the interest and purposes for which our government has been established.

IRWINDALE PLANNING COMMISSION



- A. **CALL TO ORDER**
- B. **PLEDGE OF ALLEGIANCE**
- C. **INVOCATION**
- D. **ROLL CALL: Commissioners: Robert E. Hartman, Loretta Corpis, Richard Chico; Vice-Chair Enoch Y. Burrola; Chair Arthur R. Tapia**
- E. **ANNOUNCEMENTS**

SPONTANEOUS COMMUNICATIONS

This is the time set aside for members of the audience to speak on items not on this agenda. State law prohibits any Commission discussion or action on such communications unless 1) the Commission by majority vote finds that a catastrophe or emergency exists; or 2) the Commission by at least four votes finds that the matter (and need for action thereon) arose within the last five days. Since the Commission cannot (except as stated) participate it is requested that all such communications be made in writing so as to be included on the next agenda for full discussion and action. If a member of the audience feels he or she must proceed tonight, then each speaker will be limited to 3 minutes, unless such time limits are extended.

1. CONSENT CALENDAR

The Consent Calendar contains matters of routine business and is to be approved with one motion unless a member of the Commission requests separate action on a specific item. At this time, members of the audience may ask to be heard regarding an item on the Consent Calendar.

A. Minutes

Recommendation: Approve the following minutes:

1. January 20, 2021

B. GENERAL PLAN CONSISTENCY DETERMINATION – 10-ACRE PARCEL LOCATED AT 5100 ALLEN DRIVE (CITY OF IRWINDALE)

Request that a General Plan consistency determination be made regarding the proposed transfer of the subject property to the Irwindale Housing Authority (IHA). As proposed, the IHA would accept all rights, benefits and obligations as the property owner of the subject property for future use for the development of housing, located at 5100 Allen Drive (APN (APN: 8417-034-912, formerly APN: 8417-034-911).

Recommendation: Staff recommends that the Planning Commission find the acquisition to be in conformance with the Irwindale General Plan.

2. NEW BUSINESS

3. PUBLIC HEARINGS

A. CONDITIONAL USE PERMIT NO. 03-2021 AND ZONE VARIANCE NO. 01-2021 (ADAM BUN, HIDDEN STRENGTH GYM).

Request for a Conditional Use Permit to establish a fitness facility in an existing 4,436 square foot building and Zone Variance to deviate from the required parking ratio for assembly uses for a property zoned M-2 (Heavy Manufacturing) located at 1442 Arrow Highway, Unit K (APN: 8532-002-028). ENVIRONMENTAL REVIEW: The proposed project is exempt from the California Environmental Quality Act (CEQA), pursuant to Section 15301 (Class 1; Existing Facilities) of the CEQA guidelines. If action is taken to approve the project, a Notice of Exemption (NOE) will be filed with the County Clerk. The NOE is on file at the Planning Department and available for review by the public.

Recommendation: Adopt Resolution No. 799(21)

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF IRWINDALE APPROVING CONDITIONAL USE PERMIT NO. 03-2021 TO ALLOW FOR THE OPERATION OF A GYM FACILITY AND ZONE VARIANCE NO. 01-2021 TO DEVIATE FROM THE REQUIRED PARKING RATIO FOR ASSEMBLY USES, LOCATED AT 1442 ARROW HIGHWAY #K, IRWINDALE IN THE M-2 (HEAVY MANUFACTURING) ZONE, SUBJECT TO CONDITIONS AS SET FORTH HEREIN AND MAKING FINDINGS IN SUPPORT THEREOF.

B. SITE PLAN AND DESIGN REVIEW (DA) NO. 01-2021 (BINH TRAN, ZBT GROUP)

Request for a Site Plan and Design Review for the development of an approximate 12,016 square foot, two-story office and warehouse industrial building located at 2511 Buena Vista Street (APN: 8533-001-066) in the M-2 (Heavy Manufacturing) zone. ENVIRONMENTAL REVIEW: The proposed project is exempt from the California Environmental Quality Act (CEQA), pursuant to Section 15332 (Class 32; In-Fill Development Projects) of the CEQA guidelines. If action is taken to approve the project, a Notice of Exemption (NOE) will be filed with the County Clerk. The NOE is on file at the Community Development Department and available for review by the public.

Recommendation: Adopt Resolution No. 800(21)

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF IRWINDALE RECOMMENDING CITY COUNCIL APPROVAL OF SITE PLAN AND DESIGN REVIEW (DA) NO. 01-2021 FOR THE DEVELOPMENT OF A ±12,016 SQUARE FOOT BUILDING FOR A TWO-STORY OFFICE AND WAREHOUSE INDUSTRIAL BUILDING LOCATED AT 2511 BUENA VISTA STREET IN THE M-2 (HEAVY MANUFACTURING) ZONE SUBJECT TO CONDITIONS AS SET FORTH HEREIN AND MAKING FINDINGS IN SUPPORT THEREOF AND FINDING THE PROJECT EXEMPT FROM CEQA PURSUANT TO SECTION 15332 (CLASS 32; IN-FILL DEVELOPMENT PROJECTS).

4. **DISCUSSION ITEMS/PRESENTATIONS**
5. **COMMISSIONER COMMENTS/REQUESTS**
6. **LEGAL COUNSEL COMMENTS**
7. **COMMUNITY DEVELOPMENT DIRECTOR REPORT**
8. **ADJOURN**

AFFIDAVIT OF POSTING

I, Berlyn Aguila, Administrative Secretary, certify that I caused the agenda for the regular meeting of the Irwindale Planning Commission to be held on May 19, 2021 to be posted at the City Hall, Library, and Post Office on May 13, 2021.

Berlyn Aguila

Berlyn Aguila, Administrative Secretary

**IRWINDALE COUNCIL CHAMBER
REMOTLEY ACCESSED
5050 N. IRWINDALE AVENUE
IRWINDALE, CALIFORNIA 91706**

Item 1-A.1

**January 20, 2021
Wednesday
6:31 P.M.**

The Irwindale **PLANNING COMMISSION** met in regular session at the above time and place.

CHAIR TAPIA This Planning Commission meeting is called to order. Please stand for the pledge of allegiance and remain standing for the invocation, please.

PLEDGE OF I pledge allegiance to the Flag of the United States of America and to
ALLEGIANCE the Republic for which it stands, one Nation under God, indivisible, with
liberty and justice for all.

INVOCATION Lord we come to you this hour asking for your blessing and health
COMMISSIONER as we gather together. We pray for guidance in matters on hand and
CORPIS we ask that you clearly show us how to conduct our work with the spirit
of service and enthusiasm. We pray for the country and for those
suffering due to COVID and losing people, losing loved ones and we
ask that you just be our comfort. We ask in His name. Amen.

CHAIR TAPIA We will be adjourning this meeting in memory of Rosy Guerrero. I don't
know if you guys are aware, but the residents that are passing on right
now are between twenty to twenty six years old right now when we
became a City. They were blessed. There is never a time to let go of a
loved one, but we know that is inevitable. I am just happy that they
were blessed and they got the blessings that we are continuing to get
here in this City.

Roll call.

ROLL CALL: Present: Commissioners Enoch Burrola; Robert E. Hartman; Loretta
Corpis; Vice Chair Richard Chico; Chair Arthur R. Tapia

Also present: Adrian Guerra, City Attorney; Marilyn Simpson,
Community Development Manager/City Planner; Berlyn Aguila,
Administrative Secretary

CHAIR TAPIA Any announcements?

ANNOUNCEMENTS

ADMINISTRATIVE Yes, I will be reading Executive Order N-25-20.
SECRETARY AGUILA Per Executive Order N-25-20, Californians are directed to follow Public
Health directives including canceling large gatherings. The Executive
Order also allows local legislative bodies to hold meetings via
conference call while still meeting state transparency requirements.
The City has made tonight's meeting available in a virtual setting and
by phone. Public comments and participation are welcomed through
the following means. Pre-registering for the Planning Commission

meeting on Go To Webinar and email submission of public comments to the Planning Commission Department at Baguila@irwindaleca.gov. During the spontaneous communications portion of the virtual meeting, Administrative Secretary will first read any public comments sent by email. Next, the Chair will open the floor to those who are participating via webinar or phone. Please use the Raise Your Hand feature to be added to the queue of speakers. Once called upon, you will have three minutes to address the Planning Commission unless such time limits are extended. So that each member of the public will have the opportunity to speak, individuals will be limited to a single time to address the Planning Commission during spontaneous communications. If your hand is raised and you have spoken, you will not be given another opportunity to speak. During the discussion items on the agenda, members of the public are asked to use the Raise Your Hand feature to be added to the queue of speakers and you will be unmuted from our central console at the appropriate time. Each speaker will be have 3 minutes to address the Planning Commission unless such time limits are extended. So each member is afforded the opportunity to speak, individuals will be limited to a single time to address the Planning Commission. If your hand is raised and you have spoken, you will not be given another opportunity to speak. We welcome your feedback so that we continue to improve the City's engagement with its residents and members of the public. Thank you.

CHAIR TAPIA

Thank you.

**REORGANIZATION
OF PLANNING
COMMISSIONER**

ADMINISTRATIVE
SECRETARY AGUILA

At this time, it is the appropriate time to reorganization the Planning Commission for the selection of Chair and Vice-Chair. In order to complete the reorganization, I will be opening the floor for the nomination of Chair.

COMMISSIONER
BURROLA

Do we nominate now?

VICE-CHAIR
CHICO

Yes, now.

COMMISSIONER
BURROLA

I will now nominate Art Tapia for Chair.

ADMINISTRATIVE
SECRETARY AGUILA

Accept or decline?

CHAIR TAPIA

I accept.

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VICE-CHAIR CHICO	He accepts.
COMMISSIONER BURROLA	There's no second right? We are going to vote on this?
ADMINISTRATIVE SECRETARY AGUILA	Yes. Is there any other nominations?
	Okay, now I will be conducting roll call.
ADMINISTRATIVE SECRETARY AGUILA	Commissioner Burrola.
COMMISSIONER BURROLA	Yes.
ADMINISTRATIVE SECRETARY AGUILA	Commissioner Hartman.
COMMISSIONER HARTMAN	Yes.
ADMINISTRATIVE SECRETARY AGUILA	Commissioner Corpis.
COMMISSIONER CORPIS	Yes.
ADMINISTRATIVE SECRETARY AGUILA	Vice-Chair Chico.
VICE-CHAIR CHICO	Yes.
ADMINISTRATIVE SECRETARY AGUILA	Chair Tapia.
CHAIR TAPIA	Yes.
ADMINISTRATIVE SECRETARY AGUILA	Do we have any nomination for Vice-Chair?
COMMISSIONER CORPIS	I would like to nominate Enoch Burrola.
VICE-CHAIR CHICO	I second that.

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ADMINISTRATIVE SECRETARY AGUILA	Accept or decline?
COMMISSIONER BURROLA	Accept.
ADMINISTRATIVE SECRETARY AGUILA	Okay, roll call.
ADMINISTRATIVE SECRETARY AGUILA	Commissioner Chico.
COMMISSIONER CHICO	Yes.
ADMINISTRATIVE SECRETARY AGUILA	Commissioner Hartman.
COMMISSIONER HARTMAN	Yes.
ADMINISTRATIVE SECRETARY AGUILA	Commissioner Corpis.
COMMISSIONER CORPIS	Yes.
ADMINISTRATIVE SECRETARY AGUILA	Vice-Chair Burrola.
VICE-CHAIR BURROLA	Yes.
ADMINISTRATIVE SECRETARY AGUILA	Chair Tapia.
CHAIR TAPIA	Yes.
ADMINISTRATIVE SECRETARY AGUILA	Thank you.
CHAIR TAPIA	Nominations are now closed. Congratulations Commissioner Burrola.
VICE-CHAIR BURROLA	Thank you. Congratulations to yourself too.

CHAIR TAPIA I will be counting on you, sir. Thank you to the rest of the Commissioners also. Again, I will say my little piece. Thank you to have the confidence in me and I will continue to do the best that I can. Thank you very much.

**SPONTANEOUS
COMMUNICATIONS**

CHAIR TAPIA This is the time set aside for members of the audience to speak on items not on this agenda. State law prohibits Commission discussion or action as such communication unless the Commission by majority finds that a catastrophe or emergency exists, by at least four votes, finds the matter in need for action arose in the last five days. Since Commission cannot accept as stated, it is requested that such communication can be made in writing, as to be included in the next agenda for full discussion. If a member of the audience feels as if he or she, would like to speak, they will be limited to three minutes, unless such time limits are extended. Again, please hold your discussions to the jurisdiction of the Commission. Thank you very much. Spontaneous Communications is now open. You can raise your hand in the audience for recognition.

ADMINISTRATIVE SECRETARY AGUILA Chair Tapia, nobody has raised their hand.

CHAIR TAPIA At this point we will close spontaneous communications and we will go to item number one, consent calendar.

CONSENT CALENDAR

CHAIR TAPIA Consent Calendar contains matters of routine business and is to be approved in one motion unless a member of the Commission request separate action on a specific item. At this time, members of the audience may be heard regarding an item on the Consent Calendar using the same procedure. If you want to raise any questions on what is on the Consent Calendar, you can raise your hand. The only item on the Consent Calendar is the recommendation to approve the following minutes which are December 16, 2020. Is there anyone in the audience wishing to make any comments, please raise your hand.

ADMINISTRATIVE SECRETARY AGUILA No hands have been raised.

CHAIR TAPIA No hands being raised, we will move on to new business. There is no new business. We will go to the public hearing item.

Item No. 1A MINUTES

1) Regular meeting held December 16, 2020

ADMINISTRATIVE SECRETARY AGUILA	Excuse me Chair Tapia, we need to approve the minutes for December 16, 2020.
CHAIR TAPIA	Yes, sorry about that. I am getting ahead of myself here. Anybody wishing to add or delete anything on the minutes of December 16, 2020. If not, do we have a recommendation to approve?
COMMISSIONER CHICO	Motion to approve.
COMMISSIONER HARTMAN	Second.
CHAIR TAPIA	Roll call.
ADMINISTRATIVE SECRETARY AGUILA	Commissioner Hartman.
COMMISSIONER HARTMAN	Yes.
ADMINISTRATIVE SECRETARY AGUILA	Commissioner Corpis.
COMMISSIONER CORPIS	Yes.
ADMINISTRATIVE SECRETARY AGUILA	Commissioner Chico.
COMMISSIONER CHICO	Yes.
ADMINISTRATIVE SECRETARY AGUILA	Vice-Chair Burrola.
VICE-CHAIR BURROLA	Yes.
ADMINISTRATIVE SECRETARY AGUILA	Chair Tapia.
CHAIR TAPIA	Yes.
ADMINISTRATIVE SECRETARY AGUILA	Thank you.

NEW BUSINESS

There were no items.

PUBLIC HEARINGS

ITEM NO. 3A

2020 FINAL ENVIRONMENTAL IMPACT REPORT, GENERAL PLAN AMENDMENT NO. 02-2016; ZONE ORDINANCE AMENDMENT NO. 04-2016; DEVELOPMENT AGREEMENT NO. 02-2016; CONDITIONAL USE PERMIT NO. 08-2016; SITE PLAN AND DESIGN REVIEW (DA) PERMIT NO. 06-2016 FOR A MATERIALS RECOVERY FACILITY/TRANSFER STATION AND CONVENIENCE STORE WITH PUBLIC GAS STATION LOCATED AT 2200 ARROW HIGHWAY, APN: 8535-001-911 (ATHENS SERVICES)

CHAIR TAPIA

I now give it to Staff.

COMMUNITY
DEVELOPMENT
MANAGER/CITY
PLANNER SIMPSON

Thank you Chair and Commissioners. I will be presenting a PowerPoint presentation and giving a verbal presentation. As part of that, we have our environmental consultant, which they will be part of Staff's presentation. Once we give that, we will finish our presentation, we will be open for questions from our Planning Commission and then we can open the Public Hearing. The item before you is the Materials Recovery Facility and Transfer Station along with a convenience store and a public gas station. Athens is the applicant and they are proposing this project. As part of the project history, this was previously approved by the City Council in 2017. There has been no change to the project since the 2017 City Council approval, but what has happened is that there have been two lawsuits that were filed in 2017 by the City of Baldwin Park and Waste Management. This litigation took approximately two plus years to complete. In 2019, the Los Angeles County Superior Court had determined that the majority of the claims that were brought forward by the two entities were dismissed and that there were four discrete issues in the environmental documents that needed additional consideration. With that, the Court ordered the City to vacate any of the prior approvals and entitlements until the environmental analysis has been revised to address these four issues. That is why you see before you, the entitlements of the General Plan Amendment, Zone Ordinance Amendment, Development Agreement, Conditional Use Permit and the Site Plan and Design Review. The four areas that the Court had determined that needed further consideration had to do with truck fueling operations, greenhouse gas emissions, transportation energy use and project specific health risks from ROG (Reactive Organic Gases), NOx and ozone. In 2019, the City Council had vacated the approvals as directed by the court and the City addressed the four issues in a Revised Draft Environmental Impact Report that is called the 2020 RDEIR. Now that the environmental analysis has been revised and is consistent with the

court's direction, the City has been asked to reapprove the entitlements. Let's go back to the basics. What is a Materials Recovery Facility/Transfer Station? We will call it a MRF, that is what we've identify it as. What a MRF is; it receives curbside refuse and yard debris. It processes it to recover reusable materials and transfers those materials off-site for recycling, composting, or disposal elsewhere. It is not a dump, it is not a landfill and it does not accept any toxic or hazardous waste materials. What you see before you, is the Site Plan. This was the previous Site Plan that shows the same layout that was presented in 2017. No changes have been proposed to this project since the City Council started approval. This site you see is an approximately 17 acre triangular piece of property. This is a rendering that you see if you are looking northwest. What you see in the foreground is the Los Angeles Department of Water and Power transmission lines that are existing. This slide gives you an overview of the project site that it is showing Arrow Highway to the north, Live Oak Avenue to the south and just giving the location and vicinity. This slide shows the existing condition. It is a vacant 17-acre parcel. The surrounding uses to the site are the Santa Fe Dam to the north, City of Baldwin Park to the south - which is industrial, to the east and northeast is Santa Fe Dam and Los Angeles Department of Water and Power lines and is zoned industrial and agricultural. To the west and northwest, we have an industrial and distribution facility that is zoned M-2 (Heavy Manufacturing). The current General Plan Designation for this site is commercial. The General Plan Amendment is proposed to change it to commercial/industrial. The zoning is M-2, which is Heavy Manufacturing. This General Plan Amendment will be consistent with the M-2 zoning. Showing surrounding uses to the north, east and west. I want to speak a little bit more in detail of the entitlements. The first one is the General Plan Amendment and as I mentioned, this is to change the General Plan land use Designation to Commercial/Industrial. This will resolve an inconsistency between the current M-2 (Heavy Manufacturing) zoning designation and the current General Plan Land Use Designation. The Zoning Ordinance Amendment is an amendment that will permit the MRF Transfer Station to be in the M-2 (Heavy Manufacturing) zone subject to a Development Agreement. This modifies the code to grant a franchise agreement. It modifies the definition of a recycling facility to include the MRF Transfer Station. It includes the MRF Transfer Station as a permitted use within the M-2 zone with a Development Agreement. The Zone Ordinance Amendment also amends the distance requirements for alcoholic beverage sales establishments if a physical barrier exists between certain uses. A Development Agreement is proposed with this project. A Development Agreement is a contract between the City and the developer. This is to be established in conjunction with the Zone Ordinance Amendment. It sets the standards in the conditions for development, provides certainty to the developer to proceed with the project, but also contracts the developer to provide certain benefits to the City. Key provisions in the Development

Agreement include such things such as the scope of the development. This is committing the developer to develop the MRF Transfer Station site in conformance to the City's ordinances, guidelines and policies. There will be a host fee paid to the City. There are certain offsite improvements that the developer is committed to finish and there are certain community benefits including new jobs in the City and revitalizing a blighted area. Also, it indemnifies the City. The developer will indemnify the City for any damages, claims or litigation rising out of the City's approval of the Development Agreement. There is also a request for a Conditional Use Permit. The applicant is requesting a Type 20 Beer and Wine permit for the convenience store so a Conditional Use Permit is required by the City in order to allow that. There is also a Site Plan and Design Review that is being proposed for the construction of the buildings. The site size is 17.22 acres and what is being proposed is; two separate buildings that are approximately 262,641 square feet for the MRF Transfer Station building and the convenience store is approximately 2,587 square feet. The building height for the MRF building is proposed to be 50 and a half feet. In the M-2 zone, there is no height limitation. This is consistent with the M-2 zone. The convenience store is proposed to be 21 feet high. This rendering is showing aerial views of the proposed MRF Transfer Station. This is showing the proposed buildings. The buildings are in conformance with the City's Commercial and Industrial Design Guidelines. They include façade elements, roof and parapet materials and colors that are consistent. The MRF project itself exhibits articulated arch façade elements with translucent panels that break up the building massing. The building elevations are scored vertically and horizontally to provide architectural interest. The building features raised decorative accent elements with metal crosspieces over bay doors. The colors are consistent with the Commercial and Industrial Design Guidelines that use the neutral color palette. They have tan colors on the building façade, bronze translucent panels and dark trim for building accents. The convenience store exhibits the same color palette and architectural design elements that includes the raised decorative accents with metal crosspieces and a vertical and horizontal scoring to break up the building masses. The entire development is meant to be complementary to each other in color and design features. The project is proposing 15% of the site as landscaping and only 10% is required but 15% is being provided. The landscaping consists of parking lot shade trees, palm trees along the Arrow Highway entrance, shrubs and groundcover throughout. The parking that is provided for this site: A total of 188 parking spaces are required per the Code and 326 spaces are being provided for employees and visitors with a surplus of 138 parking spaces. Parking includes the parking for the MRF facility itself and the convenience store. There are flexible stalls provided for either use and 19 parking spaces for transfer truck stalls. The project is consistent and complies with all ADA parking requirements and with the new Green Building code, they are providing EV Charging stations. They are also providing short and long-term

bicycle racks for the site. All of the entitlements require CEQA review. Just to go into a little bit of the environmental review chronology, this has been extensively analyzed under CEQA. There is a 2014 Draft EIR that was circulated for public review. In 2014, there was a recirculated Draft EIR that was drafted and circulated in response to comments that were received. In 2016, a Final EIR was prepared and certified by the City Council. After 2016, the certification of the Final EIR, Athens had made minor changes to the floor plan and loading tunnel and to document these changes, it did not result in a new environmental impact. The City prepared 2017 Addendum Number 1 to that 2016 Final EIR and the project was approved again in 2017. As mentioned before, after the project was approved by the City Council, the City of Baldwin Park and Waste Management filed lawsuits claiming several issues that had been related to the City's General Plan, Municipal Code and environmental review. The court rejected all claims that were related to the General Plan and Municipal Code. The court rejected most claims related to the project's environmental review, but they did order an additional environmental review that was needed for four issues mentioned before; fueling operations, greenhouse gas emissions, transportation energy use and the project's specific health risks related to the ROG and NOx and ozone. With that, that concludes my portion of it. We will have Dr. Jeff Harvey who prepared the environmental document, speak more specifically about the 2020 Environmental Impact Report.

ADMINISTRATIVE
SECRETARY AGUILA

I will now be unmuting Dr. Jeff Harvey.

JEFF HARVEY

Thank you very much. Chair and members of the Planning Commission, pleasure to be here with you today. Appreciate you hosting this and the difficult webinar format. I am Jeff Harvey, the principal and senior scientist from Harvey Consulting Group. I also have with me Paul Miller, who is the senior air quality specialist who participated in this process starting with the 2014 Draft EIR all the way through this 2020 Recirculated Draft EIR. In order to address the court's ruling the City did prepare the 2020 Recirculated Draft EIR and it revised and recirculated only those portions of the EIR related to four discrete issues. All of the studies of the EIR was determined adequate and is no longer subject to legal challenge. The document was circulated for public review/comment for 45 days. We did receive 6 comment letters from agencies and the City of Baldwin Park. We prepared responses to every single one of the comment letters and that is what comprises the final 2020 EIR, which is the one you have before you. All of the content of the Recirculated EIR, comments that were submitted for that document and extensive responses to those comments. Let's go through the document a little bit. The 2020 Recirculated Draft EIR addresses fueling operations, provides more details regarding fueling for all vehicles that use the MRF and distinguishes those fueling operations for vehicles at the convenience

store. Finally, they will be fueled offsite and there is no compressed natural gases on site. All of the waste hauling trucks that are related to the MRF, will fuel somewhere else like a regular gas station: cars, motorcycles, pick-up trucks and whatever will use that. In conclusion of that analysis, is that there are no adverse impacts caused by these fueling operations. I would like to turn over to Paul Miller now for discussion of greenhouse gasses and health impacts related to those air emissions.

ADMINISTRATIVE
SECRETARY AGUILA

Paul, you have now been unmuted.

PAUL MILLER

Thank you, Jeff. The next item we will go over is the greenhouse gas analysis. There were concerns about the significant thresholds about the greenhouse gasses used in the previous EIR. We previously used the threshold that the South Coast Air Quality Management District uses for its projects and what they recommend for city regions. That threshold is 10,000 metric tons per year of greenhouse gases. That threshold was previously used by the City of Azusa for its CEQA review of the Waste Management Company MRF in Azusa, but there are no objections to that. What we could have provided more information to support the previous threshold; we chose to apply a much more conservative net-zero threshold to the project. The threshold went from 10,000 to 0 metric tons per year. With the net-zero threshold, the project would emit the same or fewer greenhouse gas emissions as the existing condition and essentially no impact to the environment would occur. In the analysis, we collected detailed information from Athens on the waste markets that they have now and what they expect in the future. The EIR claimed that the new MRF Transfer Station will not generate a new waste in the Los Angeles region. The new transfer station will reduce the length of existing haul trips by adding the new facility in an urban area that is near existing waste generating markets. It is also near the Vincent yard in Irwindale where the vehicles are currently parked overnight. Because of these regional efficiencies, the EIR concludes that the greenhouse gas emission would be reduced as a result of the new Irwindale MRF and therefore, meet the new more conservative net-zero threshold. Thus, the conclusion of the greenhouse gas emissions will be reduced. There is not an impact and no additional mitigation measure will be needed. Next slide, please. Oh, we are on the next slide. The next item is transportation energy use. That was not specifically analyzed in the previous EIR. Other aspects of energy were in the 2016 EIR and no revisions found to be necessary. The EIR will be the LEED silver certification for energy management and conservation. Like the greenhouse analysis, this analysis of transportation energy use, recognized the project will not generate new waste, but process existing waste and it will redirected to the project. Which for the average drip will be closer than the existing trips for those vehicles. The detailed analysis determined that the project could reduce about 1.7 million miles of vehicle travel at full capacity. This would

include 1.2 million miles reduction by collection trucks, self-haul trucks trips, and approximately 500,000 miles of reduction by transfer trucks compared to the existing setting. The conclusion was that because of the regional efficiency obtained by the operations of the project, there are no adverse impacts caused by the transportation energy use. Which as I mentioned earlier, which save a huge number of miles each year in vehicle movements at full capacity. Next slide, please. The next item is health risk impacts. The 2020 RDEIR clarified that we looked at project health impacts from diesel emissions. In the 2014 RDEIR, that analysis concluded the health risks from toxic air contaminants particular made from the diesel fuel emissions in all locations near the MRF would be less than significant. The court agreed that our analysis was complete and no additional work was needed for that analysis. Since then, Athens has further reduced the diesel vehicle emissions in their fleet and they will not be using any Athens diesel vehicles at the Irwindale MRF project. So, that is the previous toxic air contaminants that we looked at. However, in 2018 after we had issued the EIR, in 2016, there was a statewide decision that changed the way we needed to look at EIR's in the health impacts. It indicated that EIR's should look at regional impacts from their significant air emission and describe the health impacts of those pollutants or alternatively, explain why such an analysis is not feasible. For individual projects, both South Coast Air Management District and San Joaquin District, both filed Amicus Brief's saying that such analysis are not feasible. Regardless, we were asked to look into that health impact issue. Jumping ahead, describing health impacts on the air basin from NOx and ROG emissions found that it is not technically feasible for a project of this size relative to the whole mass of the South Coast Air basin. I should emphasize to you that these are emissions that leave from a vehicle but they are regional pollutants that develop as secondary pollutants in the atmosphere and they are affected by winds, temperatures, and other atmospheric conditions. So, they are not directly emitted by vehicles. There is some complex science in how you need to estimate those emissions. I am the author of Appendix 2 in your Final EIR. Appendix 2 is a technical memo that summarizes why such analysis is not feasible in quantitative detail with two examples from the South Coast Air Quality Management District. The technical memo compares the size of this MRF project with projects that have calculated regional effects on air quality. The memo compares the MRF emissions of NOx and ROG to a major study by the South Coast Air Quality Management District. The South Coast Air Quality Management District study was for the regional air quality plan and it looked at reductions in all emissions throughout the South Coast air basin and at reductions of 432 tons per day of NOx. I think it was about 117 tons per day of ROG and they found that the Ozone levels would only change by 9, it was in their quotes, only nine parts per billion. The MRF project that we are reviewing here would only have about .1% of the emissions that were analyzed in that air quality study. The MRF emissions are about 1000 times less than the South Coast Air Quality Management study and on a proportional basis, such a change

would be for the MRF would be like .009 parts per billion of Ozone. That is a very small number of ozone. It is so small that they can't really calculate it. It is more theoretical than actually anything that they could ever measure. Because this change in air emissions is so small, it is essentially meaningless amount in an effort to estimate any health impacts. It is such a small amount of change in Ozone that there are no epidemiological studies that would be able to tell you how health would change. Therefore as we were asked to do, either tell you what those health changes would be or indicate that it's infeasible to do so. After all this research, we clearly believe that it is infeasible to analyze that health impact of the regional pollutants. The conclusion is that there are no new impacts in this document related to health. With that, I will turn the presentation back to Dr. Harvey. Do I need to unmute myself?

JEFF HARVEY

Thank you, I am back. The 2020 final EIR includes the entire package of what has been done here throughout the years. The 2020 Recirculated Draft EIR responds to all of the comments received on that document and it also documents some minor revisions made on the 2020 Recirculated Draft EIR, very minor. All of the previous analysis confirmed by the court, they are contained in the 2014 Draft EIR, 2014 Recirculated Draft EIR, 2016 Final EIR and the 2017 Addendum no. 1 are also pieces of this entire record that is your 2020 Final EIR. Some of the analysis conclusions have been made out in the CEQA Findings of Facts. The majority of impacts are less than significant and are mitigated or can be mitigated to a level of less than significant. No major impacts were identified in the new analysis 2020 Recirculated EIR and there is the Comprehensive Mitigation and Monitoring Program that is also part of your packet. It identifies all of the measures the applicant must require to implement with the goal to avoid or minimize impacts. Implementation of all of those mitigation measures, there are three impacts that exceed numerical threshold standards or are outside of the City's jurisdiction that therefore, find insignificant and unavoidable. Air quality is the first of those. We do see operational thresholds for Nitrous Gas Emissions. Emissions are reduced to be feasible that could do a mission control recovery system measures that maintenance requirements for the vehicle fleets and on idling limitations on trucks at the site. There are measures to reduce the levels as low as we can get them. The analytical method used for air quality is by South Coast Air Quality Management District to measure the trucks trips and that produced a worst-case scenario and we noted it in the analysis in the Draft EIR and produced extreme results which is why in contrast to the Greenhouse Gas analysis that you just heard about. The gas analysis was done with a different methodology. The impacts are local. For traffic, there are impacts to the freeway onramp system like the 605 freeway. The measures have identified the impacts have reduced, but they under the jurisdiction of Caltrans. Those impacts are mitigated. However, because the City can't guarantee it under its jurisdiction, they have to make a finding of significant and unavoidable impact. Last noise. Noise generated on site will exceed City standards at the

property boundary, but are allow to change noise levels by five decibels before it is considered to be a significant and adverse impact. There are locations by Live Oak Avenue and Arrow Highway, in particularly, just off the western margin of the property, distribution center that will have a noise impact by 7 decimals, however that is unavoidable, but there are no residents or sensitive uses along those boundaries. It also does not affect any residential areas in Baldwin Park. It is important to understand those caveats. As such, the impacts that were identified in 2017 during prior approval, the City does need to adopt a Statement of Overriding Considerations, a CEQA requirement, and must be adopted prior to project approval. Lastly, we did receive an additional comment from the City of Baldwin Park attorney and it has been provided to the each of you. Their letter was followed by a table that has 69 pages of comments. We have reviewed those comments in detail and in our opinion, the letter has not raised any new issues and any issues raised, have already been extensively addressed in the 2020 Final EIR, including responses to Baldwin Park's comment letter on the June 2020 Recirculated Draft EIR. To summarize this letter so you can have a better understanding, they addressed five main issues, greenhouse gas, and why the 2020 Recirculated Draft EIR applies a new methodology to analyze greenhouse gas emissions, different from the methodology used in the original assessment of air quality. The question comes down to whether the trips that bring collected materials to the project should be considered new trips or existing trips. The air quality assessment in the 2014 Recirculated Draft EIR used a different methodology as requested by the South Coast Air Quality Management District to produce a worst-case scenario to account for new local emissions. Potential greenhouse gas emissions impacts are not local; they are large-scale regional and global effects. Selection of a different methodology, therefore, warranted a produces a more realistic assessment of potential greenhouse gas emissions. The 2020 Recirculated Draft EIR explains that the project does not generate new sources of waste. It is simply a facility for processing that waste. Instead, the project redistributes existing trips and shortens those trips by directing them to a closer MRF facility. It does not open new capacity at other MRF's that will need to be filled by new waste and carries by new trips. Therefore, the project does not generate new waste and it does not create new development that generates new waste. Secondly, the comments focus on the truck fueling and it claims that the analysis if greenhouse gas emissions does not take into account trips associated with fueling trucks, which is not correct. The greenhouse gas analysis does analyze trips associated with going to and from the Vincent Yard and to Athens MRF in the City of Industry, which is where Athens trucks are parked and fueled now. Trucks may also fuel while they are out and moving along their routes, just as they do now. There are no new trips associated with fueling that need to be further analyzed. We identified those in the Recirculated Draft EIR. It also focused on non-Athens trucks. The letter claims that the project should be required to forbid entrance by any non-Athens waste hauling truck that is not running on

Compressed Natural Gas. The project cannot be required to do this several reasons. First, mitigation measures are only required when there is a significant environmental impact, and here the project does not result in a significant greenhouse gas impact. Second, the MRF is open to the public and any hauler that needs to use it on a daily basis. Turning away trucks at the entrance is infeasible and unreasonable. The more trucks that are diverted away from the project, the further those trucks must drive to reach other material recycling facilities or disposable sites, resulting in an increase in emissions including greenhouse gasses. We can also noted that Athens will operate compressed natural gas collection trucks, roll-off trucks, and transfer trailer trucks, thus having 100% compressed natural gas fueled vehicles at this MRF location. Self-haul and other non-Athens customers are not held to this standard. Athens overall fleet is about 90% compressed natural gas at this time, including regions outside of the Irwindale MRF service area, and the overall percentage is getting closer to 100% each year as they replace older trucks. Fourth, the letter claims that the environmental analysis is based on an incorrect construction schedule. The project is anticipated to be completed in a single phase, over 18 months. This is clearly stated in the 2020 Recirculated Draft EIR project description. This is also the construction schedule that was assumed in the air quality and construction traffic analysis presented in the 2014 Recirculated Draft EIR. That has not changed and it is in the project description that was approved by the City Council in 2017. Fifth and finally, the letter claims that changes to the project description and site plan have occurred since 2017. This is not the case. Site plan adjustments were made prior to project approval in 2017 and were addressed in the 2017 Addendum to the 2016 Final EIR. Absolutely no changes to the site plan have occurred since the City last approved the project in 2017. No analysis of changes in the site plan are required. A detailed description of the project is included in Chapter 2 of the 2020 Final EIR. In conclusion, there are other very minor comments or similar comments that are restated, but in our opinion, the comments in this letter do not raise any issues that have not already been extensively addressed in the 2020 Final EIR, and responses to Baldwin Park's June comment letter on the 2020 Recirculated Draft EIR. That concludes my remarks. Thank you for the opportunity.

COMMUNITY
DEVELOPMENT
MANAGER/CITY
PLANNER SIMPSON

Thank you. This project before you tonight was publicly noticed in the San Gabriel Valley Tribune, circulated to the responsible agencies, interested parties, State offices, and the only letter that we received was the City of Baldwin Park's comment letter sent earlier today. As of today, I have not received any phone calls regarding this. Staff's recommendation is that the Planning Commission take the following actions: to adopt the various resolutions recommending to the City Council to certify the 2020 Final EIR, approve the General Plan Amendment, approve the Zoning Ordinance Amendment, approve the Development Agreement, approve the Conditional Use Permit, and

approve the Site Plan and Design Review. This concludes Staff's portion of the presentation. We do have applicant representatives that are available, a representative from the Solid Waste Management Program, and Local Enforcement Agency from the Los Angeles County Department of Public Health. They are present at this meeting and are available to respond to any relevant questions regarding solid waste, permitting specifications for the project. That concludes the report and I am available for questions.

VICE-CHAIR
BURROLA

Do we ask questions now, Chair?

COMMUNITY
DEVELOPMENT
MANAGER/CITY
PLANNER SIMPSON

Chair Tapia, excuse me, the microphone is off.

CHAIR TAPIA

Getting back to Commissioner Burrola, the type of questions that we can ask now are questions that will enlighten more in making a decision or that you did not quite understand as it was being presented.

VICE-CHAIR
BURROLA

I have a general question regarding the Mitigation Measures for the greenhouse gas and the emissions. I think those are the two that the court wanted us to reanalyze and look at again. I don't know if this the Mitigation Measures or the Final EIR took into consideration some State guidelines. I was under the impression that many of our vehicles are going to be moving to EV electrical vehicle standards in the near future. Looking through some of these Mitigation Measures for mostly the diesel trucks, it would be AQ4, AQ5, AQ7, heavy-duty equipment and stuff like that. Do they have any requirements because some of their Mitigation Measures talk about retrofitting the diesel engines to be more compliant with SCAQMD? Is any of those requirements require them to change from diesel to electrical vehicle at some point in the future or are they just required to change the diesel engine because it says that if it is a 2010 model or newer, they should be using the trucks? It was just a general question. Did you guys look at that or is that something that you know the Mitigation Measure could talk about the emissions?

COMMUNITY
DEVELOPMENT
MANAGER/CITY
PLANNER SIMPSON

Thank you Commissioner Burrola. I will have Dr. Harvey respond to that.

ADMINISTRATIVE
SECRETARY AGUILA

Dr. Harvey you have been unmuted.

JEFF HARVEY

I see the Mitigation Measures that you are asking about and yes, these do pertain to diesel trucks for construction crew and they are after the

- trucks that Athens will be using which will be CNG vehicles. They will be using the much cleaner vehicles than diesel in the first place. I am also going to refer to Paul Miller to answer a part of this question. I believe he has a better understanding of the standards and what they apply to and what they do not apply to.
- VICE-CHAIR
BURROLA Okay, thank you.
- PAUL MILLER The standard that they looked at in the South Coast Air Quality Management District is how they overturn their truck fleet and we did consider that in the analysis. There are no State requirements at this time that I am aware of for a solid waste fleets to electrify their fleets to become EV vehicles.
- VICE-CHAIR
BURROLA That was my general question. Do you see foresee that happening in the future because I know our governor has been talking about it?
- PAUL MILLER There are some waste hauling vehicles that are now being designed that are in the design phases to be electric. The collection trucks are heavy and the transfer trucks are also heavy. They are going to be some of the last vehicles that can electrify because of the requirements of the vehicles to move in traffic and so forth. It is going to take a while before they get there. There are some waste vehicles that are being electrified now, but it is in the earliest stages of development.
- VICE-CHAIR
BURROLA Because it is not a requirement this time, it will not have a Mitigation Measure for that even if it is 20 years from now. They are not really required to mitigate into electrical vehicles unless the State or someone requires them to, correct?
- PAUL MILLER That is correct. Both the State and the South Coast Air District will be looking at getting the cleanest vehicles possible required for waste vehicles going forward, but they there needs to be a feasibility of that technology.
- VICE-CHAIR
BURROLA Okay, thank you.
- COMMUNITY
DEVELOPMENT
MANAGER/CITY
PLANNER SIMPSON Chair and Commissioner Burrola, we do have a requirement that if and when State law changes, businesses need to comply. That should be something that happens if there is a change or a mandate; it would be required for this. Also, the applicant might be able to speak in more detail about it, but there are fleet vehicles now that are compressed natural gas, or CNG that are clean fuel.
- VICE-CHAIR Thank you. Can I make some comments on the actual plans or do we

BURROLA	have to stay within the areas that we are approving. We are actually approving the plans today, right?
COMMUNITY DEVELOPMENT MANAGER/CITY PLANNER SIMPSON	At this time, it is questions only.
VICE-CHAIR BURROLA	I have a question. On the corner of Live Oak and Arrow Highway, if you look at the plans on the front cover of Exhibit I, there is a little area. Are they going to do any landscaping in that area because it does not show. It will be a 1.1 on the first page. If you look at that little area in the corner right in the intersection.
COMMUNITY DEVELOPMENT MANAGER/CITY PLANNER SIMPSON	Where Arrow Highway joins into Live Oak?
VICE-CHAIR BURROLA	Correct. Are they going to do any improvements in that area?
COMMUNITY DEVELOPMENT MANAGER/CITY PLANNER SIMPSON	As part of the project, there would be landscaping and there is potential for a monument signage in that area.
VICE-CHAIR BURROLA	I didn't see that in the plans that is why I question if they are going to put a monument or something of that sort to clean up that area in that corner. This does not show as part of the Site Plan.
COMMUNITY DEVELOPMENT MANAGER/CITY PLANNER SIMPSON	There is a Condition of Approval that any signage package be submitted later to the City.
VICE-CHAIR BURROLA	So, you are saying that they will be doing some landscaping in that area as well?
COMMUNITY DEVELOPMENT MANAGER/CITY PLANNER SIMPSON	Yes.
VICE-CHAIR BURROLA	For the noise control, I don't really see it in the plans. Where's that sound wall going to be constructed at. Will it be along Live Oak Avenue?

COMMUNITY
DEVELOPMENT
MANAGER/CITY
PLANNER SIMPSON

Yes, the south side of the project site along Live Oak and there will be landscaping buffer.

VICE-CHAIR
BURROLA

I am under the impression that the sound wall is going to have to be taller than the requirements or taller than our standards. I have not seen the design for the sound wall. Is it going to be a big wall or is it going to be like a thicker wall?

COMMUNITY
DEVELOPMENT
MANAGER/CITY
PLANNER SIMPSON

Not necessarily. It would need to comply with the City's development standards. They're not asking for any kind of variance at this time for the height; that would be something that we would bring back to the Planning Commission.

VICE-CHAIR
BURROLA

At this point, you really don't know what design calls for the sound, but there has to be some sort of sound wall put there for the Mitigation Measure.

COMMUNITY
DEVELOPMENT
MANAGER/CITY
PLANNER SIMPSON

Yes.

VICE-CHAIR
BURROLA

Thank you, those are all of my questions that I have.

CHAIR TAPIA

On Item 3, I can't find it and I must have left it at home. On Chapter 3, or whatever it's deem, talks about that there's 87% of the trucks that Athens has are already electrical and they are going to comply in the near future and make it 100%. That's in our report.

VICE-CHAIR
BURROLA

I missed that then.

CHAIR TAPIA

That is in our report on #3, but I don't have it with me. So, all I can do is say what I remember, but I have looked through it and it must have dropped out of my packet.

VICE-CHAIR
BURROLA

Thanks for that, Chair.

CHAIR TAPIA

All of the all the trucks that are going to be hauling or transferring out of the MRF are electrical.

ADMINISTRATIVE
SECRETARY AGUILA

Excuse me, Mr. Paul Miller would like to respond.

CHAIR TAPIA	Who is Paul Miller?
COMMUNITY DEVELOPMENT MANAGER/CITY PLANNER SIMPSON	He is the air quality scientist who is part of the environmental team.
CHAIR TAPIA	Is that in response to Mr. Burrola's question?
ADMINISTRATIVE SECRETARY AGUILA	Yes. Mr. Paul Miller, you have now been unmuted.
PAUL MILLER	I am sorry about that. The conversion is from diesel trucks to compressed natural gas. Just to clarify that they're making a big move from moving from diesel to compressed natural gas and not electric at this point.
CHAIR TAPIA	Marilyn, it is Article 3 and I believe it is on the second page on the top. I do not have it with me. It is the first paragraph on top, if I remember right.
COMMUNITY DEVELOPMENT MANAGER/CITY PLANNER SIMPSON	Of the Staff Report?
CHAIR TAPIA COMMUNITY DEVELOPMENT MANAGER/CITY PLANNER SIMPSON	Yes. Chair Tapia, may you repeat that, so I can find the location?
CHAIR TAPIA	Article 3, I believe. What does Article 3 say that the title is? What is the subtitle for Article 3?
COMMUNITY DEVELOPMENT MANAGER/CITY PLANNER SIMPSON	Do you have the page number?
CHAIR TAPIA	I don't. There is Article 1, Article 2, Article 3, 4 and 5. It is under Article 3. It is under the section of Article 3 that is talking about fueling and how they fuel, how they go to the City of Industry, how long it takes, and fast and slow fuel. In that section, it talks about there being 87% right now of that particular gas and they are going to eventually be 100%. Does someone have their paperwork with them?

COMMUNITY DEVELOPMENT MANAGER/CITY PLANNER SIMPSON	Excuse me, it's in the 2020 Final Environmental Impact Report - fueling operations. In the report, it says that 86% CNG fueled add present and it's expected to be 100% CNG fuel in the future. So, as they replace any older diesel field trucks.
CHAIR TAPIA	Does that clarify, Commissioner Burrola?
VICE-CHAIR BURROLA	CNG, meaning natural gas, correct?
COMMUNITY DEVELOPMENT MANAGER/CITY PLANNER SIMPSON	Yes, Compressed Natural Gas.
CHAIR TAPIA	All of the trucks on-site are going to be transferring the materials, are all going to be CNG.
VICE-CHAIR BURROLA	Okay.
CHAIR TAPIA	It doesn't mean that private trucks from other sources may come in there but there's also an article that says that they must meet certain standards if they are going to be coming into the facility.
VICE-CHAIR BURROLA	Okay.
CHAIR TAPIA COMMUNITY DEVELOPMENT MANAGER/CITY PLANNER SIMPSON	Any more questions for Staff or for our EIR professionals? Now it will be appropriate to open the Public Hearing and we do have a representative from Athens Services that is available to speak.
CHAIR TAPIA	At this time, we are going to open the Public Hearing.
OPEN PUBLIC HEARING	At 7:47 p.m., Chair Tapia opened the Public Hearing.
CITY ATTORNEY GUERRA	Chair, as Ms. Simpson stated earlier, the direction is when we open up the Public Hearing, we will hear first from the Athens representative; we can open it up to the Public and then any final rebuttal comments from Athens and close the Public Hearing, thank you.
CHAIR TAPIA	As we open up the Public Hearing, the first speaker will be from Athens and once the gentlemen from Athens is done speaking, then it will be opened up to the public for comments for or against the project, in total. Everything that consists of the project site. Sir, state your name and address for the record, please.

GARY CLIFFORD Good evening Chair Tapia, Vice-Chair Burrola and members Hartman, Corpis, and Chico. My name is Gary Clifford and I am the Executive Vice President of Athens Services and our crew is here virtually tonight. I just wanted to let you know that our company is still as passionate as we were 15 years ago when this started, 12 years ago for me, and it's the same project that the City Council and that some of you members voted on before. We're dedicated to this regional benefit. It is going to be the Nation's most innovative recycling facility. Irwindale is going to be very proud of this site. The site that we have in Los Angeles; many people come to visit it, elected officials and others, to take a first look at the technology. It is the exact same project of the Arakelian family. Athens Services is proud to go through this together, and we are asking you tonight to reaffirm that commitment and move forward with us. I'm here to answer any questions or comments, but just wanted to say good evening to you.

CHAIR TAPIA Is there any comments or questions from the Commissioners. Doesn't seem like there is.

GARY CLIFFORD I will be outside if you need me, thank you.

CHAIR TAPIA Thank you and nice seeing you. Okay, it is now open to the public. Please raise your hand and remember the time limits. Raise your hand and you will be called upon.

ADMINISTRATIVE
SECRETARY AGUILA Chair Tapia, no hands have been raised.

CHAIR TAPIA Just for the record, no hands have been raised. We are going to give you another minute or so. We do not want anyone that is out there not at the computer to come in and see that we have already moved on.

CLOSE PUBLIC
HEARING There being no additional speakers, Chair Tapia closed the Public Hearing at 7:51p.m.

CHAIR TAPIA At this time, we have now closed the public hearing as far as the Final Environmental Impact Report. It is now open for discussion among the Commissioners and open for a vote. Any Commissioners have any last questions for Staff?

COMMISSIONER
CHICO I have a question for our attorney at this point. Can we adopt all of the resolutions at one time or do they have to be taken individually?

CITY ATTORNEY
GUERRA If it is the will of the Commission, I could make it one motion and read all the titles as part of that one motion so we don't have to go one-by-one.

COMMISSIONER You want us to motion first or should the motion to adopt be made first?

CHICO

CITY ATTORNEY
GUERRA

I'll go ahead and read the entire motion and if somebody is agreeable, they can make that motion and there could be a second. Bear with me as I have a lot of reading to do. I have to scroll on my computer to get everything, bear with me. The appropriate motion would be to read by title only, waive reading of, and adopt the following six resolutions. I will read the titles. The resolutions are:

790(21)

A Resolution of the Planning Commission of the City of Irwindale recommending to the City Council certification of the Environmental Impact Report (SCH#2013051029), adopt California Environmental Quality Act Findings of Fact and Statement of Overriding Considerations, and adopt the Mitigation Monitoring and Reporting program for the Materials Recovery Facility and Transfer Station project.

791(21)

A Resolution of the Planning Commission of the City of Irwindale recommending to the City Council the approval of General Plan Amendment No. 02-2016 to change the General Plan Land Use Designation from commercial to commercial/industrial on property located at 2200 Arrow Highway (APN 8535-001-911), subject to the conditions as set forth herein and making findings in support thereof.

792(21)

A Resolution of the Planning Commission of the City of Irwindale recommending that the City Council of the City of Irwindale amend section 8.20.370 of the Irwindale Municipal Code regarding solid waste franchises, amend Chapters 17.56 and 17.58 of the City of Irwindale Municipal Code regarding material recovery facilities in the M-2 (Heavy Manufacturing) zone and add Section 17.56.025 regarding distance requirements for alcohol beverage establishments.

793(21)

A Resolution of the Planning Commission of the City of Irwindale recommending that the City Council approve Development Agreement No. 02-2016 Athens Services to allow the construction and operation of a Materials Recovery Facility and Transfer Station, convenience store and public gas station on property located at the 2200 Arrow Highway (APN 8535-001-911), subject to conditions as set forth herein and making findings in support thereof.

794(21)

A Resolution of the Planning Commission of the City of Irwindale recommending to the City Council approval of a Conditional Use Permit

to allow a proposed convenience store to sell beer and wine for off-site consumption (type 20 off sale beer & wine), and for the operation of a public gas station on property located at 2200 Arrow Highway in the M-2 (Heavy Manufacturing) zone, subject to conditions as set forth herein and making findings in support thereof.

795(21)

A Resolution of the Planning Commission of the City of Irwindale recommending City Council approval of Site Plan and Design Review (DA) No. 06-2016 for the construction of a ± 252,586 square foot Materials Recovery and Transfer Station (MRF/TS) building and convenience store with a public gas station located at 2200 Arrow Highway in the M-2 (Heavy Manufacturing) zone, subject to conditions as set forth herein and making findings in support thereof.

Is there a motion and a second?

CHAIR TAPIA I have a comment, do we have to include changes of what we talked about, like wording?

CITY ATTORNEY
GUERRA I will wait for Berlyn to address the noise. Chair, at this point, we will not.

CHAIR TAPIA Okay, that is fine.

CITY ATTORNEY
GUERRA Can we take a two minute break before we have the motion and second?

RECESS At 7:59 p.m., the Planning Commission took a short recess.

RECONVENE At 8:02 p.m., the Planning Commission reconvened.

CHAIR TAPIA Okay, we are going to resume.

CITY ATTORNEY
GUERRA I just want to make one clarification on one of the Resolutions and retitle it. That is everything is consistent with the 790, 791, 792, 794 and 795. The only one I'm going to change is 793 regarding Development Agreement. I just want to reference that there is an ordinance being recommended as well, so in the title, I'm going to rephrase the title. It is Resolution No. 793(21): A Resolution of the Planning Commission of the City of Irwindale, recommending that the City Council approve Development Agreement No. 02-2016 and corresponding ordinance to allow the construction and operation of a materials recovery facility and transfer station, convenience store, and public gas station on property located at the 2200 Arrow Highway (APN 8535-001-911), subject to conditions as set forth herein and making findings in support thereof. With that, all the titles have been read to read by title only, waive reading of, and adopt those six resolutions. Is there a motion and a second?

COMMISSIONER HARTMAN	Motion to approve as read.
CHAIR TAPIA	Hold on a second. Is that the resolutions including the EIR?
CITY ATTORNEY GUERRA	Yes, the first resolution title that I read, which was Resolution 790(21), was for the EIR. That one should be adopted first.
CHAIR TAPIA	Mr. Hartman, go ahead.
COMMISSIONER HARTMAN	Motion to approve as read.
CHAIR TAPIA	Second. Roll Call.
ADMINISTRATIVE SECRETARY AGUILA	Commissioner Hartman.
COMMISSIONER HARTMAN	Yes.
ADMINISTRATIVE SECRETARY AGUILA	Commissioner Corpis.
COMMISSIONER CORPIS	Yes.
ADMINISTRATIVE SECRETARY AGUILA	Commissioner Chico.
COMMISSIONER CHICO	Yes.
ADMINISTRATIVE SECRETARY AGUILA	Vice-Chair Burrola.
VICE-CHAIR BURROLA	Yes
ADMINISTRATIVE SECRETARY AGUILA	Chair Tapia.
CHAIR TAPIA	Yes.
CHAIR TAPIA	Well, I was going to wait until Commissioner comments, but I'm just going to go ahead and commend/congratulate the Planning Staff and Dr. Harvey and his associates for the great job that you did in compiling all the information and presenting all the information as you did. I thank

you very much for your hard work and that includes our Legal Staff and our City Manager, Sir William.

**DISCUSSION ITEMS/
PRESENTATIONS**

There were no items.

CHAIR TAPIA

Do we have any presentations?

COMMUNITY
DEVELOPMENT
MANAGER/CITY
PLANNER SIMPSON

Thank you Chair and Commissioners, we do not have any discussion items or presentations tonight.

**COMMISSIONER
COMMENTS**

There were no items.

CHAIR TAPIA

Any Commissioner comments or requests? We will go down to Legal Counsel comments.

LEGAL COUNCIL

CITY ATTORNEY
GUERRA

Thank you, Chair. I have no legal comments, but Happy New Year to everyone.

CHAIR TAPIA

Thank you. We will ask our City Manager if he has anything to say.

CHAIR TAPIA

Nothing to say. He is happy.

**COMMUNITY
DEVELOPMENT
MANAGER/CITY
PLANNER'S REPORT**

Thank you Chair and Commissioners. I just want to remind you that we will be seeing each other again in a couple of weeks. The next Planning Commission meeting is on February 3rd, a little sooner than the usual. Finally, I just want to wish everybody a Happy New Year and I hope everyone is healthy and safe.

COMMISSIONER
HARTMAN

To you too, Marilyn and to all of the Staff.

COMMUNITY
DEVELOPMENT
MANAGER/CITY
PLANNER SIMPSON

Thank you.

CHAIR TAPIA

Did we get any information on the construction pile that was over there by the raceway?

COMMUNITY
DEVELOPMENT
MANAGER/CITY
PLANNER SIMPSON

Yes, thank you. We've had Code Enforcement reach out to the construction manager and to the developer regarding that. That'll be taken care of. Some of these things take a little response time.

CHAIR TAPIA

Anything else before we adjourn? I want to thank all of the Commissioners for their consideration for this project. I know that this project goes all the way back to my dad, Arthur F. Tapia. He spoke to me about that they were going on a tour, but this was by railroad at the time so, this is a long time coming. I was just feeling like anytime we have something that we want and it's going to benefit our town monetarily. There was a waste management request by the State in 1989 that asked if any city had property so they could make a transfer station. Something that would be adequate to take care of our trash recycling. It is very disheartening when you know that you're being opposed when this was to asked by the State. I am very happy tonight that this finally is going come to pass so I thank you and with that, we have we will be adjourning this meeting again in remembrance of Rosie Guerrero. Now, if we have if we have a motion to adjourn.

COMMISSIONER
HARTMAN

Motion to adjourn.

CHAIR TAPIA

Thank you. This meeting of January 20th has adjourned.

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 8:10 p.m.

Arthur R. Tapia, Planning Commission Chair

Attest:

Berlyn Aguila, Administrative Secretary



**CITY OF IRWINDALE
PLANNING COMMISSION STAFF REPORT**
**COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION**



Date: May 19, 2021 **Agenda Item No. 1-B**

To: Honorable Chair and Members of the Planning Commission

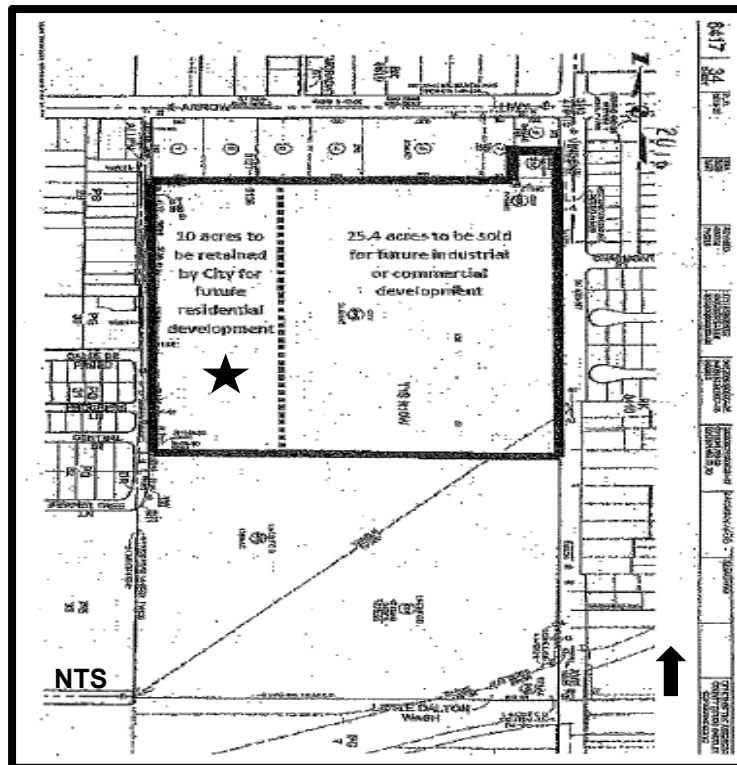
From: Marilyn Simpson, AICP, Community Development Director

Project Planner: Marilyn Simpson, AICP, Community Development Director

Property Owner: City of Irwindale
5050 Irwindale Avenue
Irwindale, CA 91706

Project: General Plan Consistency Determination – 10-acre parcel located at 5100 Allen Drive

Project Location: 5100 Allen Drive (APN: 8417-034-912, formerly APN: 8417-034-911)



STAFF RECOMMENDATION

That the Planning Commission make a General Plan consistency determination for the City's proposed transfer of ownership of the subject property to the City of Irwindale Housing Authority (IHA). Staff recommends that the Planning Commission find the acquisition to be in conformance with the Irwindale General Plan.

REQUEST

The City of Irwindale (City), is requesting that a General Plan consistency determination be made regarding the proposed transfer of the subject property to the IHA. As proposed, the IHA would accept all rights, benefits and obligations as the property owner of the subject property for future use for the development of housing.

Government Code Section 65402 instructs that, prior to disposition of real property, the proposed disposition shall be reviewed in order to determine its consistency with the General Plan by the planning agency having jurisdiction.

Staff evaluated the location and purpose to be consistent with Irwindale's General Plan based upon the following Community Development Element Policies:

The City's commitment to comprehensive land use planning.

- The 10-acre parcel, formerly part of the Manning Pit (Site No. 3) was a portion of the 34-acre former aggregate mining pit. The property was purchased by the dissolved Irwindale Community Redevelopment Agency in 2007 and intended for future redevelopment including residential and non-residential land uses. The Manning Pit was sold and is currently privately owned, however the remaining 10 acres remain owned by the City. Three (3) acres have been designated for residential use in the Housing Element of the General Plan and are anticipated to be re-zoned to include the Planned Development (PD) Overlay zone which would permit a maximum density of 21 dwelling units per acre, for the maximum development of 63 dwelling units.¹
- Program No. 14: Provision of Land Zoned for Multiple-Family Housing

Once the Manning Pit is filled, three (3) acres on the western side of the property adjacent to Allen Drive are anticipated to be rezoned to residential with a Planned Development (PD) Overlay as called for in the General Plan. The overlay will allow for development of housing at a density up to 21 units per acre.

Status/ Timing of Implementation – The Manning Pit will be rezoned within three years and 120 days into the 2013-2021 cycle.

Implementation Responsibility – Planning and Community Development Department

¹ City of Irwindale General Plan, Housing Element (September 11, 2013)

Quantitative Objective – up to 63 dwelling units²

- The existing parcel is consistent with General Plan Land Use and Economic Development policies in the Community Development Element. These policies provide for comprehensive land use planning to preserve the overall mix of land uses and development in the community and provide for the pursuit and promotion of economic development to provide revenue to the City.
- The General Plan designation for the site is Industrial/Business Park, however the General Plan Map shows the site as Residential. Staff believes that the map designation is an illustrative error. Therefore, Staff is proposing formal applications for a General Plan Map Amendment from Industrial Business Park to Residential and a Zone Change from M-2 (Heavy Manufacturing) to PD (Planned Development) to make that correction. The future development will provide new housing opportunities in the Town Center neighborhood.

TABLE 3-33: POTENTIAL SITES FOR NEW HOUSING

Site #	APN	Street	Zone	General Plan Designation	Current Land Use	Owner	Parcel Size (SF)	Potential Capacity (Units)
1	8534-001-901	Mountain Avenue	C1 - Neighborhood Commercial	Residential	Vacant	Irwindale Successor Agency	16,008	8
2	8534-001-039	Mountain Avenue	C1 - Neighborhood Commercial	Residential	Commercial Business	Private Owner	14,095	
3	8417-034-911	Allen Drive	M2 - Heavy Manufacturing	Industrial/Business Park	Former Mining Pit	Irwindale Successor Agency	130,680	63
Total							30,103	71

Source: City of Irwindale

ATTACHMENTS

Exhibit A: Site Map

Exhibit B: Legal Description

² City of Irwindale General Plan, Housing Element (September 11, 2013)

EXHIBIT "A"

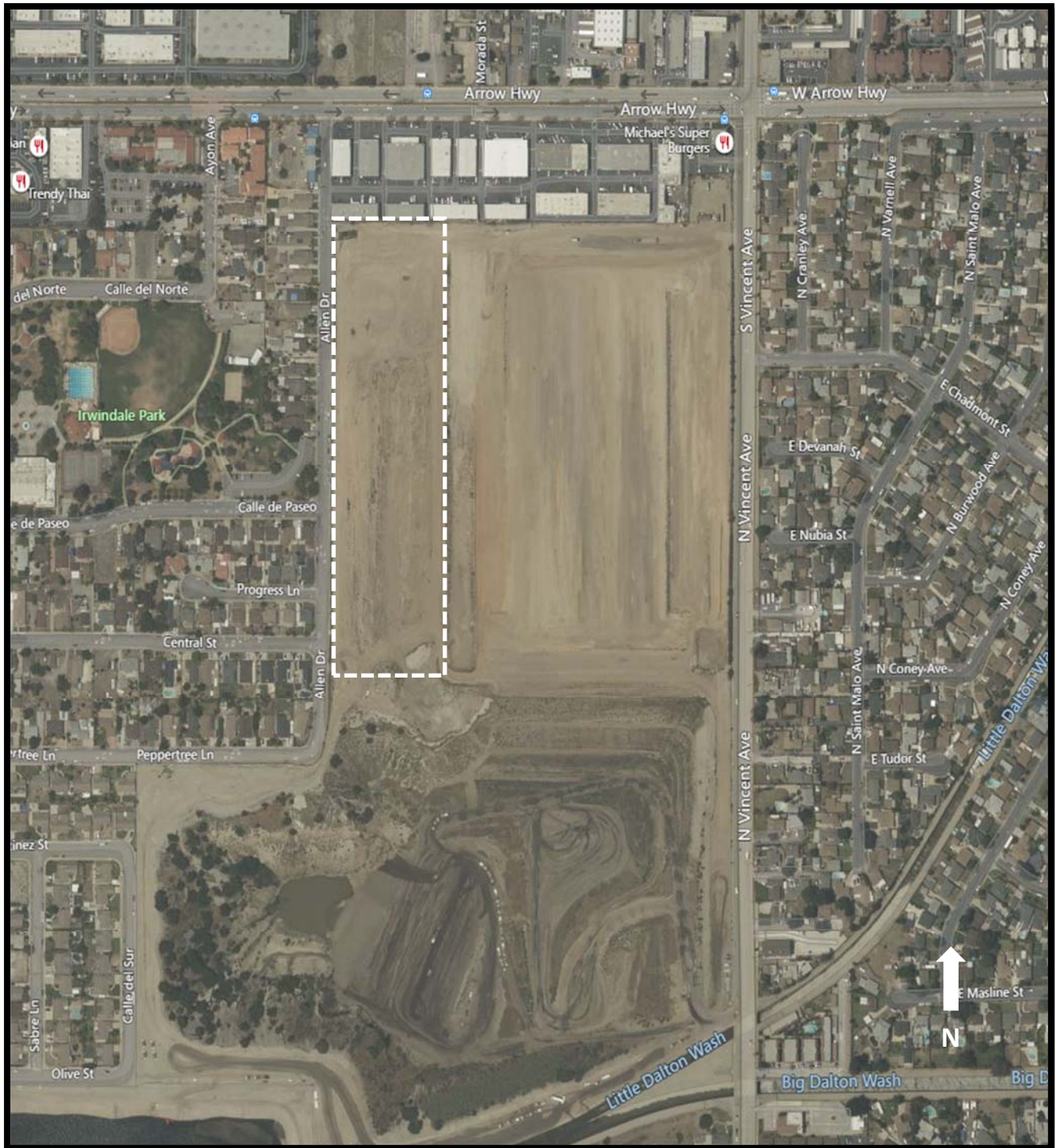
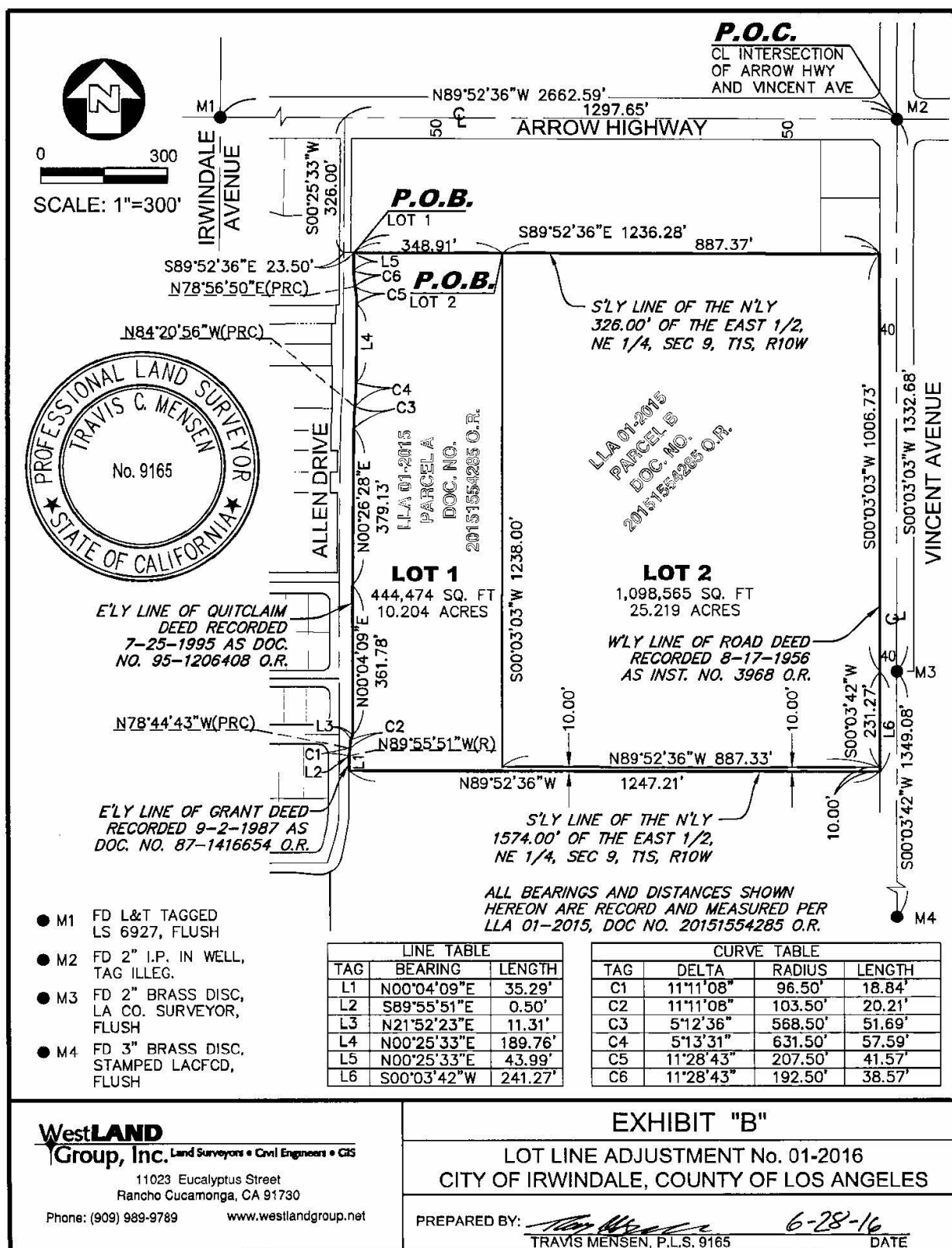


EXHIBIT "B"**EXHIBIT "A"**

LOT 1 OF LOT LINE ADJUSTMENT NO. 01-2016 AS RECORDED JUNE 23, 2017 AS [INSTRUMENT NO. 20170698843, OF OFFICIAL RECORDS](#), MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THAT PORTION OF LOT LINE ADJUSTMENT NO. LLA 01-2015 IN THE CITY OF IRWINDALE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA RECORDED DECEMBER 10, 2015 AS [DOCUMENT NUMBER 20151554285](#) IN OFFICIAL RECORDS AT THE RECORDER'S OFFICE OF SAID COUNTY ALSO BEING THAT PORTION OF THE NORTHERLY 1574.00 FEET OF THE EAST ½ OF THE NORTHEAST ¼ OF SECTION 9, TOWNSHIP 1 SOUTH, RANGE 10 WEST, SAN BERNARDINO MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOW:

COMMENCING AT THE CENTERLINE INTERSECTION OF ARROW HIGHWAY AND VINCENT AVENUE AS SHOWN ON RECORD OF SURVEY FILE DIN [BOOK 128 PAGE 61](#) OF MAPS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY; THENCE ALONG THE CENTERLINE OF SAID ARROW HIGHWAY NORTH 89°52'36" WEST 1297.65 FEET TO THE CENTERLINE OF ALLEN DRIVE; THENCE ALONG SAID CENTERLINE SOUTH 00°25'33" WEST 326.00 FEET TO THE SOUTHERLY LINE OF THE NORTHERLY 326.00 FEET OF SAID EAST ½ OF THE NORTHEAST ¼ OF SECTION 9; THENCE PARALLEL WITH SAID CENTERLINE OF ARROW HIGHWAY ALONG THE SOUTHERLY LINE SOUTH 89°52'36" EAST 23.50 FEET TO THE EAST LINE OF SAID ALLEN DRIVE, ALSO BEING THE NORTHEAST CORNER OF PARCEL DESCRIBED IN QUITCLAIM DEED RECORDED JULY 25, 1995 AS [DOCUMENT NO. 95-1206408 OF OFFICIAL RECORDS](#) IN THE OFFICE OF SAID COUNTY RECORDER, SAID CORNER BEING THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID SOUTHERLY LINE SOUTH 89°52'36" EAST 348.91 FEET; THENCE SOUTH 00°03'03" WEST 1238.00 FEET TO A LINE PARALLEL WITH AND DISTANT NORTHERLY 10.00 FEET FROM THE SOUTHERLY LINE OF SAID NORTHERLY 1574.00 FEET; THENCE ALONG SAID PARALLEL LINE SOUTH 89°52'36" EAST 887.33 FEET TO THE WESTERLY LINE OF VINCENT AVENUE DESCRIBED IN ROAD DEED RECORDED ON AUGUST 17, 1956 AS [INSTRUMENT NO. 3968 OF OFFICIAL RECORDS](#) IN THE OFFICE OF SAID COUNTY RECORDER; THENCE ALONG SAID WESTERLY LINE SOUTH 00°03'42" WEST 10.00 FEET TO SAID SOUTHERLY LINE OF THE NORTHERLY 1574.00 FEET; THENCE ALONG SAID SOUTHERLY LINE NORTH 89°52'36" WEST 1247.21 FEET TO THE EASTERLY RIGHT OF WAY LINE OF ALLEN DRIVE, ALSO BEING THE EAST LINE OF PARCEL DESCRIBED IN GRANT DEED RECORDED SEPTEMBER 2, 1987 AS [DOCUMENT NO. 87-1416654 OF OFFICIAL RECORDS](#) IN THE OFFICE OF SAID COUNTY RECORDER; THENCE ALONG SAID EASTERLY LINE NORTH 00°04'09" WEST 35.29 FEET TO THE MOST SOUTHERLY LINE OF SAID QUITCLAIM DEED; THENCE THE FOLLOWING 12 COURSES ALONG THE SOUTHERLY AND EASTERLY LINES OF SAID ALLEN DRIVE AND SAID QUITCLAIM DEED SOUTH 89°55'51" EAST 0.50 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE EASTERLY, HAVING A RADIUS OF 96.50 FEET, A LINE RADIAL TO SAID BEGINNING OF A NON-TANGENT CURVE BEARS NORTH 89°55'51" WEST; THENCE ALONG SAID NON-TANGENT CURVE 18.84 FEET THROUGH A CENTRAL ANGLE OF 11°11'08" TO THE BEGINNING OF A REVERSE CURVE CONCAVE WESTERLY, HAVING A RADIUS OF 103.50 FEET, A LINE RADIAL TO SAID BEGINNING OF REVERSE CURVE BEARS NORTH 78°44'43" WEST; THENCE ALONG SAID REVERSE CURVE 20.21 FEET THROUGH A CENTRAL ANGLE OF 11°11'08" ; THENCE NORTH 21°52'23" EAST 11.31 FEET; THENCE NORTH 00°04'09" EAST 361.78 FEET; THENCE NORTH 00°26'28" EAST 379.13 FEET TO THE BEGINNING OF A CURVE CONCAVE EASTERLY, HAVING A RADIUS OF 568.50 FEET; THENCE ALONG SAID CURVE 51.69 FEET THROUGH A CENTRAL ANGLE OF 5°12'36" TO THE BEGINNING OF A REVERSE CURVE CONCAVE WESTERLY, HAVING A RADIUS OF 631.50 FEET, A LINE RADIAL TO SAID BEGINNING OF REVERSE CURVE BEARS NORTH 84°20'56" WEST; THENCE ALONG SAID REVERSE CURVE 57.59 FEET THROUGH A CENTRAL ANGLE OF 5°13'31" ; THENCE NORTH 00°25'33" EAST 189.76 FEET TO THE BEGINNING OF A CURVE CONCAVE WESTERLY, HAVING A RADIUS OF 207.50 FEET; THENCE ALONG SAID CURVE 41.57 FEET THROUGH A CENTRAL ANGLE OF 11°29'43" TO THE BEGINNING OF A REVERSE CURVE CONCAVE EASTERLY, HAVING A RADIUS OF 192.50 FEET, A LINE RADIAL TO SAID BEGINNING OF REVERSE CURVE BEARS NORTH 78°56'50" EAST; THENCE ALONG SAID REVERSE CURVE 38.57 FEET THROUGH A CENTRAL ANGLE OF 11°28'43" THENCE THE FINAL COURSE ALONG SAID EASTERLY LINE OF SAID QUITCLAIM DEED NORTH 00°25'33" EAST 43.99 FEET TO THE POINT OF BEGINNING.





**CITY OF IRWINDALE
PLANNING COMMISSION STAFF REPORT**

**COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION**



Date: May 19, 2021 **Agenda Item No. 3-A**

To: Honorable Chair and Members of the Planning Commission

From: Marilyn Simpson, Community Development Director

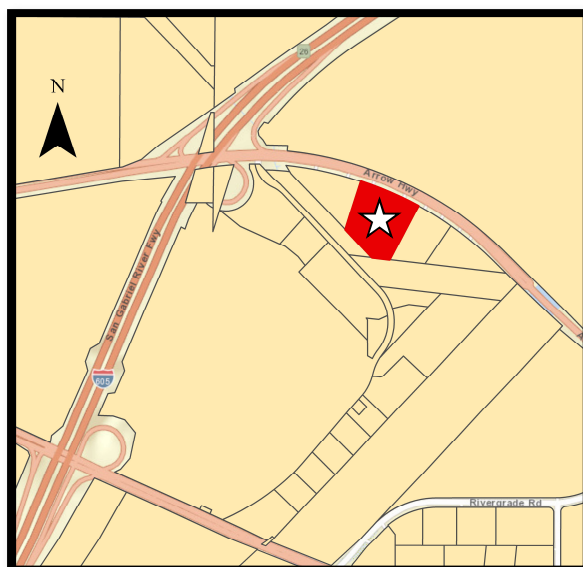
Project Planner: Abbey Ibarra, Community Development Intern

Project: Conditional Use Permit No. 03-2021
Zone Variance No.01-2021
Hidden Strength Gym

Applicant: Adam Bun: 1442 Arrow Highway Unit K Irwindale, CA

Property Owner: Teri Austin, MMV.LP: 18881 Von Karman Avenue #400 Irvine, CA

Project Location: 1442 Arrow Highway #K (APN: 8532-002-028)



Staff Recommendation: That the Planning Commission approve Conditional Use Permit No. 03-2021 and Zone Variance 01-2021 subject to the attached Conditions of Approval.

REQUEST

The Applicant is requesting a Conditional Use Permit to establish a fitness facility in an existing 4,436 square foot building and Zone Variance to deviate from the required parking ratio for assembly uses located within an industrial business park, located at 1442 Arrow Highway, #K. The use is located within the M-2 (Heavy Manufacturing) zone and, therefore, requires a Conditional Use Permit per IMC Subsection 17.40.015(13) – Gymnasiums, reducing salons, natatoriums and similar physical fitness and/or physical educational centers.

LOCATION AND SITE HISTORY

The proposed project (Hidden Strength Gym) will be located on an existing 4.07± acre (177,332 square-foot) parcel. There are currently three (3) existing buildings on-site: a 21,500 square-foot building, a 32,800 square-foot building, and a 35,300 square-foot building (where the proposed project will be located), totaling 91,356 square feet of tenant space. The lot is located in the M-2 (Heavy Manufacturing) zone and shown on the Location Map above.

There are no existing discretionary permits on file for this property. However, there are files that show permits for various improvements, including the original construction of the three (3) existing buildings totaling 91,356 square-feet of built space. The subject parcel was originally developed in 1994 and is owned by MMV, LP.

GENERAL PLAN AND ZONING

The site is designated in the General Plan as Regional Commercial and zoned M-2 (Heavy Manufacturing).

The site is surrounded by the following zones and uses:

Direction	Existing Land Use	Zoning District
North	Santa Fe Dam	O-S, Open Space
South	Industrial operations	M-2, Heavy Manufacturing
East	Industrial Tilt-Up Buildings	M-2, Heavy Manufacturing
West	Industrial Tilt-Up Buildings	M-2, Heavy Manufacturing

ENVIRONMENTAL REVIEW

The proposed project is exempt from the California Environmental Quality Act (CEQA), pursuant to Section 15301 (Class 1; Existing Facilities) of the CEQA Guidelines. If action is taken to approve the project, a Notice of Exemption (NOE) will be filed with the County Clerk. The NOE is on file at the Planning Department and available for review by the public.

PROJECT DESCRIPTION

The Applicant is proposing to operate a fitness facility (Hidden Strength Gym). Hidden Strength Gym is a powerlifting strength and conditioning program business. According to the Applicant, the program is intended to specialize in powerlifting, Olympic lifting, bodybuilding, and general fitness. Hidden Strength Gym attempts to provide people from different fitness levels and backgrounds a facility where they can either start or continue their fitness journey with a supportive group of people who share the same passion and health goals.

Hidden Strength Gym is proposed to operate based on an open workout plan with the following schedules:

Days	Hours
Monday through Thursday	9:00 AM – 11:00 PM
Friday through Sunday	9:00 AM – 8:30 PM

The facility will have a variety of stations including a station for a squat rack area, a bench press area, a free weight area, a cable tower area, a deadlift platform area, and an Olympic and deadlift area in addition to the main workout area. There is also a turf platform for agility and conditioning training. In addition, there will be a reception area, and an office area. There is also one (1) restroom and no locker rooms. Individual training is available by request. The parking study indicates that gym usership was typically at its peak later in the afternoon/evenings, when other tenants of the business center were not open for operation. A Zone Variance is required to deviate from the minimum parking ratio requirement.

Conditional Use Permit

Irwindale Municipal Code (IMC) Subsection 17.40.015(13) – Gymnasiums, reducing salons, natatoriums and similar physical fitness and/or physical educational centers.

Zone Variance

When practical difficulties, unnecessary hardships, or results inconsistent with the general intent and purpose of this title, occur by reason of the strict and literal interpretation of any of its provisions, a Zone Variance may be granted in the manner set forth per IMC Section 17.80.010. In this case, a Zone Variance is being requested for reduced parking allowances. Per the Planning Commission's policy determination, the applicant provided a Parking Study prepared by More Services to analyze existing parking demand in comparison to anticipated parking demand.

ANALYSIS

Conditional Use Permit

Before any Conditional Use Permit is granted, the applicant must show, to the satisfaction of the Planning Commission or the City Council (if appealed), the existence of the following findings of fact. Staff has determined that the findings can be made based on the analysis shown:

- A. That the site for the proposed use is adequate in size and shape.

The site is a rectangular-shaped, ±177,358 square-foot parcel and has adequate area for on-site circulation, parking, and proposed business operations. There are no proposed changes to the size of the building, which would affect the footprint, parking or circulation.

- B. That the site has sufficient access to streets and highways, adequate in width and pavement type to carry the quantity and quality of traffic generated by the proposed use.

Primary ingress and egress are provided via two (2) driveways on Arrow Highway. There is also reciprocal access from each of the adjacent properties, which also have access directly from Arrow Highway. The proposed use will generate very limited and periodic additional traffic per the Parking Study. No additional roadways will be required for the operation of this project.

- C. That the proposed use will not have an adverse effect upon adjacent property.

Adjacent properties will not be affected because the existing use will not be altered in any significant way. There is no proposed change to the square footage of the building. As a fitness training facility, adjacent property owners will not be affected by additional noises, smells, waste or other annoyances typically associated with permitted industrial uses in the area. In addition, the proposed use is less intense than many uses permitted by right or conditionally in the M-2 (Heavy Manufacturing) zone. The applicant confirmed that the adjacent businesses were notified about the proposed project. Therefore, the impact of the facility on the surrounding properties is expected to be insignificant.

Zone Variance

Parking

At the September 18, 2013 Planning Commission meeting, staff presented a memorandum to the Commission discussing requests to establish instructional studio uses within the City. Each request encountered issues with meeting the zoning code's parking requirements. Currently, the IMC does not specifically identify these types of uses in Chapter 17.64, "Parking." Staff found that the current lack of a specific parking ratio and reliance on the above mentioned code sections makes most requests almost impossible due to the parking requirements. Staff presented the options of calculating the uses at one (1) per 250 or requiring a parking study. The Planning Commission decided to review each one on a case-by-case basis and require a Parking Study. A policy determination was, therefore, created based on the Commission's recommendation until the zoning code can be updated. Although the policy determination does allow for a parking study in lieu of strict ratio calculation, it does not allow for the deviation from the measurable standard without a zone variance.

Based on the IMC's most relevant parking ratio for an assembly use (1 per 35), the total number of parking required for the facility alone at 1442 Arrow Highway would require a total of 127 stalls per IMC subsection Chapter 17.64.030 (parking spaces for specified uses). Following the Planning Commission's policy determination, the applicant provided a Parking Study, prepared by More Services, revised October 1, 2020. There are 127 total parking stalls (including 6 accessible) and 39 loading spaces provided within the entire business center, shared by all tenants. When the business park development was approved in 1994, only 124 parking stalls were required. The use of the subject property is under parked, therefore requiring a zoning variance.

Table 3 of the Parking Study summarizes the parking adequacy evaluation for the overall project based on the existing parking demand for each unit. Findings demonstrated that “parking need” was well below the parking required by the minimum parking requirements. As observed by the empirical study, only sixty percent (60%) of the parking supply was utilized during peak hours, not counting unused loading spaces. The study found that the parking demand on average was approximately forty-two (42) or thirty-33 percent (33%) occupied on average per hour for the entire business center. Physical vehicle counts and gym usership were used as measures to determine parking type needs. Considering that the peak hours of the business center’s parking demand were not aligned with the subject tenant’s peak hours of operation, it can be determined that the parking demand would not be adversely affected due to the gym’s operation. The subject tenant will require between 1-2 stalls for the owner/employees. Based on client daily check-ins, there were never more than eight (8) users in the gym at any given time. Therefore, the maximum total parking supply needed would be approximately ten (10) stalls for the anticipated peak rate of eight (8) customers. Furthermore, the actual parking demand generated by the proposed project is forecasted to be substantially lower based on the anticipated operations of the fitness facility.

Use	Square Footage	Required Parking Ratio	Total Required
Fitness Facility (Hidden Strength Gym)	4,436 square feet	1/35 square feet	127

According to the Parking Occupancy Pattern in the Parking Study (Table 4 of the Parking Study), the peak hours of occupancy for the entire business center were between 11:00AM and 12:00PM most days, with a total average peak occupancy of 60% (76 stalls in use). The occupancy per hour for the entire business center, was 33% or 42 stalls occupied on average per hour from a total of 127 available. Observation done from the study indicated that parking spaces in the center were being utilized by visitors of the nearby recreational facilities, the Santa Fe Dam bike/pedestrian path. The unauthorized parking use increased the parking demand count by as much as 8-10% depending on the hour of the day. Additionally, several vehicles which seemed to be permanently parked in the business center lot created an inflation of parking demand by about 8-10 cars which increased the percent of parking in use by approximately 5%. These vehicles were included in the daily parking counts, assuming that the percent of parking demand would decrease without their inclusion.

Before any Zone Variance is granted, the applicant must show, to the satisfaction of the Planning Commission or the City Council (if appealed), the existence of the following findings of fact. Staff has determined that the findings can be made based on the analysis shown:

- A. That there are exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use of such property, such as size, shape, topography location or surroundings, which are not applicable to other properties similarly situated.

This Zone Variance is necessary to accommodate the operation of a private fitness facility. Based on the IMC’s most relevant parking ratio for an assembly use (1 per 35), the total number of parking required for the fitness facility alone would be 127 stalls. The facility would require a total of 127 based on the existing uses listed in

the Parking Study and required parking ratios from Chapter 17.64, which creates a stall deficit. This development was originally designed to accommodate office/warehouse use, which had fewer parking needs than the general assembly use. Currently, the IMC does not specifically identify instructional studio uses in Chapter 17.64, "Parking." The Planning Commission decided to review each request on a case-by-case basis and require a Parking Study to analyze existing parking demand in comparison to anticipated parking demand.

- B. That such variance is necessary for the preservation and enjoyment of a substantial property right possessed by other property similarly situated, but which is denied to the property in question.

This Zone Variance is necessary to accommodate the operation of a private fitness facility. While private fitness facilities is listed as a conditionally permitted use in the IMC, there is no corresponding parking ratio for such uses except general assembly. Unless a private fitness facility is built to suit as part of a Site Plan and Design Review under the current code, there are few locations City-wide that could satisfy the assembly parking ratio of 1 space per every 35 square feet without a Parking Study and Zone Variance. The Community Development Department is currently working on a comprehensive zoning code update that will address overall parking requirements, including new and feasible ratios for assembly uses and fitness facilities. The new requirements will reduce the need for Zone Variances and additional parking studies while also expanding the opportunity sites for such uses.

- C. That the granting of the variance will not be materially detrimental to the public welfare or injurious to the adjacent property.

The granting of the Zone Variance will not be detrimental to the public welfare or injurious to the adjacent property because the proposed fitness facility use is less intense than the surrounding uses.

- D. That the granting of the variance will not adversely affect the general intent and purpose of this title.

The granting of the Zone Variance will not adversely affect the general intent and purpose of this title. The City's current code does not address parking requirements for any type of fitness facility even though the use is permitted by a conditional use permit Irwindale Municipal Code (IMC) Subsection 17.40.015(13) – Gymnasiums, reducing salons, natatoriums and similar physical fitness and/or physical educational centers. The Community Development Department is currently working on a comprehensive zoning code update that will address overall parking requirements, including new and feasible ratios for assembly and fitness uses.

RECOMMENDATION

That the Planning Commission adopt Resolution No. 799(21) approving Conditional Use Permit No. 03-2021 and Zone Variance No. 01-2021 for the proposed Hidden Strength Gym subject to the attendant Conditions of Approval.

ATTACHMENTS

Exhibit A: Resolution No. 799(21) with Conditions of Approval
Exhibit B: Site Plan and Floor Plan
Exhibit C: Parking Study

EXHIBIT "A"**RESOLUTION NO. 799(21)**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF IRWINDALE APPROVING CONDITIONAL USE PERMIT NO. 03-2021 TO ALLOW FOR THE OPERATION OF A GYM FACILITY AND ZONE VARIANCE NO. 01-2021 TO DEVIATE FROM THE REQUIRED PARKING RATIO FOR ASSEMBLY USES, LOCATED AT 1442 ARROW HIGHWAY #K, IRWINDALE IN THE M-2 (HEAVY MANUFACTURING) ZONE, SUBJECT TO CONDITIONS AS SET FORTH HEREIN AND MAKING FINDINGS IN SUPPORT THEREOF

A. RECITALS.

- (i) Adam Bun, on behalf of Hidden Strength Gym, has made a request for a Conditional Use Permit and Zone Variance pursuant to sections 17.80.010 and 17.80.030 of the Irwindale Municipal Code, to operate a gym facility.
- (ii) The subject property is located at 1442 Arrow Highway #K (APN 8532-002-028). The Subject Property is zoned M-2 (Heavy Manufacturing). Hereinafter in this resolution, the subject Conditional Use Permit and Zone Variance shall be referred to as the "Application"
- (iii) On March 4, 2020, the State of California Executive Department issued Executive Order N-25-20, proclaiming a State of Emergency as a result of the threat of COVID-19.
- (iv) On May 19, 2021, the Irwindale Planning Commission conducted a duly noticed public hearing through a conference call/webinar, as required by law on the Application and in compliance with Executive Order N-25-20 (relating to COVID-19), closed the public hearing and approved the Conditional Use Permit and Zone Variance, subject to the approval of a Resolution, which would detail the specific Conditions under which the Application was approved.
- (v) All legal prerequisites to the adoption of this Resolution have occurred.

B. RESOLUTION.

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

1. The Planning Commission hereby specifically finds that all of the facts set forth in Recitals, Part A, of this Resolution are true and correct.
2. Based upon substantial evidence presented to this Planning Commission during the public hearing conducted with regard to the Application, including written staff

reports, verbal testimony, site plans and Conditions of Approval (“Conditions”) attached hereto as Exhibit “A,” this Planning Commission hereby specifically finds as follows:

Before any Conditional Use Permit is granted, the applicant must show, to the satisfaction of the Planning Commission or the City Council (if appealed), the existence of the following findings of fact. Staff has determined that the findings can be made based on the analysis shown:

- A. That the site for the proposed use is adequate in size and shape.

The site is a rectangular-shaped, ±177,358 square-foot parcel and has adequate area for on-site circulation, parking, and proposed business operations. There are no proposed changes to the size of the building, which would affect the footprint, parking or circulation.

- B. That the site has sufficient access to streets and highways, adequate in width and pavement type to carry the quantity and quality of traffic generated by the proposed use.

Primary ingress and egress are provided via two (2) driveways on Arrow Highway. There is also reciprocal access from each of the adjacent properties, which also have access directly from Arrow Highway. The proposed use will generate very limited and periodic additional traffic per the Parking Study. No additional roadways will be required for the operation of this project.

- C. That the proposed use will not have an adverse effect upon adjacent property.

Adjacent properties will not be affected because the existing use will not be altered in any significant way. There is no proposed change to the square footage of the building. As a fitness training facility, adjacent property owners will not be affected by additional noises, smells, waste or other annoyances typically associated with permitted industrial uses in the area. In addition, the proposed use is less intense than many uses permitted by right or conditionally in the M-2 (Heavy Manufacturing) zone. The applicant confirmed that the adjacent businesses were notified about the proposed project. Therefore, the impact of the facility on the surrounding properties is expected to be insignificant.

Before any Zone Variance is granted, the applicant must show, to the satisfaction of the Planning Commission or the City Council (if appealed), the existence of the following findings of fact. The Planning Commission has determined that the findings can be made based on the analysis shown:

- A. That there are exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use of such property, such as size, shape, topography location or surroundings, which are not applicable to other properties similarly situated.

This Zone Variance is necessary to accommodate the operation of a private fitness facility. Based on the IMC's most relevant parking ratio for an assembly use (1 per 35), the total number of parking required for the fitness facility alone would be 127 stalls. The facility would require a total of 127 stalls based on the existing uses listed in the Parking Study and required parking ratios from Chapter 17.64, which creates a stall deficit. This development was originally designed to accommodate office/warehouse use, which had fewer parking needs than the general assembly use. Currently, the IMC does not specifically identify instructional studio uses in Chapter 17.64, "Parking." The Planning Commission decided to review each request on a case-by-case basis and require a Parking Study to analyze existing parking demand in comparison to anticipated parking demand.

- B. That such variance is necessary for the preservation and enjoyment of a substantial property right possessed by other property similarly situated, but which is denied to the property in question.

This Zone Variance is necessary to accommodate the operation of a private fitness facility. While private fitness facilities is listed as a conditionally permitted use in the IMC, there is no corresponding parking ratio for such uses except general assembly. Unless a private fitness facility is built to suit as part of a Site Plan and Design Review under the current code, there are few locations City-wide that could satisfy the assembly parking ratio of 1 space per every 35 square feet without a Parking Study and Zone Variance. The Community Development Department is currently working on a comprehensive zoning code update that will address overall parking requirements, including new and feasible ratios for assembly uses and fitness facilities. The new requirements will reduce the need for Zone Variances and additional parking studies while also expanding the opportunity sites for such uses.

- C. That the granting of the variance will not be materially detrimental to the public welfare or injurious to the adjacent property.

The granting of the Zone Variance will not be detrimental to the public welfare of injurious to the adjacent property because the proposed fitness facility use is less intense than the surrounding uses.

- D. That the granting of the variance will not adversely affect the general intent and purpose of this title.

The granting of the Zone Variance will not adversely affect the general intent and purpose of this title. The City's current code does not address parking requirements for any type of fitness facility even though the use is permitted by a conditional use permit Irwindale Municipal Code (IMC) Subsection

17.40.015(13) – Gymnasiums, reducing salons, natatoriums and similar physical fitness and/or physical educational centers. The Community Development Department is currently working on a comprehensive zoning code update that will address overall parking requirements, including new and feasible ratios for assembly and fitness uses.

3. The City, as the Lead Agency, determined that the project as proposed is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15301 (Class 1; Existing Facilities), which exempts the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination of the CEQA Guidelines.

4. Based upon the substantial evidence and conclusions set forth herein above, this Planning Commission hereby approves the Application subject to the conditions set forth in Exhibit "A" attached hereto and by this reference incorporated herein, which conditions are deemed necessary to protect the public health, safety and general welfare and are reasonable and proper in accordance with the intent and purposes of Title 17 of the Irwindale Municipal Code.

5. The Secretary shall:

- a. Certify to the adoption of this Resolution; and
- b. Forthwith transmit a certified copy of this Resolution, by certified mail, to the Applicant at the address of record set forth in the Application.

ADOPTED AND APPROVED this 19th day of May 2021.

Arthur R. Tapia, Chair
City of Irwindale Planning Commission

ATTEST:

Marilyn Simpson, Secretary

CITY OF IRWINDALE
COUNTY OF LOS ANGELES } ss.
STATE OF CALIFORNIA

I, Marilyn Simpson, Community Development Director of the City of Irwindale, do hereby certify that the foregoing Resolution was adopted at a regular meeting of the Planning Commission of the City of Irwindale held on the 19th day of May 2021, by the following vote:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

Marilyn Simpson, Secretary

EXHIBIT "A"**PLANNING COMMISSION RESOLUTION NO. 799(21)****Conditional Use Permit No. 03-2021****Zone Variance No. 01-2021****Hidden Strength Gym****1442 Arrow Highway****FINAL CONDITIONS OF APPROVAL****A. GENERAL CONDITIONS**

1. The activities authorized by this Conditional Use Permit are for the operation of a gym facility, which shall commence within twelve (12) months from the date of approval. Thereafter, if the activities have been abandoned for ninety (90) or more days, the Conditional Use Permit approval shall expire and become null and void, unless a written request for extension is received by the Community Development Director at least thirty (30) days prior to such expiration or abandonment. The granting body, upon good cause shown by the Applicant, may extend the time limitations imposed by this section for a period not to exceed one (1) year.
2. The Applicant shall agree and consent, in writing, to each and every condition of permit approval set forth herein within twenty (20) days from the adoption of this Resolution by the Planning Commission approving the Conditional Use Permit.
3. The signed Final Conditions of Approval shall be photocopied and included as a sheet in the plans.
4. Plans for any proposed site improvements shall be submitted to the Los Angeles County Fire Department and City Building Department for review and approval prior to the issuance of Building Permits.
5. All graffiti shall be adequately and completely removed or painted over within 48 hours of notification to Irwindale CrossFit gym of such graffiti being affixed on any structure or fence at the site.
6. This Conditional Use Permit may be revoked for any violation of or noncompliance with any of these conditions or other codes, regulations or standards enforced by or beneficial to the City of Irwindale in accordance with IMC Section 17.80.
7. The Applicant shall defend, indemnify and hold harmless the City of Irwindale, its agents, officers, or employees from any claims, damages, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void or annul, and approval of the City, its advisory agencies, appeal boards, or legislative body concerning Conditional Use Permit No. 03-2021 and Zone Variance No. 01-

2021. The City will promptly notify the permittee of any such claim, action or proceeding against the City and will cooperate fully in the defense.

8. City inspectors shall have access to the site to reasonably inspect the site during normal working hours to assure compliance with these conditions and other codes with a 48-hour notification to Hidden Strength Gym to ensure complete accessibility.
9. The facility and use thereof shall be maintained in full compliance with all codes, standards, policies and regulations imposed by the City, County, State or Federal agencies with jurisdiction over the facility.
10. Any and all fees required to be paid to any public agency shall be paid prior to obtaining any permit for this project.
11. Upon receipt of a complaint related to any condition of approval imposed by this Conditional Use Permit, the City shall notify the Applicant of the alleged violation, and the Applicant shall commence to cure within ten (10) days after the receipt of the notice.
12. The Subject Site shall be maintained free and clear of any accumulations of trash, debris, waste, and combustible and/or flammable materials, other than the related materials specifically authorized under this Conditional Use Permit and Zone Variance.
13. The use and interior improvements authorized by this Conditional Use Permit shall conform to the plans as finally approved by the City as conditioned herein, and any appreciable modification as determined by the Community Development Director shall require the prior approval of the Planning Commission.

B. COMMUNITY DEVELOPMENT DEPARTMENT

1. The project shall substantially conform to submitted plans date-stamped March 22, 2021, except as modified herein. Future modifications that are not in substantial conformance, as determined by the Community Development Director, shall require modification of this approval subject to the provisions of IMC Section 17.80.160 "Modification."
2. The hours of operation for the approved use shall be Monday – Thursday [9:00am to 11:00pm] and Friday – Sunday [9:00am to 8:30pm] seven (7) days per week.
3. Any proposed expansion or intensification of the use shall be subject to a modification of this CUP.
4. Any outdoor instruction shall not block any required parking or impact the circulation of the property. Outdoor instruction shall be incidental and shall not

interfere with parking, traffic circulation, or any other activities of surrounding businesses and neighbors.

5. All approved business operations on-site shall have an Occupancy Permit and Business License prior to commencing operations.
6. The existing landscaping shall be maintained in good conditions at all times, including but not limited to, the replacement of any damaged foliage and replanting, as necessary. It shall be maintained in good and healthy condition and replaced if damaged, unhealthy or dead.
7. There shall be no food or drink preparation and/or sales on-site unless approved in accordance with the requirements of the IMC.
8. Any competitions, grand opening style or larger “special events” conducted on-site shall be subject to a Special Event Permit.
9. Changes in the operation of the facility or use that trigger parking demand increases shall require an update to the Parking Study and review and approval by the Community Development Director. Additionally, should the provided parking prove inadequate to accommodate the operation at the subject site, the Community Development Director may require the Applicant to address the needs and, if unavailable, schedule the matter to be considered by the Planning Commission.
10. Signs shall be submitted under a separate permit, subject to the approval of Planning Staff per IMC Section 17.56.050.

C. PUBLIC WORKS SERVICES

1. All walls that face the public right-of-way shall implement anti-graffiti management practices (such as planting vines on the wall). Applicant shall be responsible for graffiti removal to all walls that face the public right-of-way in a timely manner.
2. Onsite trash enclosure areas shall have sufficient space for solid waste and organic waste receptacles and shall be covered from the elements with a solid roof structure per Title 14, Division 7, Section 17313 of the California Code of Regulations and Building Code Manual County of Los Angeles Department of Public Works Building and Safety Division 312 Article 2.
3. The owner, developer and/or applicant shall remove and reconstruct all damaged, deficient, or substandard sidewalk, driveways, curb, and gutter as directed by the Director of Engineering and the Public Services Director.

4. The owner, developer, and/or applicant shall plant landscaping along the public right-of-way to the satisfaction of the Public Services Director.
5. The owner, developer and/or applicant is responsible for obtaining encroachment permit(s) prior to any type of work in the public right-of-way.
6. Any work within easements on the project site shall require proper permits from the easement holder (City of Irwindale, County of Los Angeles, etc.).
7. The owner/developer shall comply with the National Pollutant Discharge Elimination System (NPDES) program and shall require the general contractor to implement storm water/urban runoff pollution prevention controls and Best Management Practices (BMPs) on all construction sites in accordance with the City Code. The owner/developer will also be required to submit a Certification for the project and may be required to prepare a Storm Water Pollution Prevention Plan (SWPPP). Projects over five acres in size will be required to file a Notice of Intent (NOI) with the California Environmental Protection Agency's State Water Resources Control Board (SWRCB). The owner/developer can obtain the current application packet by contacting the SWRCB, Construction Storm Water Unit, at (866) 563-3107 or by downloading the forms from the following website :
www.waterboards.ca.gov/water_issues/programs/stormwater/construction.shtml.

The project shall also conform to the City's Ordinance regarding the requirements for the submittal of a Standard Urban Storm Water Mitigation Plan ("SUSMP"), and the requirements of Low Impact Development ("LID"). The SUSMP includes a requirement to implement Post Construction BMPs to infiltrate the first 3/4" of runoff from all storm events and to control peak-flow discharges.

8. Unless exempted by the Los Angeles Regional Water Quality Control Board, a Covenant and Restriction ensuring the provisions of the approved SWPPP shall also be required.
9. No dumping or unpermitted discharges are allowed into the Buena Vista Channel and the San Gabriel River via catch basins, direct discharge, and storm drains.

D. PUBLIC WORKS/ENGINEERING

STREETS

1. All off-site improvements within the Public Right-of-Way shall be performed in accordance with City Standards to the satisfaction of the City Engineer. Construction plans shall be reviewed and approved by the City Engineer.
2. Adequate "on-site" parking shall be provided per City requirements.

CITY UTILITIES

3. The owner/developer shall obtain a Storm Drain Connection Permit from the City of Irwindale and/or Los Angeles County Flood Control District for any connection(s) to the existing storm drain system.
4. The owner/developer shall install new and/or upgrade any existing Fire Hydrant as required by the Los Angeles County Fire Department.
5. The owner/developer shall obtain a Sewer Connection Permit from the City of Irwindale and/or Los Angeles County Sanitation District for any connection(s) to the existing sewer system.

MISCELLANEOUS

6. The owner/developer shall comply with the National Pollutant Discharge Elimination System (NPDES) program and shall require the general contractor to implement storm water/urban runoff pollution prevention controls and Best Management Practices (BMPs) on all construction sites in accordance with the City Code. The owner/developer will also be required to submit a Certification for the project and may be required to prepare a Storm Water Pollution Prevention Plan (SWPPP). Projects over five acres in size will be required to file a Notice of Intent (NOI) with the State Water Resources Control Board (SWRCB). The owner/developer can obtain the current application packet by contacting the SWRCB, Construction Storm Water Unit, at (866) 563-3107 or by downloading the forms from their website at: www.waterboards.ca.gov/water_issues/programs/stormwater/construction.shtml. The project shall also conform to the City's Ordinance regarding the requirements for the submittal of a Standard Urban Storm Water Mitigation Plan ("SUSMP"), and the requirements of Low Impact Development ("LID"). The SUSMP includes a requirement to implement Post Construction BMPs to infiltrate the first 3/4" of runoff from all storm events and to control peak-flow discharges.
7. Any changes to the site plan shall be reviewed and approved by the City Planner and City Engineer.

E. BUILDING AND SAFETY DEPARTMENT

1. The signed Final Conditions of Approval shall be photocopied and included as a sheet in the plans submitted to the Building Division for plan checks.
2. Building permits shall be obtained from the Building and Safety Division on all construction shall be in compliance with the current Irwindale Building Code.



**CITY OF IRWINDALE
PLANNING COMMISSION STAFF REPORT**

**COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION**



Date: May 19, 2021 **Agenda Item No. 3-B**

To: Honorable Chair and Members of the Planning Commission

From: Marilyn Simpson, Community Development Director

Project Planner: Lisa Chou, Planning Technician

Project: Site Plan and Design Review (DA) No. 01-2021
New Two-story Office and Warehouse

Applicant: Binh Tran, ZBT Group

Property Owner: Flexspace PMIC LLC.

Project Location: 2511 Buena Vista Street (APN: 8533-001-066)



Staff Recommendation: That the Planning Commission adopt Resolution No. 800(21) finding the project exempt from the California Environmental Quality Act (CEQA) and recommending that the City Council approve Site Plan and Design Review (DA) No. 01-2021, subject to the attendant Conditions of Approval.

REQUEST

Binh Tran of ZBT Group, as project manager for Flexspace PMIC LLC., is requesting Site Plan and Design Review approval for the development of an approximate 12,016 square-foot, two-story office and warehouse industrial building for property located at 2511 Buena Vista Street.

BACKGROUND/HISTORY

The Irwindale Successor Agency, formerly known as Irwindale Community Redevelopment Agency, held ownership of the subject parcel.

Following the dissolution of the redevelopment agencies in 2012 per Assembly Bill 1484, the Successor Agency prepared the Long-Range Property Management Plan (LRPMP) to delineate the proposed disposition of each of the twenty-five properties. Known as Site No. 13 of the LRPMP, 2511 Buena Vista Street was among the eighteen properties to be sold pursuant to the LRPMP.

On March 22nd, 2017, the Successor Agency approved a Purchase and Sales Agreement (PSA) with DD Systems Inc. authorizing the sale of the subject parcel with the guarantee to develop the property with an approximately 13,000 square-foot industrial concrete tilt-up building consisting of 3,000 square feet of office space and 7,000 square feet of warehouse with associated parking lot improvements and building design consistent with the surrounding development.

On October 1st, 2020, DD Systems Inc. sold the subject property to Flexspace PMIC LLC. to develop the parcel as intended by the original PSA.

The subject parcel is currently a dirt lot that is bordered by a developed business park to the north and the LA County Flood Control to the west.

GENERAL PLAN AND ZONING

The site is designated in the General Plan as Industrial/Business Park. The property is currently zoned M-2 (Heavy Manufacturing). The following zones and uses surround the site:

Direction	Existing Land Use	Zoning District
North	Industrial Business Park	M-2 Heavy Manufacturing
South	Production Plant and Quarry	M-2 Heavy Manufacturing
East	Recycling Facility	M-2 Heavy Manufacturing
West	LA County Flood Control District	M-2 Heavy Manufacturing

ENVIRONMENTAL REVIEW

The proposed project is exempt from the California Environmental Quality Act (CEQA), pursuant to Section 15332 (Class 32; In-Fill Development Projects) of the CEQA Guidelines. If action is taken to approve the project, a Notice of Exemption (NOE) will be filed with the County Clerk. The NOE is on file at the Community Development Department and available for review by the public.

PROJECT DESCRIPTION

Located on approximately 0.52 acres on the corner of Buena Vista Street and Miguel Miranda Avenue, the proposed two-story office and warehouse building totals ±12,016 square feet with ±9,290 square feet of warehouse space and ±2,726 square feet of office space. It is anticipated that the project operations will be conducted during typical daytime business hours from 7am to 5pm. All operations will be conducted inside the building per Subsection 17.56.030(B).

Architecture/Design

The proposed tilt-up office and warehouse building will incorporate many of the desired design elements from the Commercial and Industrial Design Guidelines. The building incorporates multiple architectural features to break up the expansive exterior walls with architectural projections and details around the windows and doors. The proposed parapets vary in height to frame different sections of the building to create visual interest. The multi-color palette, arched accent panels and doors, and iron grate are a few elements that work harmoniously together to add depth and character to the building. The layout, landscaping, and design of the site complements the existing Industrial Business Park to the north of the subject property.

Project Landscaping

Approximately 21.1%, or 4,783.9 square feet, of the project site is proposed for landscaping, which is in compliance with the Irwindale Municipal Code.

Building Height

Building height for the proposed project ranges from forty (40) to forty-five (45) feet, which is consistent with the M-2 (Heavy Manufacturing) zoning with no maximum height limitation. Architectural features include roof accents and varied height parapets throughout the south, east and west elevation.

Access and Circulation

Access to and from the project site will be through a thirty (30) foot driveway fronting Buena Vista Street. Internal circulation will be through the twenty-six feet and three inches (26'-3") drive-aisle that connects the driveway to the warehouse loading area.

Parking

Based on IMC Chapter 17.64, the minimum required parking space is eighteen (18) and eighteen (18) parking spaces will be provided.

Buena Vista Street Improvements

An existing sidewalk along Buena Vista Street adjacent to the project site will be retained. A 20-foot wide landscaped setback area will be provided along both the Buena Vista Street and Miguel Miranda Avenue street frontage, as required per the Irwindale Municipal Code requirement for the M-2 (Heavy Manufacturing) zone.

Project Fencing and Screening

A six (6) foot high concrete masonry wall is planned along the western project boundary adjacent to the LA County Flood Control District. All uses will be located within the building or within an area enclosed on all sides with a view-obscuring masonry wall, which is consistent with the Irwindale Municipal Code requirements for screening of uses in the M-2 (Heavy Manufacturing) zone.

ANALYSIS

Before Site Plan and Design Review are approved, the applicant must show, to the satisfaction of the Planning Commission and the City Council, the existence of the following findings of fact. Staff has determined that the findings can be made based on the analysis below.

1. The proposed project is in conformance with the general plan, zoning ordinance, and other ordinances and regulations of the City.

The proposed project is the development of a two-story office and warehouse building on a site with a General Plan land use designation of Industrial/Business Park and M-2 (Heavy Manufacturing) zoning. The proposed project is a 12,016 square feet building with an overall floor area ratio of 52.9%. The proposed project complies with all Zoning Code development standards established for the M-2 (Heavy Manufacturing) zone with respect to land use, building height, landscaping, and meets the zoning code requirements for parking.

2. The proposed project is in conformance with any redevelopment plan and regulations of the community redevelopment agency and any executed owner's participation agreement or disposition and development agreement.

The project is not subject to any redevelopment plan, regulations of any community redevelopment agency or any executed owner's participation agreement or disposition and development.

3. The following are so arranged as to avoid traffic congestion, to ensure the public health, safety, and general welfare, and to prevent adverse effect on surrounding properties:

- a) Facilities and improvements,

The proposed project is served by existing improved roadways and utilities. The proposed development does not require the construction or installation of additional public improvements to serve the project. Development Impact Fees have been calculated via total square footage and using industrial land use factors. Fees are due at the time of building permit issuance.

- b) Pedestrian and vehicular ingress, egress, and internal circulation,

The proposed project provides for adequate and safe pedestrian and vehicular ingress and egress to and from the site onto existing roadways, public sidewalks, and internal circulation. Ingress and egress for the project site are provided via a thirty (30) foot driveway on Buena Vista Street.

c) Setbacks,

The project has been designed to comply with the required front setbacks of twenty (20) feet for the M-2 (Heavy Manufacturing) zone.

d) Height of buildings,

There is no maximum building height limitation in the M-2 (Heavy Manufacturing) zone. The proposed two-story office and warehouse has an overall height of approximately forty (40) feet. Various architectural features such as parapets and the pyramid roof extend the height to forty-five (45) feet.

e) Signs,

Based on the approximate square footage of the building, the allowable amount of total signage will be ± 120.16 square feet.

f) Mechanical and utility service equipment,

The proposed parapet walls and equipment placement will block visibility from the public right of way. Any surface level equipment or storage is required to be screened with a solid gate of landscaping where appropriate. In addition, all equipment that is surface level will be placed as not to impede any vehicular or pedestrian travel including ADA access. Noise that is created by any mechanical equipment must comply with the noise standards of Chapter 9.28 "Noise Regulation."

g) Landscaping,

The landscaping requirement has been met through plants appropriate to the location, building type, and building scale. Plants selected are all within the low or moderate water use category.

h) Grading,

The project has been designed to take advantage of the existing topography, thus reducing grading activities on site. Precise grading plans will be prepared to address building specific needs.

i) Lighting,

All lighting is designed to complement the structure and oriented to properly illuminate the site as not to create "dark pockets" that could support nefarious activities or spill onto other properties, creating a nuisance.

j) Parking,

Per IMC Subsection 17.64.030.P(2) "Offices not providing customer service on the premises" requires a minimum one (1) space for each 350 square feet of gross floor area and IMC Subsection 17.64.030(V) "Warehouse and storage buildings" requires (1) parking space for each 1,000 square feet of the first 20,000 square feet of gross floor area. Based on the proposed square footage of 2,726 for offices and 9,290 for

warehouse, eighteen (18) parking stalls are required and will be provided. There are thirteen (13) standard parking stalls, one (1) ADA stall and four (4) compact stalls.

k) Drainage,

The project shall comply City requirements for Low Impact Development and will collect stormwater runoff in an on-site infiltration basin.

l) Intensity of land use,

This in-fill project aims to fulfill the Purchase and Sales Agreement between the City and the original landowner and is the best use for the underutilized irregularly shaped parcel. Projected truck trips are three (3) times a day via small delivery trucks or UPS delivery and will not have a significant impact on existing streets. The proposed use is consistent with the General Plan designation of Industrial Business Park and Zoning designation of M-2 (Heavy Manufacturing), as well as, adjacent land uses.

4. That the proposed development is consistent with applicable City design guidelines and historic design themes, and provides for appropriate exterior building design and appearance consistent and complementary to present and proposed buildings and structures in the vicinity of the subject project while still providing for a variety of designs, forms and treatments.

The proposal project is an in-fill project being developed on an underutilized parcel surrounded by existing developed industrial area. The project site will be designed and constructed to meet the M-2 (Heavy Manufacturing) development standards and Irwindale Commercial and Industrial Design Guidelines requirements regarding height, setback, style, material, and color. The building will incorporate multiple architectural features to break up the expansive exterior walls with architectural projections and details around the windows. The layout, landscaping, and design of the subject site complements existing adjacent industrial buildings.

CONCLUSION

That the Planning Commission take the following action:

1. Adopt Resolution No. 800(21) recommending that the City Council approve Site Plan and Design Review (DA) No. 01-2021, subject to the proposed Conditions of Approval.

Alternative Actions:

2. Request that staff prepare a resolution of denial based on recommended Findings of Fact to be brought back at the next regularly scheduled Planning Commission meeting for adoption; OR
3. Request that the applicant revise the project and continue the hearing to a date certain.

ATTACHMENTS

Exhibit A: Resolution No. 800(21) with Conditions of Approval
Exhibit B: Project Plans

EXHIBIT "A"**RESOLUTION NO. 800(21)**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF IRWINDALE RECOMMENDING CITY COUNCIL APPROVAL OF SITE PLAN AND DESIGN REVIEW (DA) NO. 01-2021 FOR THE DEVELOPMENT OF A ±12,016 SQUARE FOOT BUILDING FOR A TWO-STORY OFFICE AND WAREHOUSE INDUSTRIAL BUILDING LOCATED AT 2511 BUENA VISTA STREET IN THE M-2 (HEAVY MANUFACTURING) ZONE SUBJECT TO CONDITIONS AS SET FORTH HEREIN AND MAKING FINDINGS IN SUPPORT THEREOF AND FINDING THE PROJECT EXEMPT FROM CEQA PURSUANT TO SECTION 15332 (Class 32; In-Fill Development Projects).

A. RECITALS.

- (i) Binh Tran of ZBT Group, as project manager for Flexspace PMIC LLC., the Applicant, has made a request for the approval of a Site Plan and Design Review (SP&DR) (DA) pursuant to Section 17.70 of the IMC, to allow for the development of a two-story office and warehouse industrial building located at 2511 Buena Vista Street.
- (ii) The Subject Property is zoned M-2 (Heavy Manufacturing). Hereinafter in this Resolution, the subject applications shall be referred to as the "Application."
- (iii) Following the dissolution of the redevelopment agencies in 2012 per Assembly Bill 1484, the Irwindale Successor Agency, formerly known as Irwindale Community Redevelopment Agency, prepared the Long-Range Property Management Plan (LRPMP) to delineate the proposed disposition of each of the twenty-five properties.
- (iv) Known as Site No. 13 of the LRPMP, 2511 Buena Vista Street was among the eighteen properties to be sold pursuant to the LRPMP.
- (v) On March 22nd, 2017, the Successor Agency approved a Purchase and Sale Agreement (PSA) with DD Systems Inc. authoring the sale of the subject parcels with the guarantee to develop the property with an approximately 13,000 square-foot industrial concrete tilt-up building consisting of 3,000 square feet of office space and 7,000 square feet of warehouse and associated parking lot improvements and building design consistent with the surrounding development.
- (vi) On October 1st, 2020, DD Systems Inc. sold the subject property to Flexspace PMIC LLC. to develop the parcel as intended by the original PSA.

- (vii) The subject parcel is currently a vacant dirt lot that is bordered by an existing developed business park to the north and the LA County Flood Control District to the west.
- (viii) On March 4, 2020, the State of California Executive Department issued Executive Order N-25-20, proclaiming a State of Emergency as a result of the threat of COVID-19.
- (ix) On May 19, 2021, the Irwindale Planning Commission conducted a duly noticed public hearing through a conference call/webinar, as required by law on the Application and in compliance with Executive Order N-25-20 (relating to COVID-19), closed the public hearing and recommended that the City Council approve the Site Plan and Design Review (DA), subject to the approval of a Resolution, which would detail the specific Conditions under which the Application was approved.
- (x) All legal prerequisites to the adoption of this Resolution have occurred.

B. RESOLUTION.

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

1. The Planning Commission hereby specifically finds that all of the facts set forth in Recitals, Part A, of this Resolution are true and correct.

2. Based upon substantial evidence presented to this Planning Commission during the public hearing conducted with regard to the Application, including written staff reports, verbal testimony, site plans and Conditions of Approval attached hereto as Exhibit "A," this Planning Commission hereby specifically finds as follows:

- a. The proposed project is in conformance with the general plan, zoning ordinance, and other ordinances and regulations of the City.*

The proposed project is the development of a two-story office and warehouse building on a site with a General Plan land use designation of Industrial/Business Park and M-2 (Heavy Manufacturing) zoning. The proposed project is a 12,016 square feet building with an overall floor area ratio of 52.9%. The proposed project complies with all Zoning Code development standards established for the M-2 (Heavy Manufacturing) zone with respect to land use, building height, landscaping, and meets the zoning code requirements for parking.

- b. The proposed project is in conformance with any redevelopment plan and regulations of the community redevelopment agency and any executed owner's participation agreement or disposition and development agreement.*

The project is not subject to any redevelopment plan, regulations of any community redevelopment agency or any executed owner's participation agreement or disposition and development.

- c. *The following are so arranged as to avoid traffic congestion, to ensure the public health, safety, and general welfare, and to prevent adverse effect on surrounding properties:*

1) *Facilities and improvements,*

The proposed project is served by existing improved roadways and utilities. The proposed development does not require the construction or installation of additional public improvements to serve the project. Development Impact Fees have been calculated via total square footage and using industrial land use factors. Fees are due at the time of building permit issuance.

2) *Pedestrian and vehicular ingress, egress, and internal circulation,*

The proposed project provides for adequate and safe pedestrian and vehicular ingress and egress to and from the site onto existing roadways, public sidewalks, and internal circulation. Ingress and egress for the project site are provided via a thirty (30) foot driveway on Buena Vista Street.

3) *Setbacks,*

The project has been designed to comply with the required front setbacks of twenty (20) feet for the M-2 (Heavy Manufacturing) zone.

4) *Height of buildings,*

There is no maximum building height limitation in the M-2 (Heavy Manufacturing) zone. The proposed two-story office and warehouse has an overall height of approximately forty (40) feet. Various architectural features such as parapets and the pyramid roof extend the height to forty-five (45) feet.

5) *Signs,*

Based on the approximate square footage of the building, the allowable amount of total signage will be ± 120.16 square feet.

6) *Mechanical and utility service equipment,*

The proposed parapet walls and equipment placement will block visibility from the public right of way. Any surface level equipment or storage is required to be screened with a solid gate of landscaping where appropriate. In addition, all equipment that is surface level will be placed as not to impede any vehicular or pedestrian travel including ADA access. Noise that is created by any mechanical equipment must comply with the noise standards of Chapter 9.28 "Noise Regulation."

7) *Landscaping,*

The landscaping requirement has been met through plants appropriate to the location, building type, and building scale. Plants selected are all within the low or moderate water use category.

8) *Grading,*

The project has been designed to take advantage of the existing topography, thus reducing grading activities on site. Precise grading plans will be prepared to address building specific needs.

9) *Lighting,*

All lighting is designed to complement the structure and oriented to properly illuminate the site as not to create “dark pockets” that could support nefarious activities or spill onto other properties, creating a nuisance.

10) *Parking,*

Per IMC Subsection 17.64.030.P(2) “Offices not providing customer service on the premises” requires a minimum one (1) space for each 350 square feet of gross floor area and IMC Subsection 17.64.030(V) “Warehouse and storage buildings” requires (1) parking space for each 1,000 square feet of the first 20,000 square feet of gross floor area. Based on the proposed square footage of 2,726 for offices and 9,290 for warehouse, eighteen (18) parking stalls are required and will be provided. There are thirteen (13) standard parking stalls, one (1) ADA stall and four (4) compact stalls.

11) *Drainage,*

The project shall comply City requirements for Low Impact Development and will collect stormwater runoff in an on-site infiltration basin.

12) *Intensity of land use,*

This in-fill project aims to fulfill the Purchase and Sales Agreement between the City and the original landowner and is the best use for the underutilized irregularly shaped parcel. Projected truck trips are three (3) times a day via small delivery trucks or UPS delivery and will not have a significant impact on existing streets. The proposed use is consistent with the General Plan designation of Industrial Business Park and Zoning designation of M-2 (Heavy Manufacturing), as well as, adjacent land uses.

- d. *The proposed development is consistent with applicable city design guidelines and historic design themes, and provides for appropriate exterior building design and appearance consistent and complementary to present and proposed buildings and structures in the vicinity of the subject project while still providing for a variety of designs, forms and treatments.*

The proposal project is an in-fill project being developed on an underutilized parcel surrounded by existing developed industrial area. The project site will be designed and constructed to meet the M-2 (Heavy Manufacturing) development standards and Irwindale Commercial and Industrial Design Guidelines requirements regarding height, setback, style, material, and color. The building will incorporate multiple architectural features to break up the expansive exterior walls with architectural projections and details around the windows. The layout, landscaping, and design of the subject site complements existing adjacent industrial buildings.

3. The City, as the Lead Agency, determined that the project as proposed is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32; In-Fill Development Projects), and would not have a significant effect on the environment. The project qualifies for an exemption as an infill development project as it is consistent with the General Plan designation and policies and Zoning regulations, is located within the City limits, surrounding by urban uses and is less than five acres in size, has no value for endangered, rare or threatened species, would not result in any significant effects related to traffic, noise, air quality or water quality, and can be adequately served by all required utilities and public services.

4. Based upon the substantial evidence and conclusions set forth herein above, this Planning Commission hereby recommends that the City Council approve the Application subject to the conditions set forth in Exhibit "A" attached hereto and by this reference incorporated herein, which conditions are deemed necessary to protect the public health, safety and general welfare and are reasonable and proper in accordance with the intent and purposes of Title 17 of the Irwindale Municipal Code.

The Secretary shall:

- a. Certify to the adoption of this Resolution; and
- b. Forthwith transmit a certified copy of this Resolution, by certified mail, to the Applicant at the address of record set forth in the Application.

ADOPTED AND APPROVED this 19th day of May 2021.

Chair

ATTEST:

Secretary

I, Marilyn Simpson, Community Development Director of the City of Irwindale, do hereby certify that the foregoing Resolution was adopted at a regular meeting of the Planning Commission of the City of Irwindale held on the 19th day of May 2021, by the following vote:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

Secretary

EXHIBIT "A"**PLANNING COMMISSION RESOLUTION NO. 800(21)**

Site Plan and Design Review No. 01-2021
Flexspace PMIC LLC.
2511 Buena Vista Street

A. GENERAL

1. The uses authorized by this Site Plan and Design Review Permit allow for construction and operation of one (1) new two-story office and warehouse industrial building totaling $\pm 12,016$ square feet with $\pm 9,290$ square feet of warehouse space and $\pm 2,726$ square feet of office space. The project will include a total of 18 parking spaces with 2 loading docks. The total far area ratio for the project will be approximately 52.9%.
2. A grading permit shall be obtained within twelve (12) months from the date of approval. Thereafter, if the activities have been abandoned for ninety (90) or more days, the Site Plan and Design Review Permit approval shall expire and become null and void, unless a written request for extension is received by the Community Development Department at least thirty (30) days prior to such expiration or abandonment. Upon receipt of written request for extension, the Community Development Manager/City Planner may grant an extension of this Site Plan and Design Review Permit approval for a period not to exceed one (1) year from the original date of expiration, or may refer such request to the City Council for determination.
3. Prior to the issuance of a business license and/or occupancy permit and/or final inspection by the Community Development Department, all applicable conditions of approval (except those involving construction permits) shall be completed to the reasonable satisfaction of the City.
4. The Applicant shall defend, indemnify and hold harmless the City of Irwindale, its agents, officers, or employees from any claims, damages, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void or annul, any approval of the City, its advisory agencies, appeal boards, or legislative body concerning Site Plan and Design Review Permit No. 01-2021. The City will promptly notify the permittee of any such claim, action, or proceeding against the City and will cooperate fully in the defense.
5. The use and improvements authorized by this Site Plan and Design Review Permit shall conform to the plans as finally approved by the City (dated May 13, 2021) as conditioned herein, and any appreciable modification of the plans or mode of operation, as determined by the Community Development

Manager/City Planner, shall require the prior approval of the City Council pursuant to the amendment of the Site Plan and Design Review Permit.

6. The Applicant agrees to allow City inspectors access to the site to reasonably inspect the site during normal working hours to assure compliance with these conditions and other codes. Any and all fees required to be paid to any public agency shall be paid prior to obtaining any permits for this project.
7. The Applicant shall maintain and use the project location and facility thereon in full compliance with all codes, standards, policies and regulations imposed by the City, County, State, or Federal agencies with jurisdiction over the facility.
8. It shall be required that the subject location and its contents, including but not limited to, structures, fences or garden/block walls, and vehicles are maintained free and clear of any graffiti. The Applicant shall be held responsible for the immediate removal of any and all graffiti found on-site within 48 hours of its application.
9. The premises will be secured with appropriate security lighting, to obtain a minimum of 1-foot candles over the entire site. A photometric lighting plan shall be submitted, subject to the review and approval of the Community Development Department and the Police Department.
10. In accordance with the provisions of Government Code Section 66020(d)(1), the imposition of fees, dedications, reservations, or exactions for this project are subject to protest by the applicant at the time of approval or conditional approval of the project, or within 90 days after the date of imposition of the fees, dedications, reservations, or exactions imposed on the project.
11. Prior to occupancy of the project, all users of the facility shall comply with the City of Irwindale M-2 (Heavy Manufacturing) zoning standards and regulations through the business license, zoning compliance, and occupancy process.

B. COMMUNITY DEVELOPMENT DEPARTMENT

1. The signed Final Conditions of Approval shall be photocopied and included as a sheet in the plans submitted to the Building Division for plan check.
2. All landscaping for the project shall be drought resistant low water with drip irrigation, low flow bubblers and water efficient rotor heads where applicable. Native plants shall be used where feasible. Landscaping shall be provided as shown on the approved Conceptual Landscape Plan (date stamped May 13, 2021) and as modified pursuant to City Building Plan Check review of Precise Landscape and Irrigation plans.

3. Landscape and irrigation plans shall be prepared by a licensed landscape architect, and are subject to the approval of the Community Development Manager and the City Engineer. Landscape plans shall be consistent with the Commercial and Industrial Design Guidelines. Vision clearance shall be maintained at all vehicle entrances and exits. Landscape planters throughout the site shall incorporate river rock.
4. Project landscaping shall comply with Irwindale Municipal Code Chapter 15.30, "Water Efficient Landscape Standards and Guidelines."
5. A complete, permanent, automatic irrigation system shall be provided for all landscaped areas.
6. All landscaped planters shall be surrounded by a six (6) inch horizontal concrete curb.
7. The following invasive plants shall not be used in landscaping:
 - *Carpobrotus edulis* (ice plant)
 - *Hedera helix*, *H. Hibernica*, *H. canariensis* (English ivy, Irish ivy, Algerian ivy)
 - *Vinca Major* (periwinkle)
 - *Pennisetum setaceum* and all cultivars and varieties (fountain grass)
 - *Cortaderia selloana*, *C. jubata* and all cultivars and varieties (pampas grass)
 - *Retama monosperma*, *Genista monspessulana*, *Cytisus striatus*, *Cytisus scoparius*, and *Spartium junceum* (broom – bridal, French, Portuguese, Scotch, Spanish)
 - *Acacia Cyclops* (acacia or western coastal wattle)
 - *Myoporum laetum* (myoporum)
 - *Washingtonia robusta* and *Phoenix canariensis* (Mexican fan palm and Canary Island date palm)
 - *Schinus terevinthifolius* (Brazilian pepper)
 - *Eucalyptus globules*, *E. camaldulensis* (eucalyptus, blue gum, and red gum)
8. At least ten (10) percent of the total gross land area of the site (in this case, 2,267 square feet) shall be landscaped.
9. All plant material, including trees, shall be maintained in good condition and replaced in the event they die or become diseased.
10. All perimeter fencing, block walls, etc. shall be maintained in satisfactory condition in accordance with all applicable codes.
11. All utility equipment such as backflow units and transformers shall be screened with evergreen screen shrubs as allowed.

12. All masonry walls and driveway gates shall be decorative consistent with the building design and the Commercial and Industrial Design Guidelines. The design of the walls and gates shall be subject to the review and approval of the Community Development Department.
13. The entrance to all driveways shall be concrete color mixed and stamped to simulate terracotta tiles.
14. All building design and construction, including the type, texture, color, and durability of the exterior building materials shall comply with the City's Commercial and Industrial Design Guidelines.
15. Trash enclosures (6'-0" high min.) with solid metal self-closing and self-latching gates shall be provided. The enclosures shall be built with decorative materials to match the type, texture, and color of the materials used in the construction of the building. Gates shall remain closed at all times when the trash receptacles are not in use.
16. All rooftop mechanical equipment, including heating and air conditioning units, antennas, and other electronic devices, shall be completely and decoratively screened from view from all public rights of way and adjacent properties and shall be integrated into the design and construction of the building¹. All rooftop equipment and screening shall be shown on the plans and elevations, and shall be consistent with the building design and construction materials in texture and color. Such rooftop equipment screening shall be subject to the review and approval of the Community Development Department.
17. All rooftop wireless telecommunications antennas operated by third parties are subject to the provisions of Chapter 17.90 of the Irwindale Municipal Code shall require a separate permit in accordance with the provisions of the Municipal Code.
18. A chain link fence with green screening shall be installed and maintained around the perimeter of the site at all times during construction.
19. Should the proposed use not comply with uses permitted with the M-2 Heavy Manufacturing Zone, the tenant will be required to apply for a Conditional Use Permit to authorize the specific use.
20. Development Impact Fees, in the amounts currently established by the Irwindale City Council, shall be due at the time of building permit issuance.
21. This project shall be subject to the City of Irwindale's utility tax.

¹ Photo voltaic equipment is exempt from this requirement.

C. **FIRE DEPARTMENT**

1. 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

ACTION REQUIRED: Provide verbatim note on site plan

2. Provide a minimum unobstructed width of 28 feet, exclusive of shoulders, except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance ""clear to sky"" Fire Department vehicular access to within 150 feet of all portions to the exterior walls of the fire story of the building, as measured by an approved route around the exterior of the building above the lowest level of the Fire Department vehicular access road is more than 30 feet high, or the building is more than three stories. The access roadway shall be located a minimum of 15 feet and a maximum of 30 feet from the building, and shall be positioned parallel to one entire side of the building. The side of the building on which the aerial fire apparatus access road is positioned shall be approved by the fire code official. Fire Code 503.1.1 & 503.2.2.

ACTION REQUIRED: Cross-hatch the Fire Department vehicle access on the site plan, and clearly show the required width.

3. Fire apparatus access roads shall be designed and maintained to support the imposed load of fire apparatus weighing 38 tons and shall be surfaced so as to provide all-weather driving capabilities. Fire apparatus access roads having a grade of 10 percent or greater shall have a paved or concrete surface. Fire Code 503.2.3

ACTION REQUIRED: Provide a typical roadway section clearly indicating the type of surfacing material(s) and their thicknesses on the site plan.

4. Fire Department vehicular access roads shall be provided with a 32 foot centerline turning radius. Fire Code 503.2.4

ACTION REQUIRED: Indicate the centerline, inside and outside turning radii for each change in direction on the site plan.

5. Dead-end fire apparatus access roads in excess of 150 feet in length shall be provided with an approved Fire Department turnaround. Fire Code 503.2.5

ACTION REQUIRED: Cross-hatch the Fire Department turnaround on the site plan. Include the dimensions of the turnaround. The orientation of the turnaround shall be properly placed in the direction of travel of the access roadway.

6. Provide approved signs or other approved notices or markings that include the words NOI PARKING – FIRE LANE. Signs shall have a minimum dimension of 12 inches wide by 18 inches high and have red letters on a white reflective background. Signs shall be provided for fire apparatus access roads, to clearly indicate the entrance to such road, or prohibit the obstruction thereof and at intervals, as required by the Fire Inspector. Fire Code 503.3.

ACTION REQUIRED: Provide verbatim note on site plan.

7. When security gates are provided, maintain a minimum access width of 26 feet. The security gate shall be provided with an approved means of emergency operation, and shall be maintained operational at all times and replaced or repaired when defective. Electric gate operators, where provided, shall be listed in accordance with UL 325. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F220. Gates shall be of the swinging or sliding type. Construction of gates shall be materials that allow manual operation by one person. Fire Code 503.6.

ACTION REQUIRED: Provide verbatim note on site plan; and indicate the access width of the security gate on the site plan. Also indicate the means of emergency operation, and the requirement that it be maintained operational at all times.

8. Structures and outdoor storage underneath High Voltage Transmission Lines (66 kilovolts or greater) shall comply with Fire Code 316.6 and County of Los Angeles Fire Department Regulation 27. Any proposed construction or land use within 100 feet of the drip line of High Voltage Transmission lines shall be subject to review by the Fire Marshal.

ACTION REQUIRED: Provide verbatim note and indicate on the Site Plan the location of all drip lines and provide the dimension from the drip line(s) to all proposed structures and property lines.

9. A minimum 5 foot wide approved firefighter access walkway leading from the fire department access road to all required openings in the building exterior walls shall be provided for firefighting and rescue purposes. Fire Code 504.1

ACTION REQUIRED: Clearly identify firefighter walkway access routes on the site plan. Indicate the slope and walking surface material. Clearly show the required width.

10. Security barriers, visual screen barriers or other obstruction shall not be installed on the roof of any building in such a manner as to obstruct fire fighter access or egress in the event of fire or other emergency. Parapets shall not

exceed 48 inches from the top of the parapet to the roof surface on more than two sides. Fire Code 504.5

ACTION REQUIRED: Clearly indicate the height of all parapets in a section view.

11. Approved building address numbers, building numbers or approved building identification shall be provided and maintained so as to be plainly visible and legible from the street fronting the property. The number shall contrast with their background, be Arabic numerals or alphabet letter, and be a minimum of 4 inches high with a minimum stroke width of 0.5 inch. Fire Code 505.1

ACTION REQUIRED: Provide Verbatim note on site plan

12. Fire apparatus access roads shall be identified with approved signs. Temporary signs shall be installed at each street intersection when construction of new roadways allows passage by vehicles. Signs shall be of an approved size, weather resistant and be maintained under replaced by permanent signs. Fire Code 505.2

ACTION REQUIRED: Provide verbatim note on site plan.

13. An approved key box, listed in accordance with UL 1037 shall be provided as required by Fire Code 506. The location of each key box shall be determined by the Fire Inspector.

ACTION REQUIRED: Provide verbatim note on site plan.

14. Every application for building permit shall be accompanied by evidence indicating that the proposed structure is provided with reliable water supply capable of supplying the required fire flow as required by Fire Code 507.1.1

ACTION REQUIRED: Complete and return the "Fire Flow Availability" Form 196, with fire flow information provided by the water purveyor from the closest fire hydrant along the lot frontage.

15. The required fire flow for fire hydrants at this location is 1500 gpm, at 20 psi residual pressure, for a duration of 2 hours over and above maximum daily domestic demand. Fire Code 507.3 and Appendix B.

ACTION REQUIRED: Provide the following note on site plan.

16. The required fire flow for a single private ON-SITE fire hydrant at this location is 1250 gpm at 20 psi residual pressure. If more than one on-site fire hydrant is required, the on-site fire flow shall be the same as required for public fire hydrants in accordance with Appendix Table B105.1. Fire Code C106

ACTION REQUIRED: Provide verbatim note on site plan. Indicate the required fire floor when more than one on-site hydrant is required.

17. Spacing of fire hydrants shall not exceed the distances specified in Fire Code C105.2 & C106.

ACTION REQUIRED: Show all existing public and private on-site fire hydrants on the site plan. Include the location of all public fire hydrants within 300 feet of the lot frontage on both sides of the street. Specify size of fire hydrant(s) and dimension(s) to property lines. Additional fire hydrant requirements may be necessary after this information is provided.

18. The fire hydrant requirements for this project are as follows: Install _____ PUBLIC Fire hydrant(s). Update _____ PUBLIC fire hydrant(s). Relocate _____ PUBLIC fire hydrant(s). Install _____ ON-SITE fire hydrant(s). Location(s): Pending on location of fire hydrants Fire Code 507.5, C105.2.2, C106.

ACTION REQUIRED: Show new/upgraded/relocated hydrant locations on site plan.

19. All fire hydrants shall measure 6" x 4" x 2-1/2", brass or bronze, conforming to American Water Works Association Standard C503, or approved equal.

ACTION REQUIRED: Provide verbatim note on site plan.

20. A receipt from the water purveyor that shows that all funds have been paid for the installation and/or upgrade of the required public fire hydrants is required. Also, a letter from the water purveyor or installing contractor that indicates the approximate date the work will be started and completed for the fire hydrant is required.

ACTION REQUIRED: Provide proof of payment and letter stating the time of installation from the water purveyor

21. All required PUBLIC fire hydrants shall be installed, tested and accepted prior to beginning construction. Fire Code 501.4

ACTION REQUIRED: Provide verbatim note on site plan.

22. All on-site fire hydrants shall be installed, tested and approved prior to building occupancy. Fire Code 901.5.1

ACTION REQUIRED: Provide verbatim note on site plan.

23. Plans showing underground piping for private on-site fire hydrants shall be submitted to the Sprinkler Plan Check Unit for review and approval prior to installation. Fire Code 901.2, County of Los Angeles Fire Department Regulation 7

ACTION REQUIRED: Provide verbatim note on site plan

24. This Water and Access plan review ONLY, site plan, floor plan and elevations shall be submitted separately for Building plan review and approval. Plan will not be approved for high piled storages, plan for high piled storage shall be submitted separately for plan review and approval.

D. PUBLIC WORKS/ENGINEERING

STREETS

1. All off-site improvements within the Public Right-of-Way shall be performed in accordance with City Standards to the satisfaction of the City Engineer. Construction plans shall be reviewed and approved by the City Engineer.
2. The owner/developer shall bear the full cost to remove and reconstruct all damaged or deficient sidewalk, driveways, curb and gutter as directed by the City Engineer. Sidewalk and driveways to be reconstructed shall meet ADA standards.
3. The owner/developer shall pay to the City \$46,440, for the full cost to resurface the existing street frontage on Miguel Miranda Avenue and Buena Vista Street (full width) and construct an ADA curb ramp on the northwest corner of the intersection of Buena Vista Street and Miguel Miranda Avenue. The City shall perform the construction of these improvements. The full cost of the above mentioned amount shall be due at the time of building permit issuance.
4. Street lighting fixtures shall be upgraded to LED fixtures along the Miguel Miranda Avenue property frontage and developer/owner shall bear the full cost to design and install a new street light along the Buena Vista Street frontage in accordance with Los Angeles County standards and to the satisfaction of the City Engineer.
5. Adequate "on-site" parking shall be provided per City requirements.
6. The owner/developer shall bear the full cost for the actual cost for the installation, replacement or modification of traffic control signs, striping and pavement markings required in conjunction with the development.

7. The owner/developer shall design and construct ADA accessible driveway approaches. All improvements shall be constructed in accordance with the City standards to the satisfaction of the City Engineer. Pedestrian easements may be required depending on the design chosen.

CITY UTILITIES

8. Storm drains, catch basins, connector pipes, and appurtenances for the site specific storm drain system shall be designed and constructed in accordance with Los Angeles County standards and the City Engineer's requirements. The owner/developer shall submit grading and drainage plans to the City Engineer for review and approval. The grading and drainage plans shall be prepared by a licensed civil engineer and comply with Los Angeles County grading permit requirements. A hydrology study shall be included with the drainage plan.
9. The owner/developer shall pay for the entire cost for the design, engineering construction, permitting and inspection of any upgrade to the water main and connections as required by the serving water company for the proposed development.
10. The owner/developer shall obtain a Storm Drain Connection Permit from the City of Irwindale and/or Los Angeles County Flood Control District for connection(s) to the existing storm drain system.
11. The owner/developer shall pay for the entire cost for the design, engineering construction, permitting and inspection of any new and/or upgrade to any existing Fire Hydrant as required by the Los Angeles County Fire Department.
12. Sanitary sewers shall be constructed in accordance with City specifications to serve the subject development. The plans for the sanitary sewers shall be approved by the City Engineer. A sewer study shall be submitted along with the sanitary sewer plans.
13. The owner/developer shall obtain a Sewer Connection Permit from the City of Irwindale and/or Los Angeles County Sanitation District for connection(s) to the existing sewer system.
14. Prior to the issuance of building permits, the owner/developer shall provide the City of Irwindale a will-serve letter and approved Form - 196 from the water utility provider, Los Angeles County Fire Department and Los Angeles County Sanitation District.

TRAFFIC

15. The owner/developer shall install red curb for truck access along the Buena Vista Street frontage to prohibit parking. All improvements shall be constructed in accordance with the City standards to the satisfaction of the City Engineer. Construction plans shall be reviewed and approved by the City Engineer.
16. A pedestrian easement shall be provided to the City along the Miguel Miranda Avenue frontage, and anywhere else deemed necessary by the City Engineer to meet sidewalk ADA requirements.
17. An Easement Agreement for all easements (e.g., reciprocal access; surface drainage; utilities, etc.) shall be prepared and shall be executed and recorded in the Office of the Los Angeles County Recorder. Such agreements and any CC&Rs shall be subject to the approval of the City Attorney.

MISCELLANEOUS

18. Any changes to the site plan shall be reviewed and approved by the City Planner and City Engineer.

E. BUILDING AND SAFETY

1. The signed Final Conditions of Approval shall be photocopied and included as a sheet in the plans submitted to the Building Division for plan check.
2. Building permits shall be obtained from the Building and Safety Division and all construction shall be in compliance with the current Irwindale Building Code.

F. PUBLIC WORKS SERVICES

1. Any constructed walls that face the public right-of-way shall implement anti-graffiti management practices such as planting vines on the wall.
2. All pedestrian and approach ramps in the public right-of-way shall meet ADA requirements.
3. Onsite trash enclosure area shall have sufficient space for solid waste and organic waste receptacles and shall be covered from the elements per Title 14, Division 7, Section 17313 of the California Code of Regulations and Building Code Manual County of Los Angeles Department of Public Works Building and Safety Division 312 Article 2.

4. City of Irwindale requests irrigation and landscaping plans within the public right-of-way and parkways (when available). The plans shall be submitted to the Public Works Services Manager for review and approval.
5. All utilities and signs within the public right-of-way shall meet horizontal and vertical ADA clearance requirements.
6. Existing approach ramp shall be removed if it does not serve operational use. If deemed non-functional the approach ramp shall be replaced with curb, gutter, and sidewalk to match existing adjacent conditions per Standard Plans and Specifications for Public Works Construction (Greenbook latest edition).
7. The owner and/or developer shall remove and reconstruct all damaged, deficient, or substandard sidewalk, driveways, curb, and gutter as directed by the City Engineer and the Public Works Services Manager.
8. The owner and/or developer/applicant is responsible for obtaining encroachment permit(s) prior to any type of work in the public right-of-way.
9. Easements shall remain in place, free of any obstructions that can cause blockage or flooding. Parking area shall not be developed on the storm drain easement.
10. Any work within easements on the project site shall require proper permits from the easement holder (City of Irwindale, County of Los Angeles, etc.).
11. The owner/developer shall comply with the National Pollutant Discharge Elimination System (NPDES) program and shall require the general contractor to implement storm water/urban runoff pollution prevention controls and Best Management Practices (BMPs) on all construction sites in accordance with the City Code. The owner/developer will also be required to submit a Certification for the project and may be required to prepare a Storm Water Pollution Prevention Plan (SWPPP). Projects over five acres in size will be required to file a Notice of Intent (NOI) with the California Environmental Protection Agency's State Water Resources Control Board (SWRCB). The owner/developer can obtain the current application packet by contacting the SWRCB, Construction Storm Water Unit, at (866) 563-3107 or by downloading the forms from the following website :
www.waterboards.ca.gov/water_issues/programs/stormwater/construction.shtml.

The project shall also conform to the City's Ordinance regarding the requirements for the submittal of a Standard Urban Storm Water Mitigation Plan ("SUSMP"), and the requirements of Low Impact Development ("LID"). The SUSMP includes a requirement to implement Post Construction BMPs

to infiltrate the first 3/4" of runoff from all storm events and to control peak-flow discharges.

12. Unless exempted by the Los Angeles Regional Water Quality Control Board, a Covenant and Restriction ensuring the provisions of the approved SWPPP shall also be required.
13. No dumping or unpermitted discharges are allowed into the Los Angeles River via Buena Vista Channel, catch basins, direct discharge, and storm drains.