



CITY OF IRWINDALE

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

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AGENDA FOR THE REGULAR MEETING OF THE

PLANNING COMMISSION

May 18, 2022

6:30 P.M.

IRWINDALE COUNCIL CHAMBER

(Limited Public Access)

Pursuant to Irwindale Resolution No. Resolution No. 2022-45-3295

The Irwindale City Council has authorized the conduct of hybrid meetings of the City Council, including all City Commissions and committee meetings, and all regularly scheduled meetings that would normally take place in the City Council Chambers, under the provisions of Government Code Section 54956 § E, as authorized by AB 361.

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 are available through the following:

In-Person at the City Council Chambers (In-Chamber Attendance Limited to nine members of the public with overflow seating available in the Outer Council Chamber)

Join Webinar at

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

Webinar ID

863 4969 1359

Submit public comments by email to jjhernandez@irwindaleca.gov prior to the start of the meeting. 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: Richard Chico, David Fuentes, Robert E. Hartman; Vice-Chair Enoch Y. Burrola; Chair Suzanne E. Gomez**
- 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.

In the hybrid format, both in-person and hybrid audience members will participate in the following order:

Tier 1: In-person attendees

Tier 2: Teleconference attendees

Tier 3: In-person attendees who have not previously provide comments on the matter(s) being discussed by the legislative body

Tier 4: Teleconference attendees who have not previously provide comments on the matter(s) being discussed by the legislative body

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: No minutes for approval

2. NEW BUSINESS

3. PUBLIC HEARINGS

A. CONDITIONAL USE PERMIT NO. 02-2021 FOR 1399 LAS LOMAS ROAD (MICHAEL MCKAIN, CAL BLEND SOILS INC.)

Request for a Conditional Use Permit for the onsite sale and outdoor storage of bulk landscape and gardening materials and the outdoor storage of grandstand equipment, for the property located at 1399 Las Lomas Road, Irwindale, CA 91706 in the M-2 (Heavy Manufacturing) zone. ENVIRONMENTAL REVIEW: The proposed project is categorically exempt from the California Environmental Quality Act (CEQA), pursuant to Section 15301 (Class 1; Existing Facilities) of the CEQA Guidelines. The project is to allow for the storage of bulk landscape and gardening materials and grandstand equipment. The project is not located in an environmentally sensitive area. If action is taken to approve the project, a Notice of Exemption (NOE) will be filed with the Los Angeles County Clerk Recorder. The NOE is on file at the Community Development Department and available for review by the public.

Recommendation: Adopt Resolution No. 815(22)

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF IRWINDALE APPROVING CONDITIONAL USE PERMIT NO. 02-2021 FOR THE OUTDOOR STORAGE AND ONSITE SALE OF BULK LANDSCAPE AND GARDENING MATERIALS AND THE OUTDOOR STORAGE OF GRANDSTAND EQUIPMENT, FOR THE PROPERTY LOCATED AT 1399 LAS LOMAS ROAD, IRWINDALE, CA 91706 (APN: 8604-018-014) 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 15301 (CLASS 1; EXISTING FACILITIES).

B. SITE PLAN AND DESIGN REVIEW (DA) NO. 04-2020 SPECULATIVE 129,830 SQUARE-FOOT CONCRETE TILT-UP BUILDING AT 4416 AZUSA CANYON ROAD (MICHAEL RAMIREZ, REXFORD INDUSTRIAL REALTY, LLC)

Request for a Site Plan and Design Review (DA) for the construction of a ±129,830 square-foot concrete tilt-up building and associated parking. ENVIRONMENTAL REVIEW: In accordance with the California Environmental Quality Act, the City of Irwindale prepared an Initial Study to determine whether the proposed project may have a significant adverse effect on the environment. Based on the Initial Study and subsequent analysis, Staff has determined that the project as proposed qualifies for a Mitigated Negative Declaration according to the California Environmental Quality Act (CEQA), pursuant to Section 15074 of the CEQA Guidelines. A copy of the MND and related environmental documents are posted on the City's website and available at the Community Development Department, Irwindale Public Library and City Clerk's Office.

Recommendation: Adopt Resolution No. 813(22)

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF IRWINDALE RECOMMENDING THAT THE CITY COUNCIL ADOPT THE MITIGATED NEGATIVE DECLARATION (MND) AND MITIGATED MONITORING AND REPORTING PROGRAM (MMRP) FOR THE CONSTRUCTION OF ONE (1) SPECULATIVE INDUSTRIAL TILT-UP BUILDING TOTALING ±129,830 SQUARE FEET FOR PROPERTY LOCATED AT 4416 AZUSA CANYON ROAD, IRWINDALE, CA 91706 (APN: 8417-004-006) IN THE M-1 (LIGHT MANUFACTURING) ZONE AND MAKING CERTAIN FINDINGS OF FACT, PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

Recommendation: Adopt Resolution No. 814(22)

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF IRWINDALE RECOMMENDING THAT THE CITY COUNCIL APPROVE SITE PLAN AND DESIGN REVIEW (DA) NO. 04-2020 FOR THE CONSTRUCTION OF ONE (1) SPECULATIVE INDUSTRIAL TILT-UP BUILDING TOTALING ±129,830 SQUARE-FEET FOR THE PROPERTY LOCATED AT 4416 AZUSA CANYON ROAD, IRWINDALE, CA 91706 (APN: 8417-004-006) IN THE M-1 (LIGHT MANUFACTURING) AND MAKING CERTAIN FINDINGS OF FACT.

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

AFFIDAVIT OF POSTING

I, Jesus Hernandez, Administrative Secretary, certify that I caused the agenda for the regular meeting of the Irwindale Planning Commission to be held on May 18, 2022 to be posted at the City Hall, Library, and Post Office on May 12, 2022.

Jesus Hernandez

Jesus Hernandez,
Administrative Secretary



**CITY OF IRWINDALE
PLANNING COMMISSION STAFF REPORT**

COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION



Date: May 18, 2022 **Agenda Item No. 3-A**

To: Honorable Chair and Members of the Planning Commission

From: Marilyn Simpson, AICP, Community Development Director

Project Planner: Martin Romero, Planning Technician

Project: Conditional Use Permit No. 02-2021

Applicant: Michael McKain, Cal Blend Soils Inc.
PO Box 2203, Irwindale, CA 91706

Property Owner: Michael Brown, Brown Family Trust
PO Box 1414, Glendora, CA 91740

Project Location: 1399 Las Lomas Road (APN: 8604-018-014)



Map Date October 2021
Source: ESRI, City of Irwindale

Staff Recommendation: That the Planning Commission adopt Resolution No. 815(22), entitled “A Resolution of the Planning Commission of the City of Irwindale approving Conditional Use Permit No. 02-2021 for the Outdoor Storage and Onsite Sale of Bulk Landscape and Gardening Materials and The Outdoor Storage of Grandstand Equipment, for the Property Located at 1399 Las Lomas Road, Irwindale, CA 91706 (APN: 8604-018-014) 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.”

REQUEST

The Applicant is requesting a Conditional Use Permit (CUP) for the onsite sale and outdoor storage of bulk landscape and gardening materials and the outdoor storage of grandstand equipment for the property located at 1399 Las Lomas Road, Irwindale, CA 91706 in the M-2 (Heavy Manufacturing) zone.

BACKGROUND/HISTORY

This item was originally scheduled for the November 17, 2021 Planning Commission. At the time, Staff recommended to the Planning Commission that CUP No. 02-2021 be continued to a date uncertain to address concerns from the City of Duarte. City Staff, including the Planning, Engineering and Code Enforcement Divisions, and members from UltraSystems, the environmental consultant for the project, met with City of Duarte staff on multiple occasions (virtually and at the project site) to address their questions and concerns regarding dust, noise, traffic, and odor. In order to address concerns and be a cooperative neighbor to the City of Duarte, Irwindale Staff engaged in further analysis of the application, including traffic counts and a Noise Level Survey, which are included in the updated Notice of Exemption appendices.

It should also be noted that in 2006 the City of Irwindale worked with the City of Duarte on the neighboring business Mount Olive Storage’s CUP No. 15-04. The City of Duarte had submitted a written request asking that the gate giving Mount Olive Storage access to the site be locked at all times except for emergencies. The City of Irwindale added Condition No. A.35 stating that Mount Olive Storage’s access to Las Lomas Road be used as a “secondary, emergency access only”.

This item was presented to the Planning Commission on April 20, 2022 for CUP No. 02-2021. The Planning Commission continued the item to the May 18, 2022 Planning Commission meeting with direction to Staff to include more historic background, business operation details, and appropriate Conditions of Approval for the property owner of 1399 Las Lomas Road., Mike Brown Grandstands.

Michael Brown purchased the 1399 Las Lomas Road property in the early 1970s to serve as a storage and distribution yard for his grandstand business, Mike Brown Grandstands. The site was once fully occupied by Mike Brown Grandstands, which used the site to both store grandstands and spectator seating equipment as well as its main office. Currently, Mike Brown Grandstands’ main office is located at 2160 Central Avenue and the west end of 1399 Las Lomas Road property is solely used to store grandstands and spectator seating materials. Mike Brown Grandstands does not receive customers on the Las Lomas Road site. All customer transactions occur at the Central Avenue property. A bulk of Mike Brown Grandstands’ business relies on seasonal events. Therefore, the business operations on the site are most active during the seasonal event calendar and sporadic throughout the rest of the year. Mike Brown Grandstands provides spectator seating for such events as the Rose

Parade and formerly the Long Beach Grand Prix where Michael Brown was a founding member for 25 years and helped design the spectator seating arrangement around the racecourse. Additionally, Mike Brown Grandstands provides seating for school graduations around Southern California.

Mike Brown Grandstands has worked with the City of Irwindale to help improve Las Lomas road by helping clear out illegal dumping and facilitating the street improvement of Las Lomas Road. It should also be noted that in July 2020, Mike Brown Grandstands deeded the City an easement to allow the City of Irwindale to construct the Las Lomas Road cul-de-sac within the northeastern portion of the site.

The applicant, Cal Blend Soils is a wholesale landscape and gardening material supplier located at 1399 Las Lomas Road, which sells a variety of products such as topsoil, soil mixes, decomposed granite, sand, gravel, and river rock cobble. They have conducted business in Irwindale for nearly twenty (20) years. They were previously granted three (3) Conditional Use Permits at two (2) previous locations before moving to the 1399 Las Lomas Road property. On November 2, 2006, the Planning Commission approved CUP No. 12-06 for the establishment of a plant nursery and demonstration garden, located at 1270 East Arrow Highway. On November 7, 2002, the Planning Commission approved CUP No. 09-02 for the establishment of a plant nursery and demonstration garden, located at 13530 Live Oak Avenue. Additionally, the Planning Commission approved CUP No. 12-03 on March 4, 2004 for an extension of CUP No. 09-02. The business relocated to the current location after the approval and subsequent grading of the Park at Live Oak project site began.

GENERAL PLAN AND ZONING

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

Direction	Zoning Designation	General Plan Land Use	Existing Development
North	M-1 Light Manufacturing R-1 Single-Family Residential (Duarte)	Industrial/Business Park Residential (Duarte)	Vacant Single-Family Homes
South	N/A	N/A	Interstate 605 Freeway
East	M-2 Heavy Manufacturing	Industrial/Business Park	SCE transmission line easement and vacant land
West	M-2 Heavy Manufacturing	Industrial/Business Park	Truck rental business (U-Haul) and outdoor storage business (Mike Brown Grandstands)

ENVIRONMENTAL REVIEW

An environmental review was conducted by UltraSystems. Based on the scope of the project, it is the professional recommendation of UltraSystems that the project is categorically exempt from the California Environmental Quality Act (CEQA), pursuant to Section 15301 (Class 1; Existing Facilities) of the CEQA Guidelines. The project is to allow for the outdoor storage of

bulk landscape and gardening materials and grandstand equipment, a negligible change in use from the existing baseline of site conditions and use of outdoor storage, shipping, receiving, and distribution of grandstand, spectator seating, and materials by Mike Brown Grandstands. The project is not located in an environmentally sensitive area, pursuant to CEQA Guidelines § 15300.2. If action is taken to approve the project, a Notice of Exemption (NOE) will be filed with the Los Angeles County Clerk Recorder. The NOE is on file at the Community Development Department and available for review by the public and attached hereto as Exhibit C.

The following areas have been analyzed for potential impacts, and the proposed mitigation measures, as necessary:

Dust

The proposed project does have the potential to generate dust. However, dust emissions are minimal, and controlled and localized to the site boundary. Dust emissions from materials handling and motor vehicles delivering stored materials will be further minimized by the CUP's requirement that the Applicant adhere to the Southern California Air Quality Management District (SCAQMD) Rule 403 (Fugitive Dust). Business operations for the site will comply with SCAQMD Rule 403 regarding the Importing/Exporting of Bulk Materials, Stockpiles/Bulk Material Handling, and Truck Loading. Cal Blend Soils requires all vehicles adhere to the posted speed limit to reduce dust generation from vehicles entering and exiting the site. An onsite water truck periodically sprays materials with water and an onsite street sweeper sweeps the site and a portion of Las Lomas Road. The project applicant deploys standard housekeeping practices as an essential part of daily operations at the site, which would continue as an imposed condition under the CUP. Housekeeping activities for dust, odor, vehicle track-out, and vector control are generally considered best practices and are intended to keep the project site well maintained and well-kept at all times. The project applicant controls dust by the daily watering of interior roadways and storage areas. Additionally, during seasonal wind events (i.e., Santa Ana Winds), the project applicants uses a directional windsock to determine the strength and direction of the wind. During these types of events, additional on-site water and coverage of materials is used to control any on-site dust that may occur. All products onsite are either pre-packaged, or are contained within bins or concrete material bunkers. There are limited times when any soil product is not within concrete material bunkers, such as the limited time it takes to transfer materials to customer vehicles. No curing, composting, crushing, or changing the physical composition of gardening or landscaping materials occurs onsite. Currently, Cal Blend Soils advises its customers that all open bed customer vehicles must have a covering over their load. On the occasion that customers do not provide their own covering, tarps are available for purchase on the site. A Condition of Approval has been added for the requirement of tarps on all open bed vehicles exiting the site (COA No. B.16). Additionally, the material bunkers will be required to be covered at all times while not in use. A Condition of Approval for the covering of the material bunkers has been added (COA No. B.9). Moreover, there is a limit placed on the height of material piles (COA No. B.8), which localizes and minimizes potential fugitive dust.

Noise

The approved business operations for the site will not increase the established operating hours of Cal Blend Soil's existing operations, nor do the operations exceed the requirements of the City. Cal Blend Soils' hours of operations are Monday through Friday 7:00 a.m. to 5:00 p.m., Saturday 7:00 a.m. to 2:00 p.m. and closed on Sundays. Mike Brown Grandstands' business operations on the site are seasonal and only access the site sporadically. Mike

Brown Grandstands' hours of operations are Monday through Friday 7:00 a.m. to 3:00 p.m. and closed Saturdays and Sundays.

City of Irwindale Code Enforcement conducted onsite Noise Level Surveys on the Cal Blend Soils Site on February 22, 2022 from 7:30 a.m. to 9:18 a.m. and February 24, 2022 3:00 p.m. to 3:55 p.m., reported by the Applicant as the generally busiest times during hours of operation. The Noise Level Survey included customer visits, Cal Blend Soils deliveries, operation of the onsite material screener and wheeled loaders. Code Enforcement used a Decibel Level Comparison Chart from Yale University to compare the sound level readings generated on the site. Cal Blend Soils' material screeners are stored at the western end of the Cal Blend Site, farthest away from the City of Duarte residential areas, and are screened by large containers. When in operation, the screener reads at 46.5 decibels from the Cal Blend Soils property boundary line.

The City of Irwindale's ambient base noise level between 7:00 a.m. and 10:00 p.m. is 70 decibels for industrial areas, per IMC Subsection 9.28.030(A). Per Subsection 9.28.030(B) of the City of Irwindale's Municipal Code, "Any noise at a level which exceeds the ambient or the ambient base level as set forth in Subsection A of this section, whichever is greater, by more than ten dB [decibels] when measured at any boundary line of the property from which the noise emanates shall constitute sufficient proof of a violation." The noise measurements conducted by Code Enforcement did not exceed the ambient base noise level by more than ten dB at any time.

Traffic

Cal Blend Soils shares a cul-de-sac with a Southern California Edison (SCE) site. SCE utilizes their site for tree trimming purposes and emergency utility services. Access to the Cal Blend Soils site is from Las Lomas Road and does not require the use of the neighboring local streets within the City of Duarte. The Applicant has also prepared a Preferred Truck Route, attached hereto as Exhibit D. The City of Duarte, however, has expressed concern regarding vehicle trips associated with operation of the project. In response to this concern, the City of Irwindale retained a traffic firm (Counts Unlimited) to conduct traffic counts at the project site. A traffic count was performed to identify the amount and type of traffic generated by the Cal Blend Soils site. Two (2) cameras were used for the traffic counts. One camera was placed on the Cal Blend Soils gate and was used to monitor vehicles entering and exiting the Cal Blend Soils property. A second camera was placed east of the property, along Las Lomas Road, facing the employee parking lot outside Cal Blend Soils' gate. The traffic count was done over three days (a 72-hour period) from February 22, 2022 to February 24, 2022, and averaged based on general industry standards.

The following Traffic Count Summary breaks down the traffic flow to and from the project site over a three-day period by type and number of vehicles. As shown in Appendix D of Exhibit C attached hereto, over the course of three days, approximately 71 percent of the vehicles entering and exiting the project site were passenger vehicles, followed by approximately 18 percent large two axle vehicles. During the three-day traffic count, the average number of vehicles per day was as follows: 77 passenger vehicles, 20 two-axle vehicles, approximately 8 three-axle vehicles and 2 four-axle vehicles. The Traffic Timing Summary, provides an overview of the timing of the vehicles entering and exiting the project site. As shown in Appendix D of Exhibit C, during the three-day period observed vehicles visited the site as early as 5:00 a.m. and left the site as late as 5:00 p.m.

Using the three-day counts to calculate a one-day average, it was calculated that on average 54 vehicles enter the site a day and 54 vehicles exit the site a day. On average, the site generates 108 vehicle trips per day. The City of Irwindale Policy Guidelines for Traffic Impact Reports requires a traffic impact analysis for projects generating a net increase of over 50 vehicle trips during one AM or PM peak hour. Cal Blend Soil's operations generate about 108 vehicle trips over a 24-hour period; therefore, the proposed use does not require a traffic impact analysis.

The project is also exempt from CEQA Vehicle Miles Traveled (VMT) traffic analysis. The project generates an average of 77 passenger car trips per day. In accordance with the California Governor's Office of Planning and Research Technical Advisory on Senate Bill 742, Evaluating Transportation Impacts in CEQA, absent substantial evidence indicating that a project would generate a potentially significant level of VMT, or inconsistency with a general plan, it is reasonable to assume that projects that generate or attract fewer than 110 passenger car trips per day cause a less-than-significant transportation impact. The Project was analyzed and traffic counts conducted show that the Project site generates or attracts fewer than 110 trips per day, thus VMT analysis was screened out due to a presumption of less than significant impacts.

Odor

Business operations for the site have been set up to help mitigate potential odors. Material storage bunkers are positioned to store odorless inorganic materials such as sand, gravel, aggregate, and river rock on the northern property line about 55 feet from the nearest City of Duarte residence. Organic materials such as bark, woodchips, leafpost and mulch, which have a woody aroma, are stored on the southern property line, away from residential areas. The organic materials are positioned to have the least aromatic materials closer to the residential area and most aromatic furthest from the residential area. The closest organic material bunker to the nearest City of Duarte residence is about 115 feet and the furthest is about 310 feet. Cal Blend Soils does not process or sell manure or compost, nor is any curing, composting, or crushing of raw or organic materials allowed on site. All stored materials are finished products.

PROJECT DESCRIPTION

The applicant, Cal Blend Soils, is requesting a Conditional Use Permit (CUP No. 02-2021) for the outdoor storage of bulk materials for onsite sale and the continued outdoor storage operations for Mike Brown Grandstands. Per the IMC Subsection 17.80.030(26) all outdoor storage of building and contractor supplies shall not be permitted unless a Conditional Use Permit has been granted.

Cal Blend Soils' hours of operations are Monday through Friday 7:00 a.m. to 5:00 p.m. and Saturday 7:00 a.m. to 2:00 p.m. Truck deliveries to the site occur approximately one (1) to four (4) times a week from suppliers in Ontario, Chino, and San Fernando Valley. On average, a total of 54 vehicles enter and exit the Cal Blend Soils site a day. Cal Blend soils conducts about 12 deliveries to customers a day and about 13 large customer trucks and about 29 customer passenger vehicles visit the site a day. Cal Blend Soils has 29 existing outdoor concrete bunkers and proposes to store soil, soil amendments, mulches, rocks, and aggregates within the bunkers. All materials for sale are finished products and the proposed project would not include curing, composting, or crushing of materials. An onsite material screener sorts landscaping and gardening materials into desired sizes. The materials stored

in the bunkers is organized to prevent odors or dust from reaching properties in the vicinity. Gravel, aggregates, and other dust-free and/or odorless materials are positioned towards the northern edge of the property line closest to the residential area. Bark and other wood chip materials are positioned on the southern edge of the property line towards the front of the site. Mulch and other organic materials are positioned on the back end of the southern property line. Replenishing of stock materials occurs in phases depending on time of day and the direction of the wind. Wind direction is observed through multiple ribbon streamers located throughout the property. Materials positioned near the residential area are restocked in the mornings when the wind direction pushes towards the western side of the property away from the residential area. Additionally, the operation has an onsite water truck and materials are regularly sprayed with water to prevent the creation of dust during regular business operations.

Additionally, Cal Blend Soils is proposing to install a containment basin and basin overflow in the northwestern corner of the project site to accommodate the slope of the site. The containment basin would measure 1,400 square feet in area and two feet deep. The project will also include thirteen (13) new parking spaces, eight (8) spaces in front of the bunkers for loading and unloading and five (5) spaces in the northeastern side of the parcel for employee parking. Lastly, the project would install an ADA ramp from the existing ADA parking space to the existing office. Construction of the proposed runoff basin would last approximately one week and would not generate substantial traffic through hauling construction equipment and supplies or through construction worker commute trips. Project construction impacts would be less than significant due to both the brief duration and the small scale of construction.

Mike Brown Grandstands stores spectator seating materials, equipment and components along the northern and southern property lines. On the western portion of the property, Mike Brown Grandstands stores their mobile grandstands, hydraulic grandstands, and cable deployed grandstands. Currently the site holds materials for aluminum, steel, and wood grandstands. Other than grandstand materials, Mike Brown Grandstands stores their onsite forklifts used to move and sort equipment and their transport vehicles such as a bobtail, flatbeds, and trailers used for the transportation of grandstands and grandstand equipment. Occasionally, customers would supply their own vehicles to haul grandstands and materials off site.

Although Mike Brown Grandstands has been in business in Irwindale for more than 40 years, the site's current use of outdoor storage of grandstands is considered legal non-conforming. Mike Brown Grandstands previously utilized the site for outdoor storage before the City's adoption of the requirement of a conditional use permit for outdoor storage. The site thus became legal non-conforming, per IMC Section 17.76.020 "Continuation" which states: a lawful nonconforming use may be continuously maintained; provided, there is no alteration or addition to any structure nor any enlargements of area, space or volume occupied by or devoted to such use, except as otherwise provided in this chapter." Since the operations of Cal Blend Soils constitutes an increase in volume of outdoor storage on the site, a CUP is required for the continued use of outdoor storage on the site. The site of a currently legal non-conforming use can be triggered into compliance even if there is a proposed expansion of the use by an unrelated onsite operation. While the two site operations are unrelated, the City's current IMC Subsection 17.80.030(26), requiring a Conditional Use Permit for outdoor storage does not distinguish between the "types" of materials stored, but rather requires that **all** outdoor storage of building and contractor supplies be subject to a Conditional Use Permit.

While two separate businesses operate onsite, two separate entitlements for the same use are not required as Conditions of Approval run with the land.

A Conditional Use Permit and adopted Conditions of Approval regulate a specific use that is not permit by right. There is no proposed development on the site that would constitute any appreciable offsite improvements. These types of improvements are usually imposed when new construction is entitled, such as a Site Plan and Design Review (DA) application. However, each business is still required to obtain the requisite business license and operational permits from the City. Cal Blend Soils' operations and occupation of the site, resulted in the requirement to bring Mike Brown Grandstands into compliance with the City's Municipal Code. This entitlement would resolve the existing legal non-conformity.

Site Inspections

City of Irwindale Staff conducted both scheduled and unscheduled site inspections throughout the course of the application to ascertain any business operations that may have a negative impact on the neighboring City of Duarte residential area. During these site inspections, Staff observed the outside storage of the landscaping material, the onsite equipment, fence screening, and business operation practices amongst other potential catalysts for negative impacts. On December 14, 2021, during a conference call with the City of Duarte's Planning Staff, they informed us that they had not been out to the site during the entire entitlement process and that many of the issues and concerns were purely speculative. In order to facilitate a congenial process, Irwindale Staff worked with Duarte to visit the site together and eliminate any ambiguity about the business operations. On January 18, 2022 Irwindale Staff investigated reports of a foul odor emanating from the site. Irwindale Staff concluded that the odor did not originate from the site as it was strongest on Fernley Drive away from Cal Blend Soils. To help address any negative impacts on the Duarte residential area, Irwindale Staff created a log to organize any Code Enforcement complaints towards Cal Blend Soils. As of January 18, 2022 there have been two (2) reported complaints from Duarte residents both concerning the aforementioned odor. The most recent site inspection occurred on February 3, 2022 wherein Irwindale Staff accompanied Duarte Staff on their first inspection of the site. The purpose of the February 3rd site visit was to help Duarte Staff understand the project site to address speculation and their concerns about the perceived cumulative impacts of the site to the neighboring residential area. The Duarte Staff appeared satisfied with the outcome of the site inspection.

Correspondence Received

A comment letter from the City of Duarte (Exhibit E) was received in response to the Notice of Public Hearing on November 17, 2021. A second Letter from the City of Duarte was received on March 22, 2022. A comment letter from Mount Olive Storage was received on April 13, 2022.

ANALYSIS

Conditional Use Permit

IMC Subsection 17.80.030(26) provides that "[t]he following uses, having unique and unusual characteristics, shall be permitted, provided that a Conditional Use Permit is first issued: 26) All outdoor storage of building and contractor supplies."

Pursuant to IMC Section 17.80.040, before any Conditional Use Permit is granted, the applicant must show, to the satisfaction of the Planning Commission or the City Council, 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 project site offers sufficient space to adequately house bulk material sales yard and required vehicular circulation and parking, as well as the shipping, receiving, and distribution of grandstand materials. The project site sits on the northeastern side of a ± 4.9 acre parcel. The proposed outdoor storage will consist of twenty-nine (29) material bunkers. Eleven (11) material bunkers will have dimensions 14'-0" x 26'-0" with a height of 4'-0" and eighteen (18) material bunkers will have dimensions 14'-0" x 46'-0" with a height of 4'-0".

- 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.

The project site can be accessed via Las Lomas Road. There is an approved street improvement plan to widen Las Lomas Road, which will improve overall circulation. Vehicles accessing the site range from personal vehicles (employees and/or customers), dump trucks, and the onsite "wheeled loaders." Additionally, truck routing signs will be posted to direct traffic away from residential areas, and the Applicant has submitted to the City a preferred truck route (Exhibit D), which directs traffic away from the nearby residential areas. The City's traffic count analysis of the project site showed that the project generates a less-than-significant transportation impact.

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

The site is zoned M-2 (Heavy Manufacturing) and surrounded by uses of similar intensity. A small portion of the site borders the City of Duarte. Approximately five (5) single family homes, zoned R-1 Single Family Residential, are separated approximately 30 feet from the subject property by Las Lomas Road. The rear yards are separated by a gate and/or fence. Access to the residential areas is from Maynard Drive and Central Avenue, which becomes Fernley Drive. Access to the Cal Blend Soils site does not require the use of the local streets, and the Applicant has submitted to the City a preferred truck route (Exhibit D), which directs traffic away from the nearby residential areas. The City's traffic count analysis of the project site showed that the project generates a less-than-significant transportation impact. Cal Blend Soils does not compost materials; all materials stored on the site are finished products. The material storage bunkers are organized in such a way that the odorless and dust-free materials are positioned closest towards the residential area. Gravel, aggregates, and other dust-free and/or odorless materials are positioned towards the northern edge of the property line about 55 feet from the nearest City of Duarte residence. The residential area is approximately 115 feet from the closest organic material storage bunker. Additionally, the materials stored are sprayed regularly with water with the onsite water truck. The site is also swept regularly with the onsite street sweeper. The storage bunkers are to be covered as needed to impede any fugitive dust. Since November 2021 to present, the City of Irwindale has conducted significant analysis into dust, noise, traffic, and odor in order to determine adverse effects upon the adjacent properties, which were determined to be less than significant. Additionally,

the conditions of approval are designed to mitigate any impacts on the adjacent property, including dust, noise, traffic, and odor.

The proposed general conditions for the CUP are attached as Exhibit "A" to Resolution No. 815(22).

CONCLUSION

It is recommended that the Planning Commission take the following action:

1. Adopt Resolution No. 815(22) approving Conditional Use Permit No. 02-2021, 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. 815(22) with Conditions of Approval
- Exhibit B: Project Plans dated November 11, 2021
- Exhibit C: Notice of Exemption/Project Description and Justification for CEQA Exemption including Technical Appendices, April 2022 (Electronic Files via: <https://www.irwindaleca.gov/DocumentCenter/View/7433/Exhibit-C---1399-Las-Lomas>)
- Exhibit D: Preferred Truck Route prepared by Cal Blend Soils
- Exhibit E: City of Duarte Comment Letter (Rutan & Tucker) received November 17, 2021
- Exhibit F: City of Duarte Comment Letter 2 (Nick Baldwin) received March 22, 2022
- Exhibit G: Mount Olive Storage Comment Letter (Carlos T. Bea) received April 13, 2022
- Exhibit H: Mount Olive Storage Comment Letter 2 (Carlos T. Bea) received April 18, 2022
- Exhibit I: Mount Olive Storage Comment Letter 3 (Dave Sorem) received April 19, 2022
- Exhibit J: City of Duarte Comment Letter 3 (Rutan & Tucker) received April 20, 2022

EXHIBIT "A"

RESOLUTION NO. 815(22)

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF IRWINDALE APPROVING CONDITIONAL USE PERMIT NO. 02-2021 FOR THE OUTDOOR STORAGE AND ONSITE SALE OF BULK LANDSCAPE AND GARDENING MATERIALS AND THE OUTDOOR STORAGE OF GRANDSTAND EQUIPMENT, FOR THE PROPERTY LOCATED AT 1399 LAS LOMAS ROAD, IRWINDALE, CA 91706 (APN: 8604-018-014) 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 15301 (CLASS 1; EXISTING FACILITIES).

A. RECITALS.

- (i) Michael McKain, on behalf of Cal Blend Soils, has made a request for the approval of a Conditional Use Permit (CUP) pursuant to Section 17.80.030(26) of the Irwindale Municipal Code (IMC) for the onsite sale and outdoor storage of bulk landscape and gardening materials and grandstand equipment for the property located at 1399 Las Lomas Road, Irwindale, CA 91706.
- (ii) The Subject Property is zoned M-2 (Heavy Manufacturing). Hereinafter in this Resolution, the subject application shall be referred to as the "Application."
- (iii) The site's current use is considered legal non-conforming per IMC Section 17.76.020. This is because Mike Brown Grandstands, the current owner of the property, previously utilized the site for outdoor storage before the City's adoption of the requirement of a conditional use permit for outdoor storage. The site thus became legal non-conforming, per IMC Section 17.76.020 "Continuation" which states: a lawful nonconforming use may be continuously maintained; provided, there is no alteration or addition to any structure nor any enlargements of area, space or volume occupied by or devoted to such use, except as otherwise provided in this chapter." Since the operations of Cal Blend Soils constitutes an increase in volume of outdoor storage on the site, a CUP is required for the continued use of outdoor storage on the site. The site of a currently legal non-conforming use can be triggered into compliance even if there is a proposed expansion of the use by an unrelated onsite operation. While Cal Blend Soils and Mike Brown Grandstands' operations onsite are unrelated, a conditional use permit for outdoor storage does not distinguish between the "types" of materials stored, but rather requires that **all** outdoor storage of building and contractor supplies be subject to a conditional use permit. While two separate businesses operate onsite, two separate entitlements for the same use are not required as conditions of approval run with the land. A conditional use permit regulates land, not individuals or businesses.

However, each business is still required to obtain the requisite business license and operational permits from the City. Cal Blend Soils' operations and occupation of the site resulted in the requirement to bring Mike Brown Grandstands into compliance with the City's Municipal Code. This entitlement would resolve the existing legal non-conformity.

- (iv) The City, as the Lead Agency, has determined that, pursuant to the California Environmental Quality Act (CEQA), which lists classes of projects determined not to have a significant effect on the environment and are therefore, categorically exempt from the provisions of CEQA, the proposed Project is categorically exempt pursuant to Section 15301 (Existing Facilities). The project allows for the outdoor storage of bulk landscape and gardening materials and grandstand equipment, a negligible change in use from the existing baseline of site conditions and use of outdoor storage, shipping, receiving, and distribution of grandstand, spectator seating, and materials by Mike Brown Grandstands. The project is not located in an environmentally sensitive area, pursuant to CEQA Guidelines § 15300.2; and a Notice of Exemption (Class 1) has been prepared.
- (v) On November 17, 2021, Staff recommended to the Planning Commission that CUP No. 02-2021 be continued to a date uncertain.
- (vi) On March 10, 2022, the item was pulled from the agenda and would be re-noticed for a future date.
- (vii) On March 16, 2022, the Planning Commission Meeting was cancelled.
- (viii) On April 20, 2022, the Planning Commission continued the item to the May 18, 2022 Planning Commission Meeting with the direction to include more information and Conditions of Approval for the outdoor storage of grandstands and grandstands materials on the site.
- (ix) On May 18, 2022, the Irwindale Planning Commission conducted a duly noticed public hearing held both in person (with limited capacity) and virtually as a webinar and approved the Conditional Use Permit, 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.

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 and incorporated herein by this reference.

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 Attachment "A," this Planning Commission hereby specifically finds as follows:

Conditional Use Permit

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

The project site offers sufficient space to adequately house bulk material sales yard and required vehicular circulation and parking, as well as the shipping, receiving, and distribution of grandstand materials. The project site sits on the northeastern side of a ±4.9 acre parcel. The proposed outdoor storage will consist of twenty-nine (29) material bunkers. Eleven (11) material bunkers will have dimensions 14'-0" x 26'-0" with a height of 4'-0" and eighteen (18) material bunkers will have dimensions 14'-0" x 46'-0" with a height of 4'-0".

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.

The project site can be accessed via Las Lomas Road. There is an approved street improvement plan to widen Las Lomas Road, which will improve overall circulation. Vehicles accessing the site range from personal vehicles (employees and/or customers), dump trucks, and the onsite "wheeled loaders." Additionally, truck routing signs will be posted to direct traffic away from residential areas, and the Applicant has submitted to the City a preferred truck route (Exhibit D), which directs traffic away from the nearby residential areas. The City's traffic count analysis of the project site showed that the project generates a less-than-significant transportation impact.

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

The site is zoned M-2 (Heavy Manufacturing) and surrounded by uses of similar intensity. A small portion of the site borders the City of Duarte. Approximately five (5) single-family homes, zoned R-1 Single Family Residential, are separated approximately 30 feet from the subject property by Las Lomas Road. The rear yards are separated by a gate and/or fence. Access to the residential areas is from Maynard Drive and Central Avenue, which becomes Fernley Drive. Access to the Cal Blend Soils site does not

require the use of the residential roads, and the Applicant has submitted to the City a preferred truck route (Exhibit D), which directs traffic away from the nearby residential areas. The City's traffic count analysis of the project site showed that the project generates a less-than-significant transportation impact. Cal Blend Soils does not compost materials; all materials stored on the site are finished products. The material storage bunkers are organized in such a way that the odorless and dust-free materials are positioned closest towards the residential area. Gravel, aggregates, and other dust-free and/or odorless materials are positioned towards the northern edge of the property line about 55 feet from the nearest City of Duarte residence. The residential area is approximately 115 feet from the closest organic material storage bunker. Additionally, the materials stored are sprayed regularly with water with the onsite water truck. The site is also swept regularly with the onsite street sweeper. The storage bunkers are to be covered as needed to impede any fugitive dust. Since November 2021 to present, the City of Irwindale has conducted significant analysis into dust, noise, traffic, and odor in order to determine adverse effects upon the adjacent properties, which were determined to be less than significant. Additionally, the conditions of approval are designed to mitigate any impacts on the adjacent property, including dust, noise, traffic, and odor.

The proposed general conditions for the CUP are attached as Attachment "A" to Resolution No. 815(22).

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 Attachment "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 18th day of May 2022.

Suzanne E. Gomez, Chair
City of Irwindale Planning Commission

ATTEST:

Marilyn Simpson, AICP, Secretary

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

I, Marilyn Simpson, AICP, 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 18th day of May 2022, by the following vote:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

Marilyn Simpson, AICP, Secretary

PLANNING COMMISSION RESOLUTION NO. 815(22)
Conditional Use Permit No. 02-2021
Cal Blend Soils Inc.
1399 Las Lomas Road

A. GENERAL CONDITIONS

1. The use authorized by this Conditional Use Permit allows for the onsite sale and outdoor storage of bulk landscape and gardening materials and grandstand equipment at 1399 Las Lomas Road as shown on the stamped approved drawing set dated November 11, 2021.
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 building plan set.
4. Plans for any proposed site improvements shall be submitted to the Los Angeles County Fire Department and City Building and Safety Division for review and approval prior to the issuance of Building Permits.
5. 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.
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 17.80.140.
7. All graffiti shall be adequately and completely removed or painted over within 48 hours of such graffiti being affixed on any structure or fence at the site.
8. 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 Conditional Use Permit No. 02-2021. The City will promptly notify the permittee of any such claim, action, or proceeding against the City and will cooperate fully in the defense.

9. The use 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 pursuant to the amendments of these entitlements.
10. 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.
11. 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 jurisdictions over the facility.
12. Any and all fees required to be paid to any public agency shall be paid prior to obtaining any permit for this project.
13. All appropriate practices shall be adopted to control dust, odor and vermin.
14. 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.
15. The subject site shall be maintained free and clear of any accumulation of trash debris, waste, and combustible and/or flammable materials, other than the related materials specifically authorized under the Conditional Use Permit.
16. Upon termination of the authorized use for any reason, including abandonment of this use by the Applicant, for 180 consecutive days, or revocation by the City, all materials and equipment shall be removed from the site within 30 days after notice from the City, at the expense of the Applicant. If the Applicant does not remove all materials and equipment, the City shall be authorized to do so, and the Applicant shall pay all costs related to the removal process.

B. COMMUNITY DEVELOPMENT DEPARTMENT

1. The project shall substantially conform to the submitted plans date-stamped November 11, 2021, except as modified herein. Future modifications that are not in substantial conformance shall be reviewed by the Community Development Director, and may require modification of this approval subject to the provisions of IMC Section 17.70.060 "Expiration and Revisions" and IMC Section 17.80.160 "Modification."
2. This Conditional Use Permit shall allow the onsite sale and outdoor storage of bulk landscape and gardening materials and grandstand equipment.

3. The provisions of this Conditional Use Permit are to run with the land/project and shall bind the current and future owner(s), successor(s) in interest, assignee(s) and/or transferor(s) of said project. This Conditional Use Permit is only valid for 1399 Las Lomas Road (APN: 8604-018-014).
4. Business hours shall be subject to IMC Subsection 17.80.030(26) and in compliance with Subsections 9.28.030(A) and 9.28.030(B).
5. No raw manure or unprocessed green waste material shall be stored on the subject site.
6. No composting, curing or processing of organics shall be allowed onsite.
7. All landscape materials for sale shall be finished products.
8. No landscape material piles shall exceed 30'-0" in diameter or 12'-0" in height.
9. Landscape material piles shall be adequately covered at all times when not in use.
10. Grandstand equipment shall include but is not limited to metal scaffolding, wood and metal bleachers, and any required ancillary materials and equipment needed for the storage, transport, assembly, and disassembly of grandstands.
11. Water shall be available on site for controlling dust.
12. The onsite street sweeper shall regularly clean the site.
13. The project site shall be well kept at all times and best practices for dust, odor, noise, vehicle track-out, and vector control shall be utilized.
14. Landscape materials loaded upon vehicles leaving the site shall be appropriately protected to avoid spillage into the public right of way.
15. Loading and unloading of landscape materials shall be done in a manner that has the least impact on the surrounding neighborhood. Onsite loading shall be primarily conducted on the areas south of the sales office.
16. All vehicles carrying landscaping and gardening materials in and out of the site must use a tarp.
17. Tarps shall be available for purchase for uncovered loads.
18. The "Preferred Truck Route" handout, prepared by Cal Blend Soils shall be posted in the sales office and attached to each sales receipt.

19. Signage displaying the "Preferred Truck Route" shall be prominently displayed at points of ingress and egress to the site.
20. All plant material, including trees, shall be maintained in good condition and replaced in the event they die or become diseased.
21. All approved business operations on-site shall have an Occupancy Permit and Business License prior to commencing operations.
22. Should any existing outdoor storage and business operations intensify, a Modification of this Conditional Use Permit shall be required.
23. The Applicant shall be required to submit plans for future development to the Community Development Department.
24. Applicant shall obtain approval and permits from the Community Development Department and Building Division for all project signage prior to construction of any signs on the project site.

C. PUBLIC WORKS/ENGINEERING

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.
3. The owner and/or developer shall remove and reconstruct all damaged or deficient sidewalk, driveways, curb ramps, curb and gutter as directed by the City Engineer.
4. Common driveways shall not be allowed unless approved by the City Engineer. Proposed driveways shall be located clear of existing fire hydrants, street lights, water meters, etc.
5. The owner and/or applicant shall bear the full cost of installing new street lights along Las Lomas Road with energy efficient LED fixtures. New street lighting shall meet the City of Irwindale and County of Los Angeles Street Lighting Design Standards.
6. The owner/developer shall install new ADA-compliant driveway approaches as directed by the City Engineer.
7. Any changes to the site plan shall be reviewed and approved by the City Engineer.
8. Sanitary sewers shall be constructed in accordance with City specifications to serve the subject property. 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.

9. Prior to the issuance of building permits, the owner/developer shall provide a will-serve letter from the water utility provider to the City
10. The owner/developer shall comply with all requirements of the County Sanitation District, make application for and pay the sewer maintenance fee.
11. 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.
12. The owner/developer shall pay the connection fee upon application for storm water connection to the City or County of Los Angeles system.
13. The owner/developer shall pay for the entire cost for the design, engineering construction and inspection of any upgrade to the water main and connections as required by the serving water company for the proposed development.
14. Fire hydrants shall be installed as required by the Fire Department. Existing public fire hydrants adjacent to the site, if any, shall be upgraded if required by the City Engineer.
15. Prior to issuance of grading permits, a grading and drainage plan shall be submitted for approval to the City Engineer. The owner/developer shall pay drainage review fees in conjunction with this submittal. A professional civil engineer registered in the State of California shall prepare the grading and drainage plan.
16. 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.

D. BUILDING AND SAFETY

1. Building permits shall be obtained from the Building and Safety Division for any building modifications and all construction shall be in compliance with the current Irwindale Building Code.
2. The applicant shall submit site, floor, elevation plans that include all Life & Safety and Accessibility requirements as required by the current Los Angeles County Building Code for any proposed improvements to the existing facility.
3. Clearance from Industrial Waste and Drainage & Grading Section are required and will be referred at the time of plan submittal to Building and Safety.
4. Submit structural design for block walls (retaining soils with max height as proposed), vehicular impact loads as applicable. Identify on plans if walls are protected from operating vehicles as applicable.

E. PUBLIC WORKS SERVICES

1. Complete the construction of Las Lomas Road per the approved Prior agreement between Mike Brown Grandstands and the City of Irwindale. The construction of sidewalk, curb, and gutter on both sides of the street; a driveway approach into the property; a parkway drain; a half hammer head at the end of the street; required fire hydrants per Fire Department; and pave/repave Las Lomas from the Irwindale City Limits (Public) to the entrance of Mike Brown Grandstands (Private).
2. Any work within easements on the project site shall require proper permits from the easement holder (City of Irwindale, County of Los Angeles, etc.).
3. The owner/developer shall comply with the National Pollutant Discharge Elimination System (NPDES) program and shall require the general contractor to implement storm/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 California Environmental Protection Agency's State Water Resources Control Board (SWRCB). The owner/developer can obtain the current

application packet by contacting SWRCB, Construction Storm Water Unit, at (866) 563-33107 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.

4. 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.
5. Cal Blend Soils is required to obtain a General Industrial Permit or No Exposure Certification with the California Environmental Protection Agency's State Water Resources Control Board (SWRCB) due to the business type, fertilizer sales/storage. More information can be found at the following website: https://www.waterboards.ca.gov/water_issues/programs/stormwater/igp_20140057dwg.shtml
6. No dumping or unpermitted discharges are allowed into the San Gabriel River.
7. 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.
8. As Food Recovery Service, a compost and mulch commercial business, adhere to the SB 1383 regulations set forth by CalRecycle and the City regarding requirements for food recovery organizations and services established under 14CCR Section 18991.3(b) and 18991.5(a)(1)(2).

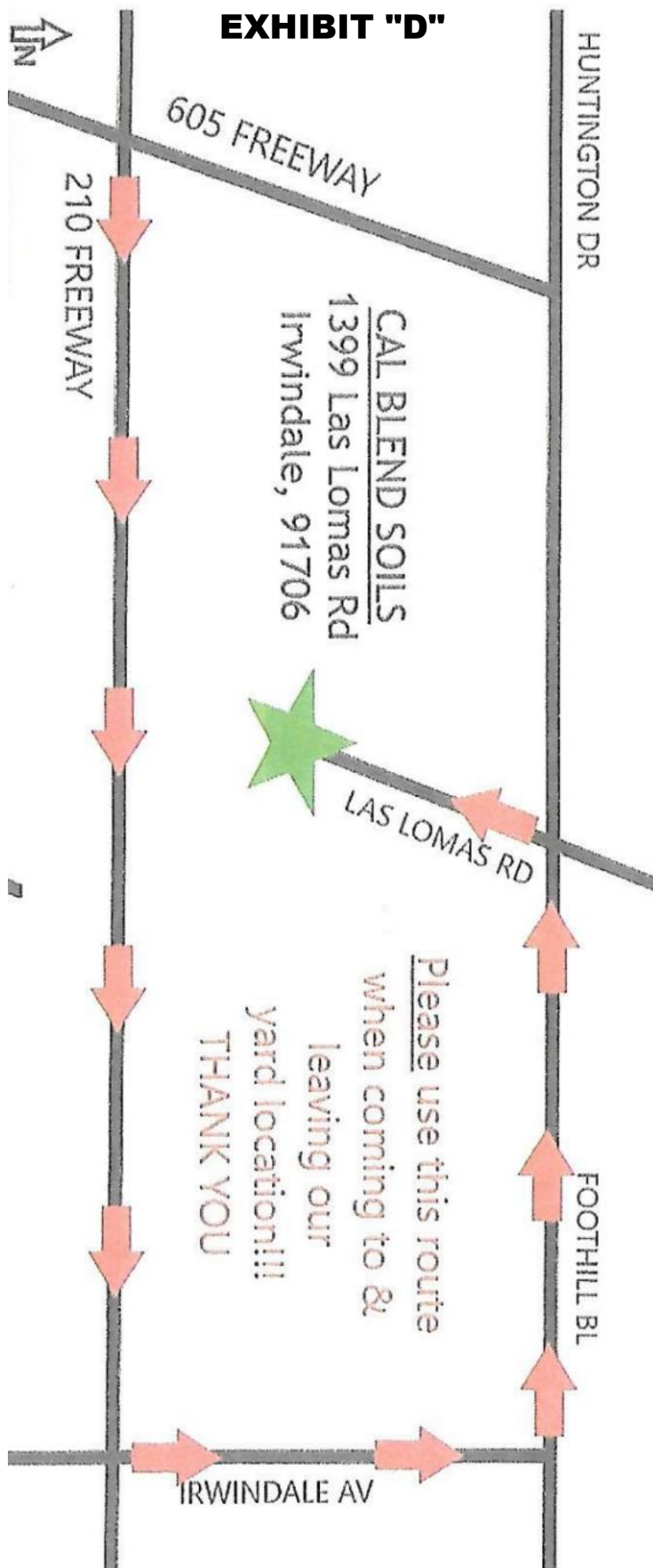
“Exhibit C”

Notice of Exemption/Project Description and Justification
for CEQA Exemption including Technical Appendices,
April 2022

Electronic Files via:

[https://www.irwindaleca.gov/DocumentCenter/View/7433/
Exhibit-C---1399-Las-Lomas](https://www.irwindaleca.gov/DocumentCenter/View/7433/Exhibit-C---1399-Las-Lomas)

EXHIBIT "D"





Written Communications for Item 3-A

EXHIBIT "E"

Thai Viet Phan
Direct Dial: (714) 338-1825
E-mail: tphan@rutan.com

CITY OF IRWINDALE
COMMUNITY DEVELOPMENT

November 17, 2021

NOV 17 2021

RECEIVED**VIA E-MAIL**

Irwindale Planning Commission
Irwindale City Hall
5050 N. Irwindale Ave.
Irwindale, CA 91706

jjhernandez@irwindaleca.gov

Re: Objection to Agenda Item 3-A Conditional Use Permit No. 02-2021

Dear Honorable Chair Tapia, Vice-Chair Burrola, and Planning Commissioners:

Rutan & Tucker, LLP represents the City of Duarte ("Duarte") in the capacity of City Attorney. I am writing on behalf of Duarte to raise serious concerns regarding Agenda Item 3-A involving Conditional Use Permit No. 02-2021 ("Project") and to ask that the Planning Commission continue this item to allow for further review, analysis, and collaboration with Duarte and community members.

The environmental analysis regarding this Project is severely deficient, there is inadequate evidence in support of the findings, and the process lacked proper collaboration with affected property owners and neighboring agency the City of Duarte. In the Spring of 2020, Duarte approached the City of Irwindale ("Irwindale") to discuss these issues and seek mutually agreeable solutions to mitigation or fully remedy the concerns herein, but unfortunately was not provided the professional courtesy or collaboration typically experienced in these types of border projects. The issues relating to this Project are discussed below.

1. Environmental Issues**(a) CEQA Exemption**

The report claims the Project is exempt under a Class 1 categorical exemption (pg. 24 of 91) but later provides a cultural analysis under a different CEQA exemption, Class 32 In-Fill Development Projects (pg. 37 of 91). Such inconsistencies raise concerns that analysis regarding this Project is inadequate, based on faulty or no information, and requires further review.

(b) Traffic Analysis and Air Quality

The environmental analysis for this Project is flawed, first and foremost, due to the underestimation of vehicle traffic involved with the operation of the Project. The Irwindale report estimates that there would, at most, be four incoming supply vehicles and four outgoing product

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vehicles per day from the Project location daily. However, this does not seem to include estimates for employee trips and other passenger vehicle trips to and from the Project during operating hours.

Irwindale's analysis does not clearly state where the estimation for this traffic information is found, as there is no traffic study clarifying that an expansion of the existing business would not create substantial traffic impacts. This is particularly concerning given that the Project more than doubles the on-site parking for visitors and employees. Thus, the low and unexplained traffic estimation provides for an inadequate environmental impact analysis, especially as it relates to air quality and emissions.

(c) Signalized Intersection and Impact Fees

One of the major concerns Duarte raised and still raises is the impact of this expanded business to the signalized intersection at Las Lomas Road and Huntington Drive, which is located in the City of Duarte. Irwindale has provided no analysis regarding the impacts to this intersection or the impact fees necessary to upgrade this signal and accommodate the expanded business.

Another intersection affected is at Maynard Drive and Las Lomas Road. Here, there is no traffic light at all but merely a yield and stop combination through a residential neighborhood. Irwindale has not begun to analyze the geometry or mechanics of this intersection as it relates to the additional traffic added by this Project.

Because there has been no analysis related to these intersections, there has been no analysis of the impact fees necessary to upgrade the signal at Las Lomas Road and Huntington Drive or any other improvements required to accommodate the expanded use requested under the Project.

(d) Odor Issues

The environmental analysis related to odor issues is cursory at best. To begin, the discussion regarding odor issues focuses not on the actual particulates or odors coming from the property but more on attempted mitigation measures. Without a proper analysis of the odors emanating from storing compost, decomposed granite, and other gardening materials, there cannot be an adequate discussion of mitigation measures.

Irwindale's report indicates that the least offensive-smelling materials are stored further away from the single-family residences nearby and water may be used to keep odors at bay, but no cover for the storage bunkers are required and no covers for the trucks and vehicles entering and exiting the property would be required. However, as evidenced by complaints already received by Duarte, the odors currently emanating from the property are negatively affecting the community every day. An expansion of the Project would further exacerbate the problem.

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The report further indicates that the Project applicant would use a flag to track the direction of the wind to determine when to move soil, decomposed granite, and other materials. There is no clear threshold as to how strong winds must be for the operations to adjust in order to avoid negative health and safety impacts to the community. Worst yet, this would not seem to apply when a buyer seeks to purchase, for example, compost during a high-wind time of day.

As local agencies have seen, odors emanating from projects in the Los Angeles region may cause severe health effects, including migraines, breathing problems, and nausea. Without an analysis of the odor issues related to this Project, there may be health and safety impacts that are not addressed by Irwindale.

(e) Noise

As indicated below, the conditional use permit (“CUP”) resolution contains a condition of approval (“COA”) that extends the operating hours of the business, allowing 10 extra business hours during the weekday and 12 extra business hours during the weekends, when families are most likely to be home. Additionally, the discussion on noise during the Project operation is lacking in that it merely states that the “bunkers are mostly screened from the residences by a wall” but does not indicate any type of screening or mitigation for the trucks and passenger vehicles coming to and from the Project site during operational hours. Finally, as stated above, Duarte believes that the four trips to and four trips from the property is an underestimate to the traffic actually entering and leaving the property. Such concerns are further evidenced by the more than doubling of parking spaces on the property.

(f) Cumulative Impacts

None of the analysis regarding the intersections discussed above address the potential cumulative impacts related to future development impacts other than to baselessly state there are no cumulative impact concerns. The fact is, the Project only encompasses a fraction of the property involved in this matter. The storage of outdoor stages by Mike Brown Grandstands may or may not continue to exist into the future, and the outdoor shipping, hauling, and storage of stones, gravel, and other landscaping material can very well expand to the rest of the property.

2. Inadequate Support for Findings

Irwindale cannot make an adequate finding in support of the CUP. In particular, Irwindale cannot make the finding that “the proposed use will not have an adverse effect upon adjacent property” (Pg. 7 of 91) based on the evidence currently before the Commission or the attempted mitigation measures established in the COAs.

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(a) Residences Affected

The report indicates that the Project borders only five single-family residences located in the City of Duarte, but does not discuss the fact that the roadway leading to the Project site abuts approximately 15 single-family residences that would all be impacted by the expansion of the business activity. There has been evidence of complaints by residents regarding the odors, dust, and traffic related to the activity on the site that has been unaddressed by the property owner or Irwindale. An expansion of the current activities which Irwindale believes is extensive enough to require a new CUP reasonably requires analysis of the impacts to families adjacent to the Project.

(b) Extended Operating Hours

Further, the CUP contains Community Development Department COA 4, which extends the hours of operation. Currently, the existing business operates from 7 a.m. to 5p.m. on weekdays and 7 a.m. to 2 p.m. on weekends. COA 4 would allow the business to operate from 7 a.m. to 7 p.m. seven days a week, during times in which families are most likely to be home. As discussed above, this is 10 additional business hours during the weekday and 17 extra business hours during the weekends. Such an expansion of operating hours when families are most exposed to the odors, dust, and other pollutants resulting from the activity on site would greatly harm the health and safety of nearby residents.

(c) Inadequate Covering Requirement

Community Development Department COA 9 only requires that the piles of compost, soil, and other materials are covered “when dusty conditions arise” but provides no time period for such requirement and no definition for “dusty conditions.” The condition also does not address what happens when such conditions arise after business hours. Such exposure, again, affects the public health and safety to adjacent residents.

(d) Sewer Connection

Public Works COA 8 states that Irwindale requires the Project to obtain a sewer connection through a residential property to a public sewer main in Duarte. This sewer connection has not been approved, but more importantly, the sewer connection sought is oversized relative to the uses it supposedly serves. Such a requirement poses the question of why Irwindale is requesting such a sewer connection and raises concerns of potential future developments resulting in cumulative impacts. Duarte has requested an analysis related to this very issue. It has not been conducted.



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(e) On-Site Processing

The report indicates that the Project does not include on-site processing or composting, but aerial photos potentially indicate otherwise. The analysis does not provide any information regarding the monitoring of such activity. This is particularly important with state-mandated composting and other forms of processing for organic waste. Failure to analyze this issue and require adequate monitoring incentivizes bad behavior and exposes residents to deleterious health effects.

3. Conclusion

In sum, the City of Duarte is asking the Planning Commission to continue this item to allow Duarte and Irwindale, along with the Project applicant, to engage in conversation about the need for adequate environmental review, proper analysis of impacts, and development of mitigation measures that would benefit the surrounding community. Duarte is asking for collaboration as adjacent municipalities and as good neighbors.

Should you have any questions or concerns regarding this matter, please do not hesitate to contact me at tphan@rutan.com or (714) 338-1825.

Very truly yours,

RUTAN & TUCKER, LLP

Thai Viet Phan
Assistant City Attorney

TVP

cc: Marilyn Simpson, Community Development Director
Adrian Guerra, Irwindale City Attorney
Craig Hensley, Community Development Director

**EXHIBIT "F"****City of Duarte**1600 Huntington Drive, Duarte, CA 91010 | Tel (626) 357-7931 | Fax (626) 358-0018 | accessduarte.com

March 1, 2022

CITY OF IRWINDALE
COMMUNITY DEVELOPMENT

MAR 22 2022

Marilyn Simpson
Community Development Department Director
16102 Arrow Highway
Irwindale, CA 91706**RECEIVED****RE: 1399 Las Lomas Road – Cal Blend Soils Conditional Use Permit**
Duarte Comments and Concerns

Dear Ms. Simpson,

We are writing to you as a follow up to the on the discussion between the City of Irwindale (“Irwindale”) and the City of Duarte (“Duarte”) on the subject matter that was had during the Zoom meeting on December 14, 2021. During that meeting raised concerns regarding the proposed use, the analysis prepared in the staff report, and the City of Irwindale’s provided responses regarding the Cal Blend Soils (Cal Blend”) conditional use permit (“CUP”). It was decided at the conclusion of the meeting that it would be best for Duarte to provide written points, which are summarized below. Since the December meeting, the cities agreed upon a site visit to better understand business operations and the physical arrangement of the property. This meeting occurred on February 3, 2022, with the owner Mike McCain, a half dozen Irwindale officials from the Public Works, Planning, and Code Enforcement Departments, and three Duarte staff representatives from Planning and Code Enforcement. It is Duarte’s desire to resume discussion on this topic after these points have been reviewed and considered by Irwindale.

CEQA & USE ISSUES**1) Incorrect and Inadequate Project Description**

Irwindale has not properly defined the project to be reviewed, therefore it fails to comply with CEQA. CEQA Guidelines defines the term “project” as “the whole of an action” that has “a potential for resulting” in a direct or reasonably foreseeable indirect physical change to the environment.

First, the business has improper storage of materials. The staff report states that the purpose of the conditional use permit is to allow outdoor storage of bulk materials and the project description describes how the site will be used if approved, including the use of bunkers to store different types of landscaping materials. The business is already operating in this manner and the staff report does not include a distinction between the current operations and the proposed. The staff report reads, “Per the IMC Subsection 17.80.030(26) all outdoor storage of building and contractor supplies shall not be permitted unless a Conditional Use Permit has been granted.” To date, Cal Blends has not operated with indoor storage of materials at this location and continues to operate without a permit allowing outdoor storage of materials. In fact, an inspection performed on February 3, 2022 (with the business owner) revealed roughly two dozen uncovered outdoor bunkers storing a variety of organic and inorganic materials

Second, the business conducts unpermitted on-site processing of materials. During our inspection on 2/3/22, the owner showed us three large tumbler machines and several different-sized tumbler cylinders. The machines, along with the specific sized tumbler cylinders, provide the ability to tumble organic and inorganic materials to specific sizes. The owner commented that from time to time his company tumbles materials to create specific-sized mixes for several customers, specifically identifying The Huntington Library and Gardens as one of those customers. This portion of the business operations has not been described in the staff report, analyzed from a use perspective, or examined environmentally. In fact, tumbling is considered a processing use and the report specifically states that there is no material processing on-site.

2) Inappropriate and Improper Existing Facilities Exemption

An existing facilities exemption was used for the project, but the facility has only been operating (unpermitted) since at least May 2020 (18 months). The previous use was a metal grandstand company (Mike Brown Grandstands). Cal Blends was operating elsewhere in Irwindale prior to 2020. The use is not existing, since the previous use is substantially different from how Cal Blends intends to operate (and is currently operating as) under the CUP. Furthermore, the environmental determination in the staff report states that the use is proposed in a location that is not an environmentally sensitive area; however the adjacent properties to the north and west are single family residential, which are sensitive uses.

3) Dust Impacts are Insufficiently Acknowledged in the Staff Report

There is a statement in the staff report which says that organic materials such as bark, woodchip, and mulch are not dust-free and odorless like other landscape materials and would be moved stored away from the residences to avoid impacts. This acknowledges impacts from organic materials. Cal Blend's website lists (and it was verified through an inspection on 2/3/22) inorganics for sale that are not mentioned in the staff report that create dust such as soil, sand, decomposed granite, pumice sand, structure fill, and soil mixes and these are the ones that are reported to be closer to the residences.

Further, material piles are permitted to be 12 feet high and 30 feet wide but are only required to be covered under windy conditions or after substantiated complaints from Code Enforcement. The owner admitted it is often windy at the location, with prevailing off-shore (southerly) winds common in the morning, and on-shore (northerly) winds in the evening. During our inspection there were no signs of tarps or other dust protection items near (or anywhere) the materials storage bunkers. The owner commented that during the last high wind event water was used to keep the dust down instead of tarps. Although Irwindale does attempt to condition the proposed CUP on the availability of water to control dust, the condition does not require spraying based on a schedule at the site. Overall, the remedies proposed by Irwindale do not appear to be strong enough to address the dust that is likely to come from these large material piles on a regular basis. Proper analysis would be required to determine what the impacts of the storage piles (and trucks with loads of materials, discussed further below) would be and what mitigation measures would be needed to reduce the impact to a less than significant level.

Additionally, the staff report indicated that the business operations plan recommends the use of tarps to cover vehicle loads prior to leaving the property under current operations, and that staff was recommending a requirement to use tarps as a condition of approval of the CUP. During our inspection, several pick-up trucks left the property with purchased materials without a tarp or other cover, and we

did not witness any employee recommend or otherwise suggest the use of a tarp to cover the vehicles' loads. When the owner was asked about this requirement, he said he did not want to pressure his customers to cover the purchased load and that he asks his employees to mention the tarp requirement. In the end, the owner says that he does not push the issue with his customers. Tarps are not provided to customers or offered for sale at the business. The City of Irwindale witnessed these occurrences and dialogue.

4) **Dust Impacts are Inadequately Analyzed in the Staff Report**

The analysis and conditions for dust mitigation that was included in the staff report needs to be revised and strengthened. For instance, the dust threshold was calculated to be below the level of significance, because the model ran for the project only made calculations for four (4) trucks per day with round trips of 96 miles using SCAQMD rule 403 (pdf page 93). There are many more than four (4) vehicles per day, and it is likely that customers are locally based and travel less than 96 miles per day. As such, the mitigation measures of locating the organics to the south of the property, moving materials when the wind is blowing south, and spraying down materials with a water truck are proposed without the benefit of proper analysis.

5) **Odor Impacts are Not Thoroughly Analyzed in the Staff Report or in the Attachments**

In general, there is no attempt to properly quantify or analyze odor impacts for this project. Finding C states that the project will not have an adverse effect on adjacent property. It acknowledges five single-family homes in Duarte, but it does not account the other residences in the vicinity. Moreover, the odor impacts related to the project occur at all times, not only when materials are moved. The staff report mentions Cal Blend using a windsock to determine when to move soil materials around on their property, which is an insufficient approach to an ever-present problem. Additionally, more information should be provided regarding the transport and storage of mulch and other organic materials onsite, including but not limited to, the location on the facility, the frequency of deliveries, and the amount of off-gasses they produce.

6) **The Traffic Analysis for the Project is Inaccurate and Insufficient**

Duarte understands that Irwindale's position is that it does not conduct detailed traffic impact analysis for "small" projects. We understand that some projects do not warrant such analysis. However, given the type of vehicles associated with the Cal Blend business, the nearby sensitive uses, and the incorrect data collection discussed herein, Duarte believes a thorough traffic analysis is required to ensure compliance with CEQA and to implement necessary mitigation.

The Traffic Analysis Reports Incorrect Data

The traffic analysis prepared for the project does not accurately account for vehicle trips generated by the use. It is reported that the use will create two (2) to four (4) trips inbound and outbound per day. It is unclear if these are trips associated with their fleet of trucks or total traffic in and out of the property. Our video monitoring from cameras at Las Lomas/Fernley show a much higher traffic volume than as stated in the report at shown in the tables below. Thus, clarification via a more thorough report is needed and mitigation measures, including off-site improvements are likely required.

Trucks Going to Cal Blends Soils					
Date and Times	Pick up empty	Pick up full	Delivery truck empty	Delivery truck full	TOTAL INBOUND VEHICLES
May 11, 2021 11:45 AM -4:41 PM	5	1	5	2	13
May 12, 2021 8 AM - 3:25 PM	4	1	5	1	11
May 13, 2021 8AM - 4:41 PM	7	1	5	1	14

Trucks Coming From Cal Blends Soils					
Date and Times	Pick up empty	Pick up full	Delivery truck empty	Delivery truck full	TOTAL OUTBOUND VEHICLES
May 11, 2021 11:45 AM -4:41 PM	3	12	3	7	25
May 12, 2021 8 AM - 3:25 PM	5	24	0	7	36
May 13, 2021 8AM - 4:41 PM	4	28	5	4	41

Failure to Analyze the Impacts to Affected Intersections

The change in use and change in traffic volumes and circulation patterns warrants an analysis of the impact to the potentially impacted intersections. These intersections include Las Lomas/Huntington and Las Lomas/Fernley. Upgrade to the traffic infrastructure may be necessary, especially when there is a much greater traffic coming in and out of the project than initially determined.

Description of Vehicles Used at the Project is Inadequate and Incomplete

The project description and analysis describe the vehicles used at the site as dump trucks, loaders, and personal vehicles; however, a series of other vehicle types were observed on the property during the 2/3/22 inspection. This included a bulldozer, street sweeper, and a water truck. Furthermore, a strange occurrence tipped the City of Duarte to Cal Blend owning at least one tractor trailer vehicle. On 2/10/22, a Cal Blend tractor trailer was observed shearing a City of Duarte fire hydrant and driving away from the scene. The Sheriff's Department confronted the owner later that day about the hit and run, and at that point the owner himself confessed to hitting the hydrant and fleeing the scene. Upon additional examination of our aerial imagery software, the evidence shows more than one type of trailer used by Cal Blend for their operations. Additionally, the trailers, and on occasion the tractor, are seen parked below the area Cal Blend indicates is "their property." The aeriels show a pattern of tire marks that indicate many vehicles, but predominantly the larger tractor trailers, turn around in what is considered the Mike Brown Grandstand portion of the property. The report should be revised to acknowledge and

analyze the use of these vehicles. The environmental study should include a full analysis of the types and numbers of vehicles both in the Cal Blend fleet in addition to the types and numbers of vehicles associated with deliveries and pick-ups from customers, suppliers, and affiliated businesses.

Further, as discussed below, because Mike Brown Grandstands is a separate business requiring separate approvals, a separate traffic analysis should be conducted for that project.

Failure to Analyze Vehicle Weight Impacts to Duarte Roadways

As part of a larger traffic impact analysis, Duarte insists that an analysis be completed regarding the impact of vehicle weights on Duarte streets be conducted. These weights should be based on an accurate description of all vehicles associated with the business, inclusive of client and visitor vehicles. Such an analysis is necessary due to pavement degradation and quality as a result of the increased traffic and large vehicle size related to the business.

Duarte would like to also suggest another potential option for access to the Cal Blend site that would significantly reduce impacts on Duarte streets. This access may be achieved via an easement through the Southern California Edison property (APN: 8604-018-800) from a driveway from Huntington Drive to the property.

7) Noise was Not Adequately Considered as an Impact

Noise-generating sources were not identified and the sound coming from them was not analyzed against established criteria. There is noisy activity occurring onsite that negatively impact sensitive nearby uses. For instance, the depositing of gravel and other rock materials into metal truck beds and the tumbling of inorganic materials are noisy activities and analysis should be provided.

8) Lack of Discussion Regarding Cumulative and Growth-Inducing Impacts

There needs to be discussion and analysis of the cumulative and growth-inducing impacts of the proposal. Environmental analyses should examine whether this project will lead to economic or population growth or encourage development or other activities that could affect the environment. Growth-inducing impact issues typically arise when a project such as this provides new or expanded facilities with sufficient capacity to serve projects other than the one analyzed, such as oversized sewer lines similar to the 8" line discussed below. Irwindale's environmental document should at the very least provide a summary of the cumulative environmental impacts expected from the sewer capacity, easement/access issues, and roadway expansion/impacts discussed below and a reasonable analysis related to these items.

Sewer Capacity

The current Mike Brown Grandstands property is served by a septic system that is currently adequate for the intensity of the businesses on that property. Irwindale desires to connect an 8" sewer line to Duarte's main sewer line in Fernley Drive. An 8" sewer line is very large and is completely oversized to simply serve a few bathrooms and perhaps a kitchen associated with a soil company business. The 8" sewer is designed to facilitate a much larger project, the likes of which has yet to be explored by the property

owners or Irwindale. The growth-inducing infrastructure proposed by the owner and Irwindale must be fully analyzed as to the potential development that can be accommodated on the properties served by such infrastructure, as would be allowed under current zoning regulations. In this respect, the environmental analysis provided for this project is woefully inadequate.

Easement and Property Access

A gate between Mount Olive Storage LLC and the Mike Brown Property (the subject property) currently exists, as shown in the location provided on Exhibit A. There has been no mention of an easement, but one is suspected of existing. This suspected easement would allow access to the Mount Olive Storage property via Las Lomas Avenue, greatly increasing the traffic adjacent to sensitive residential uses and two intersections that have yet to be analyzed. This purported access has the potential of tremendous growth-inducing impacts that have yet to be considered by the applicant or the City.

9) Mike Brown Grandstands is a Separate Business Requiring Separate Permit Approvals

The report states that Mike Brown Grandstands must obtain a CUP due to the intensification of the site to allow for Cal Blend Soils to operate; however, there is no business description or analysis of the grandstand business. Also, there is no discussion regarding how these two uses will coordinate to use the same property or what combined impacts the two uses could have when the property is reviewed as a whole. The findings in the analysis section only discuss Cal Blend Soils operation. The grandstands business is a separate use and requires its own use permit. One conditional use permit cannot cover two separate businesses that are different uses that happen to share the same property.

- 10) To address the concerns for potential impacts included with this letter, a separate Initial Study should be prepared with a Mitigated Negative Declaration environmental document for Mike Brown Grandstands.

Simply put, the information provided by the applicant for his business operations has not been fully disclosed, which means a proper environmental analysis cannot be conducted until the applicant is up-front and honest about the business and how it operates. Further, the additional impacts from the Mike Brown Grandstands business and the potential growth inducing impacts from the access/easements from Mt. Olive Storage onto Las Lomas Road need to be analyzed. Based upon these factors, the City of Duarte is requesting an accurate and comprehensive environmental analysis of the abovementioned items before allowing this business to proceed in the entitlement process.

In sum, because Cal Blend Soils has not provided adequate information to conduct a proper environmental analysis and because it has been operating without a valid land use permit pursuant to City of Irwindale requirements, the City of Duarte believes the business should not be in operation. Such operation, which has been going on for nearly two years, is not only in violation of Irwindale's municipal code but also the California Environmental Quality Act. The continued operation of this business without the proper permitting is no different from a bar operating without a liquor license.

However, in an effort to arrive at a mutually agreeable result that allows Cal Blend Soil to continue operating, Duarte requests that Irwindale and the business owner immediately begin proper and thorough review and analysis of the items above and work collaboratively with Duarte on such matters to ensure the public health and safety of both Duarte and Irwindale residents.

Sincerely,

A handwritten signature in black ink, appearing to read 'Nick Baldwin', with a stylized flourish at the end.

Nick Baldwin
Associate Planner
City of Duarte

EXHIBIT "G"

Mount Olive Storage LLC
1500 Crestfield Avenue
Duarte, California 91010-2255

April 11, 2022

Planning Commission
City of Irwindale
5050 North Irwindale Avenue
Irwindale, California 91706-2133

CITY OF IRWINDALE
COMMUNITY DEVELOPMENT

APR 13 2022

RECEIVED

Re: CUP No. 02-2021
1399 Las Lomas Avenue
Irwindale, CA
Michael McKain, Cal Blend Soils, Inc.

Att: Marilyn Simpson, AICP

Dear Ms. Simpson,

We understand that Mr. Michael Brown, the proprietor of land adjoining our land in Irwindale, just North of the 210 Freeway, is applying for a Conditional Use Permit (CUP) to operate and maintain a retail land soils business, presently not a permitted use under the City of Irwindale's M-2 zoning classification which applies to Mr. Brown's land.

As you know, Mount Olive Storage LLC ("Mount Olive") has continued to operate an indoor and outdoor storage facility, now pursuant to the CUP the City of Irwindale issued to Mount Olive in 2006.

We have the following concerns regarding the proposed retail land soils business the Brown/Cal Blend Soils proposes to carry on at the subject property.

1. Our principal concern is that rainwater drainage from the subject property is likely to increase when the City of Irwindale accomplishes the street improvements on Las Lomas Avenue, south of Huntington Boulevard. We believe these street improvements have been agreed upon by the City of Irwindale and Mr. Brown and that Mr. Brown has posted a six-figure bond to guarantee the construction of these street improvements. These street improvements should be

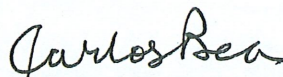
required to facilitate the increased trucking usage of Las Lomas Avenue which the Cal Blend Soils operation will require. Brown/Cal Blend Soils CUP application envisions the construction and use of soils materials bays on the East and West sides of the property. These street improvements should include adequate, engineered street drainage provisions on Las Lomas Avenue, North of the subject property.

2. Both the present drainage and the increased drainage present the danger that materials brought onto the property through the operations of Cal Blend Soils (mulch, fertilizer, and other chemical components) will drain onto the Mount Olive property.

We suggest that the City of Irwindale require, as a condition of granting of the CUP, basins and piping to public water reception installations South of the subject property, in the street improvements North of the subject property. Further, berms and other drainage retention devices should be required to be placed on the subject property to prevent drainage, including drainage which contains materials brought onto the subject property, onto the Mount Olive property to the West of the subject property.

These suggestions are in addition to other conditions that the City of Irwindale may require, as it did for the Mount Olive 2006 CUP (beautification trees, paint colors, etc.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Carlos Bea".

Carlos T. Bea
Manager
Mount Olive Storage LLC

EXHIBIT "H"

April 18, 2022

CITY OF IRWINDALE
COMMUNITY DEVELOPMENT

APR 18 2022

Mr. Mario Romero
mromero@Irwindale.gov
City of Irwindale
5050 North Irwindale Avenue
Irwindale, California 91706-2133

RECEIVED

Re: 1399 Las Lomas Road
CUP 02-2021

Dear Sir:

Exhibit "F" to the Application for CUP dated March 1, 2022 and received by Irwindale March 2022, recites, at pages 174/177:

"Easement and Property Access. A gate between Mount Olive Storage LLC and the Mike Brown Property (the subject property) currently exists, as shown in the location proved on Exhibit A. There has been no mention of an easement, but one is suspected of existing. This suspected easement would allow access to the Mount Olive Storage property via Las Lomas Avenue..."

There is indeed such an easement. It was granted and recorded with the Recorder of the County of Los Angeles in 1954. I reproduce it below.

TOGETHER WITH:

(a) An unlimited and perpetual easement for ingress and egress for automobiles, trucks and other vehicles, and pedestrians and utilities and other right of way purposes over that portion of Lot 107, Tract 16333, in the City of Irwindale, County of Los Angeles, State of California, as per map recorded in Book 382 Pages 20 and 21 of Maps, in the office of the County Recorder of said County, 30 feet wide, bounded on the Northwest by the Northwesterly line of said Lot 107; bounded on the Southeast by a line parallel with and distant 30 feet, measured at right angles from said Northwesterly line of said Lot 107, bounded on the North the Southerly line of Crownhaven Drive, 54 feet wide, as shown on the

map of said Tract 16333; and bounded on the South by a line parallel with and distance 180 feet Southerly from the Northerly line of Section 32 in the Subdivision of the Rancho Azusa de Duarte, as per map recorded in Book 6 Pages 80 to 82 inclusive of Miscellaneous Records of said County.

(Recorded Dec. 15, 1971, Document 3273, L.A. County Recorder)

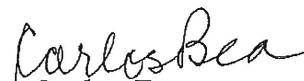
The Site plan prepared by Agapito Fernandez, dated 1-27-2020, sheet 2/2 shows an entrance to the Mike Brown property to be operated by Cal Blend Soils as twenty feet wide (20'). That entrance is too narrow, for two reasons:

1. The stated easement held by Mount Olive Storage LLC is thirty feet wide (30').
2. Access for fire trucks to provide service needs to be 30' wide.

The easement is in use by Mount Olive Storage LLC.

The easement constitutes still another reason for scrupulous adherence to the requirements of the Mike Brown-City of Irwindale agreement (circa 2005) for improvements of Las Lomas Road, including compliance with L.A. County requirements for drainage and flood control measurements and installations.

Very truly yours,


Carlos Bea

Manager, Mount Olive Storage LLC

cc: Nick Baldwin, Associate Planner/Duarte (nbaldwin@accessduarte.com)
Jesus J. Hernandez (jjhernandez@irwindale.gov)
Thai V. Phan, Associate at Rutan & Tucker (tphan@rutan.com)

EXHIBIT "I"

Dave Sorem, P.E.
Dave Sorem, LLC
3182 Quail Run Road
Rossmoor, CA 90720

April 18, 2022

**CITY OF IRWINDALE
COMMUNITY DEVELOPMENT**

APR 19 2022

Planning Commission
City of Irwindale
5050 North Irwindale Avenue
Irwindale, CA 91706-2133

RECEIVED

REF: CUP No. 02-2021, 1399 LAS LOMAS AVE., IRWINDALE, CA, CAL BLEND SOILS, INC

ATT: Marilyn Simpson, AICP

Ms. Simpson:

Mount Olive Storage, LLC. has retained my services to address issues concerning the CUP No. 02-2021. Specifically, the stormwater runoff from Los Lomas Road onto the subject property. On page 19 of 177 Items 11 and 16 identify that all storm drains shall be designed and constructed in accordance with the State, County and City standards so that it will comply with the National Pollutant Discharge Elimination System.

Page 33 of 177, Figure 3 (Site Plan) identifies the proposed drainage pattern of the stormwater runoff through 1399 Las Lomas Road. The stormwater runoff of Las Lomas Road flows parallel to the Westerly Property Line of Cal Blend Soils, Inc. and adjacent to Mount Olive Storage. The site plan does not show any stormwater runoff crossing the property line onto Mount Olive Storage. The site plan does show a future landscape area on this property line and lacks any indication of elevation or width. A section of this does interfere with a 75' access easement to Mount Olive Storage. We request that the drainage and access issues be addressed prior to the approval of the CUP.

In addition to the drainage issue at the Northeastern edge of the property we request a copy of the calculations for the design of the 42' X 57' infiltration basin to further guarantee that no stormwater runoff will cross the common property line of Cal Blends Soils, Inc. and Mount Olive Storage.

Please contact me if you should have any questions or concerns.

Sincerely,

Dave Sorem, P.E.
Dave Sorem, LLC.
3182 Quail Run Road
Rossmoor, CA 90720
(626) 705-0528

EXHIBIT "J"

CITY OF IRWINDALE
COMMUNITY DEVELOPMENT

April 20, 2022

APR 20 2022

RECEIVED

VIA E-MAIL

Irwindale Planning Commission
Irwindale City Hall
5050 N. Irwindale Ave.
Irwindale, CA 91706

jhernandez@irwindaleca.gov

Re: Objection to Agenda Item 3-A Conditional Use Permit No. 02-2021

Dear Honorable Chair Gomez, Vice-Chair Burrola, and Planning Commissioners:

As you know, Rutan & Tucker, LLP represents the City of Duarte ("Duarte") in the capacity of City Attorney. I am, once again, writing to you on behalf of Duarte to raise serious concerns regarding Agenda Item 3-A involving Conditional Use Permit No. 02-2021 ("Project") for Cal Blend Soils and to ask the Planning Commission to continue this item and require adequate review, analysis, and collaboration with Duarte and community members in compliance with the California Environmental Quality Act ("CEQA").

Although we appreciate staff's attempt to address some of our concerns raised in previous letters and meetings, the staff report and accompanying exhibits continue to be severely deficient and require additional environmental review and analysis. At the very least, Duarte believes that this Project requires a Mitigated Negative Declaration in order to comply with CEQA mandates.

We urge the Planning Commission not to approve this Project without first fully complying with CEQA.

I. BACKGROUND AND HISTORY

As an initial matter, on page 7 of the staff report, there are several misinterpretations of Duarte staffs' analysis, position, and statements related to the Project that must be clarified. As the staff report is part of the administrative record, Duarte believes it is important to accurately portray the opinions of our staff as it relates to the City of Irwindale's ("Irwindale") claims.

The first misrepresentation relates to the conference call on December 14, 2021, in which the staff report claims Duarte had yet to inspect the site and that many of our concerns were purely speculative. Although Duarte staff had not been to the site at this time, it is common professional courtesy that site inspections for projects outside of our city be coordinated by the City staff who has jurisdiction over the project at issue. Duarte staff, in fact, had to request an inspection and did so as to not overstep our bounds of inspecting the Project without Irwindale's knowledge or

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potential involvement. Duarte was not speculative in our judgement about many of the issues related to Cal Blend Soils.

Before December 14, 2021, Duarte initiated the placement of cameras at the intersection of Maynard Drive and Las Lomas Road to record traffic volumes associated with the Project. Duarte elected to record traffic volumes because of the severe underestimation of traffic volumes provided in the original Irwindale staff report, which was both unbelievable and against observations gathered by Duarte staff. At the conclusion of the surveillance, the video footage demonstrated a substantial undercounting of traffic related to the use, in addition to the movement of uncovered bulk stored organic and inorganic materials (in both personal vehicles and from large Cal Blend Soils fleet vehicles) from the property.

As such, it was Irwindale that seemed to have speculated the traffic volume and type of use at the property, given the erroneous traffic volumes stated Cal Blend Soils was selling bulk (non-bagged) materials from outdoor concrete bunkers in violation of the Irwindale Municipal Code, and need for the conditional use permit at issue.

The second incorrect claim in the staff report is that Duarte staff “appeared satisfied” with the outcome of the inspection that occurred on February 3, 2022. This is a completely inaccurate assessment of the events of that day. What occurred during the site inspection was much different. After the inspection of the site, Irwindale staff, the Cal Blend Soils owner Mike McKain, and Duarte staff met to conclude the site visit and discuss future steps. Duarte Planning Manager Jason Golding started the discussion by stating Duarte staff continued to have concerns about the Project and that Duarte was requesting Irwindale provide additional time for Duarte to provide comments. Duarte wanted to provide comments because staff had made observations that resulted in additional questions and concerns. Duarte staff asked that Irwindale extend the timing of the consideration of the conditional use permit to allow Duarte to produce a subsequent letter and Irwindale respond to the comments. Mr. Golding was immediately told by Irwindale Planning staff that the Cal Blend Soils item was going to be placed on the next Irwindale Planning Commission agenda on February 16, 2022—less than two weeks from the date of the site inspection.

Duarte staff was in no way satisfied, but rather professionally insulted by the fact that Irwindale staff made it clear at this point they had no intent of receiving or responding to additional questions raised previously, nor were they interested in subsequent questions that Duarte planned on raising based upon new information gleaned from the inspection.

Given the mischaracterization of the site visit and its results, this clarification was provided to ensure that the Planning Commission is aware of the numerous issues that still exist and must be addressed prior to moving forward with approval of the Project.

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II. ENVIRONMENTAL REVIEW

A. Incorrect and Inadequate Project Description

The staff report does not sufficiently describe the Project. The Project description does not adequately discuss the fact that Cal Blend Soils is operating illegally and has done so for almost two years. The report states that Cal Blend Soils operated at a different location and required a conditional use permit for outdoor storage. The Project description should be revised to correctly identify the fact that Cal Blend Soils is illegally operating without a required permit at this location.

The report also does not discuss the fact that Cal Blend Soils does not merely sell bulk “finished product” as asserted, but that some of its products are mixed on-site prior to selling. Cal Blend Soils further uses a screener machine to mix and filter materials to make custom blends for specific customers, which the owner of Cal Blend Soils himself confirmed to Duarte staff during the February 3, 2022, site visit. Cal Blend Soils sorts by hand some materials it receives in order to remove unwanted debris. These operations were improperly omitted from the project description.

Additionally, the Project description does not contain a proper discussion of Mike Brown Grandstands and how such operations impact Cal Blend Soils. Without this information, the cumulative impacts of the property cannot be determined and appropriate conditions of approval for the use cannot be included in the resolution.

Further, the Project fails to recognize a large easement which encumbers the property for the benefit of Mount Olive Storage LLC, as evidenced by the April 18, 2022, letter from Carlos Bea to Mario Romero. The Mount Olive Storage LLC property is over 20 acres large and currently operates as self-storage. This large easement greatly affects the Project, how it is constructed, and its future uses.

B. The Existing Facilities Exemption Does Not Apply

Irwindale is relying on the existing facilities exemption to avoid a proper CEQA analysis, but such reliance is inappropriate. As the staff report indicated, the existing facility is Mike Brown Grandstands, which stores staging and bleacher equipment. Cal Blend Soils is a wholly different business and use, with significant *new* outdoor storage of landscaping materials, *new* increased truck and vehicle traffic, and *new* production of dust, odor, and noise.

“Existing Facilities” as defined in Section 15301 of Title 14 of the California Code of Regulations, consist “of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving *negligible or no expansion* of existing or former use.” Section

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15301 goes on to provide some examples of considerations as to whether a project is an “existing facility,” including “Interior or exterior alterations involving such things as interior partitions, plumbing, and electrical conveyances,” “Restoration or rehabilitation of deteriorated or damaged structures, facilities, or mechanical equipment to meet current standards of public health and safety, unless it is determined that the damage was substantial and resulted from an environmental hazard such as earthquake, landslide, or flood,” and “New copy on existing on and off-premise signs.”

Here, Cal Blend Soils is a use completely unrelated to the existing use on the property. Mike Brown Grandstands did not use concrete bunkers for storage of its staging equipment. Mike Brown Grandstands did not sell landscaping material. Mike Brown Grandstands did not mix or prepare landscaping material. Irwindale acknowledges that the Cal Blend Soils use is entirely different from the Mike Brown Grandstands use, which is why Irwindale is requiring a conditional use permit. In fact, Cal Blend Soils operated at a different location and required a conditional use permit for outdoor storage. Yet, despite acknowledging such a significant change and major expansion of use, it is relying on the existing facilities exemption under CEQA to avoid a full and adequate environmental review.

Such reliance is also troubling as Cal Blend Soils has been operating illegally for almost two years—without permits or other approvals. If such illegal operation were the basis for an “existing facility,” such exemption under CEQA would bear no meaning.

III. CUMULATIVE IMPACTS

In addition to the improper reliance on the existing facilities exemption, the staff report fails to analyze cumulative impacts as a result of this Project.

Section 15355 of Title 14 of the California Code of Regulations defines “cumulative impacts” as “two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts. The individual effects may be changes resulting from a single project or a number of separate projects. The cumulative impact from several projects is the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time.”

Irwindale has conducted further review of the traffic that is generated by the current business, but fails to analyze how approval of the Project would expand and create further impacts.

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The Mount Olive Storage LLC easement indicates that improvements pursuant to the Project, such as the paving improvements, would help to foster future development on the property and/or on the Mount Olive Storage LLC property.

Further, even with the suggested truck route provided by Cal Blend Soils, cumulative impacts on Duarte streets would occur. The truck route is not mandatory and although it could potentially alleviate stress on residential streets, it does not alleviate stress on Las Lomas Road or the intersection at Las Lomas Road and Huntington Drive (the “Intersection”). There has been no traffic impact analysis and how the use from the Project would contribute to the deterioration of Duarte roads and the Intersection. The use of the vehicles, including large trucks, a bulldozer, a street sweeper, a water truck, and a tractor trailer—all of which were improperly omitted from the traffic discussion in the staff report—by the currently illegally operating Cal Blend Soils has and continues to deteriorate Las Lomas Road and affect the Intersection, creating traffic and potentially resulting in accidents. In fact, one such accident was recorded by Duarte when the owner of Cal Blend Soils drove a tractor trailer (which was not disclosed as part of their fleet of vehicles) and hit a Duarte fire hydrant and left the scene of the accident. Such impacts, which would foreseeably be compounded with the likely future development of Mount Olive Storage LLC’s property, would have significant and potentially dangerous impacts on Las Lomas Road and the Intersection, requiring mitigation. The improvements to the Irwindale portions of Las Lomas Road would only further induce development, adding onto the cumulative impacts of this Project.

Additionally, the staff report completely fails to discuss traffic impacts at the intersection at Maynard Drive and Las Lomas Road. This intersection has a southbound through lane (no traffic control), a northbound stop control, and an eastbound yield control. The introduction of significantly more additional vehicles from both Cal Blend Soils, and other potential traffic impacts generated by adjacent cumulative projects, has yet to be analyzed. There are potentially significant traffic impacts generated from uses in Irwindale that necessitate the need for further analysis of this secondary intersection.

Finally, it should be stressed that analysis of traffic impacts should be for all streets affected by the Project, not just Irwindale streets. This is important to ensure a full and complete picture of the impacts and the mitigation necessary under CEQA.

IV. DUST AND ODOR

Analysis of dust and odor impacts are still incomplete. The few requirements added to the conditions of approval by Irwindale do not address the core of the issue, which is the lack of standards and metrics to trigger mitigation measures. In this case, the Project is to use a windsock to determine when there are high winds requiring the storage bunkers to be covered and/or to indicate when transfer of material should be avoided. However, this is not an adequate metric. A windsock can indicate the direction of the wind, but not necessarily how strong it is blowing. In

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fact, there is no discussion whatsoever of the point in which additional measures must be taken to avoid further dust and odor impacts on neighboring communities even with the use of the windsock. How fast must the wind blow before Cal Blend Soils must use additional on-site water and cover materials for the bunkers? Is it 20 miles per hour? 40? Further, are the mitigation measures only used if the windsock is blowing west, facing the residential neighborhoods or will they be used any time the windsock is blowing? None of these items are clear because no analysis has been done to indicate what wind speed requires what mitigation measures.

Additionally, a new condition of approval is to limit the height of the piles of materials in each concrete bunker to 12 feet. However, there is no analysis as to how this number was selected or how effective it would be at mitigating dust and odor runoff to nearby sensitive receptors.

Moreover, the windsock cannot detect high levels of odor or when coverage of materials may be necessary to avoid odor issues in the residential neighborhood. Although the staff report claims there will be little to no odor emanating from the Project, there is again, no actual analysis that this is the case.

Thus, no adequate analysis of dust and odor impacts was conducted.

V. NOISE

Duarte is appreciative of the noise analysis that Irwindale conducted, but finds that it is incomplete and inadequate. In particular, noise was recorded and measured but no details were provided regarding the use of the onsite material screener or wheeled loaders. When Irwindale recorded the noise coming off the operation of the screener, was the screener run without any material? Was it screening rock or mulch? The staff report does not clarify. Similarly, the noise related to loading trucks was not clearly identified as related solely to truck movement, loading of gravel, or loading of other materials. The types of materials used would greatly affect the sound produced. Thus, a detailed analysis of these issues must be addressed.

VI. COMMENTS REGARDING THE RESOLUTION

Due to the inadequate report and environmental review, concerns must also be raised regarding the resolution approving the Project and its conditions of approval.

A. General Condition 1

The grandstands use was not adequately described or analyzed as part of this Project and should be not part of this condition.



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B. Community Development 6

Processing of materials is part of the current business operations. Please clarify if the mixing and sorting that currently occurs will be prohibited by this condition of approval.

C. Community Development 7

The screener machine is being used to make *new* finished products for sale. Please clarify if its use will be discontinued.

D. Community Development 21

The Mike Brown Grandstands use was not adequately described nor analyzed. This condition will be appropriate once the staff report is revised to address this deficiency.

VII. CONCLUSION

The City of Duarte is not opposing this Project merely because of the type of use. We are merely asking the City of Irwindale to carry out its duty as the lead agency for CEQA purposes and conduct an adequate environmental analysis and provide proper mitigation measures to address the environmental and safety concerns raised. We are asking to work collaboratively, and to come to a mutually agreeable solution for all involved.

Should you have any questions or concerns regarding this matter, please do not hesitate to contact me at tphan@rutan.com or (714) 338-1825.

Very truly yours,

RUTAN & TUCKER, LLP

Thai Viet Phan
 City Attorney

TVP

cc: Marilyn Simpson, Community Development Director
 Adrian Guerra, Irwindale City Attorney
 Craig Hensley, Duarte Community Development Director



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



Date: May 18, 2022 **Agenda Item No. 3-B**

To: Honorable Chair and Members of the Planning Commission

From: Marilyn Simpson, AICP, Community Development Director

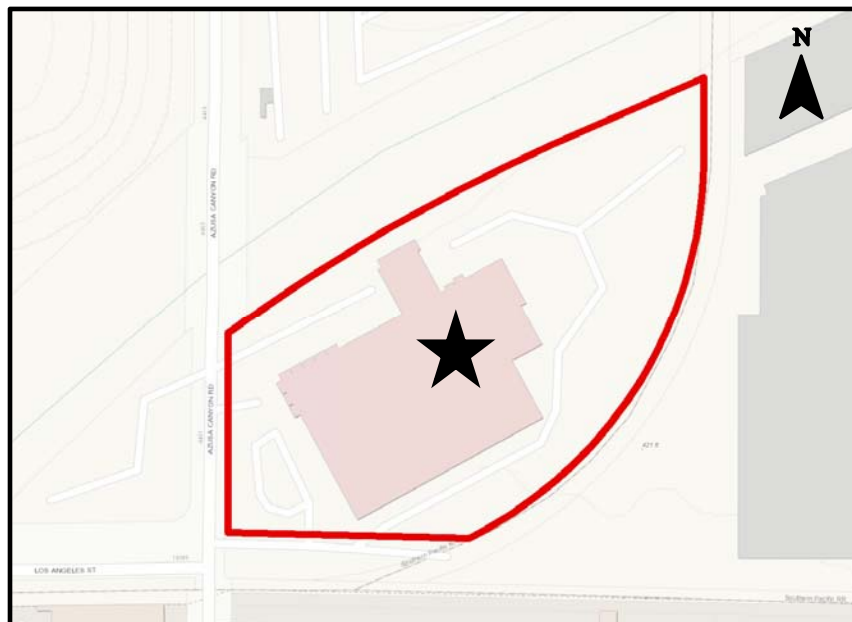
Project Planner: Brandi Jones, Senior Planner
Lisa Chou, Associate Planner

Project: Site Plan & Design Review (DA) No. 04-2020
Speculative 129,830 Square-Foot Concrete Tilt-Up Building

Applicant: Michael Ramirez, Rexford Industrial Realty, LLC

Property Owner: Rexford Industrial Realty, LLC

Project Location: 4416 Azusa Canyon Road (APN: 8417-004-006)



Map Date May 2022
Source: ESRI, City of Irwindale

Staff Recommendation: That the Planning Commission:

1) Adopt Resolution No 813(22) entitled “A Resolution of the Planning Commission of the City of Irwindale, Recommending that the City Council adopt the Mitigated Negative Declaration (MND) and Mitigation Monitoring and Reporting Program (MMRP) for the Construction of one (1) Speculative Industrial Tilt-Up Building Totaling ±129,830 Square Feet For Property Located at 4416 Azusa Canyon Road, Irwindale, CA 91706 (APN: 8417-004-006) in the M-1 (Light Manufacturing) Zone and Making Certain Findings of Fact, Pursuant to the California Environmental Quality Act

2) Adopt Resolution No. 814(22) entitled, “A Resolution of the Planning Commission of the City of Irwindale Recommending that the City Council approve Site Plan and Design Review (DA) No. 04-2020) for the Construction of one (1) Speculative Industrial Tilt-Up Building Totaling ±129,830 Square Feet For Property Located at 4416 Azusa Canyon Road, Irwindale, CA 91706 (APN: 8417-004-006) in the M-1 (Light Manufacturing) Zone and Making Certain Findings of Fact; subject to the City Council adoption of the MND and MMRP and subject to the attached Conditions of Approval.

REQUEST

The Applicant is requesting a Site Plan and Design Review (DA) for the construction of a ±129,830 square-foot concrete tilt-up building and associated parking located at 4416 Azusa Canyon Road, within the City of Irwindale.

BACKGROUND/HISTORY

Based on a review of historical information, the project site appears to have been used as an orchard from at least 1928 until around 1952, when the site became vacant. The current main building was constructed in 1956 and was used by PepsiCo as a bottling plant. The site is presently developed with one building of approximately 62,713 square feet in the western half of the site, a large metal shed north of the building, and a loading dock and large truck yard on the eastern portion of the site (LACOA 2021). The building is a single-story structure of concrete tilt-up construction on a concrete slab floor. The bottling plant ceased operation in December 2020 and the site has remained vacant.

On February 16, 2022, the Planning Commission conducted a duly noticed public hearing, closed the public hearing, and requested staff to provide more information on the traffic study and continued the meeting to a date uncertain. The transportation analysis from the technical appendices of the Mitigated Negative Declaration (MND) was routed to the Commissioners on February 17, 2022. The Commissioners also inquired about the difference between the preparation of the MND for the project instead of an Environmental Impact Report (EIR). In addition, the applicant team has taken Commissioner feedback from the February 16, 2022 public hearing and proposed some design changes. The full report, as presented during the February 16, 2022 Planning Commission meeting, is available on the project’s dedicated webpage of the City website and attached as Exhibit “E”. On March 16, 2022, the Planning Commission hearing was cancelled.

GENERAL PLAN AND ZONING

The site is designated in the General Plan as Industrial/Business Park. The property is currently zoned M-1 (Light Manufacturing). The following zones and uses surround the site:

Direction	Existing Land Use	Zoning District
North	Industrial Businesses	M-2, Heavy Manufacturing
South	Industrial Businesses	M-2, Heavy Manufacturing
East	Industrial Businesses	M-2, Heavy Manufacturing
West	Public Works Yard & Olive Pit	M-1, Light Manufacturing & Q, Quarry

ENVIRONMENTAL REVIEW

In accordance with the California Environmental Quality Act, the City of Irwindale prepared an Initial Study to determine whether the proposed project may have a significant adverse effect on the environment. Based on the Initial Study and subsequent analysis, staff, based on a determination and recommendation by environmental consultants PlaceWorks and Urban Crossroads, has determined that the project as proposed qualifies for a Mitigated Negative Declaration according to the California Environmental Quality Act (CEQA), pursuant to Section 15074 of the CEQA Guidelines.

Specifically, the impacts of the proposed project would be mitigated to less-than-significant levels with the implementation of the Mitigation Measures for the following areas:

- Air Quality
- Cultural Resources
- Geology and Soils
- Hazards and Hazardous Materials
- Transportation
- Tribal Cultural Resources
- Mandatory Findings of Significance

The Initial Study, Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program are on file in the Community Development Department/Planning Division, City Hall and the Irwindale Public Library. The IS/MND (Exhibit “E”) was posted and circulated for the required thirty (30) days for public review and comments (December 21, 2021 through January 19, 2022). (A copy of the above referenced documents are posted on the City’s website at <https://www.irwindaleca.gov/575/4416-Azusa-Canyon-Road>).

The specific details of the mitigation methods are included in the Mitigation Monitoring and Report Program (MMRP).

A total of four (4) letters were received during the comment period. These comments were provided by: State of California Department of Transportation (Caltrans), Los Angeles County Sanitation District, Lozeau Drury, LLP and Teamsters Local Union No. 396. The

comment letters and responses to comments have been included in the MND. Two additional letters from Lozeau Drury, LLP were received after the comment period on February 16, 2022 and March 16, 2022.

Additionally, PlaceWorks and Urban Crossroads, the environmental consultants that prepared the MND and MMRP for the project, have prepared detailed responses (Exhibit “F” and Exhibit “G”) to the letters dated February 16, 2022 and March 16, 2022 from Lozeau Drury, LLP. The letters assert that the IS/MND does not adequately analyze and mitigate air quality, greenhouse gas, hazards and hazardous materials, and transportation impacts and requests the preparation of an EIR.

The responses prepared by PlaceWorks address each area of concern to fully disclose potential environmental impacts and mitigation measures, which reduces impacts to less than significant levels. It is the professional assessment and recommendation of PlaceWorks that an EIR is not required for this project. PlaceWorks has thoroughly analyzed the project and potential impacts and has determined that the Mitigation Measures and Conditions of Approval will avoid impacts to a point where no significant impacts on the environment would occur, therefore a Mitigated Negative Declaration was prepared for the project.

Transportation

Pursuant to City Council Resolution No. 2020-53-3163, wherein the City Council of the City of Irwindale adopted “Vehicle Miles Traveled” thresholds of significance for purposes of analyzing transportation impacts under CEQA Guidelines section 15064.3, Urban Crossroads conducted a transportation analysis as part of the analysis of the project within the MND. CEQA Guidelines Section 15064.3 identifies vehicle miles traveled (“VMT”) — meaning the amount and distance of automobile travel attributable to a project — as the most appropriate metric to evaluate a project's transportation impacts.

Pursuant to the Office of Planning and Research (“OPR”) Technical Advisory on Evaluating Transportation Impacts in CEQA, absent substantial evidence indicating that a project would generate a potentially significant level of VMT, or inconsistency with a general plan, projects that generate or attract fewer than 110 trips per day generally may be assumed to cause a less-than-significant transportation impact. The Project was analyzed to generate or attract fewer than 110 trips per day, thus VMT analysis was screened out due to a presumption of less than significant impacts.

However, the City of Irwindale’s Policy Guidelines for Traffic Impact Reports requires that projects undergo a Level of Service (“LOS”) analysis. Urban Crossroads estimated vehicle trips based on data from the ITE (Institute of Transportation Engineers) Trip Generation Manual, a nationally recognized source for estimating land use-specific trip generation, which is listed as a fundamental requirement within the City’s Policy Guidelines for Traffic Impact Reports. To account for the effects of truck traffic in the traffic analyses, vehicle mix data from the City of Fontana Truck Trip Generation Study was utilized to generate estimated truck trips.

The transportation analysis report found that improvements were needed at two intersections—Azusa Canyon Road/Los Angeles Street and Azusa Canyon Road/Arrow Highway—to provide an acceptable level of service at these locations. The recommendations and conditions of approval include contributions on a fair-share basis to address existing deficient operations (see Appendix I). The proposed signal control improvement at Azusa Canyon Road/Arrow Highway is based on the Project's fair share of impacts, calculated to be 9%, with the Applicant agreeing to contribute \$550,000 to the new traffic signal. The Project is estimated to impact the Azusa Canyon Road/Arrow Highway intersection on a fair share basis of 2%, with the Applicant agreeing to contribute its fair share amount to the lane configuration and traffic signal phasing modification improvement. It is the professional assessment and recommendation of Urban Crossroads that these mitigation measures will reduce any impacts to less than significant levels and will significantly improve the existing levels of service at the intersections. These improvement requirements are incorporated in the Conditions of Approval.

Additionally, a project Condition of Approval requires that any proposed tenant(s) provide a site-specific trip generation technical memo demonstrating that the business will not exceed the maximum limit of allowable trips as studied by the transportation analysis. The condition also states that the City will regularly and continually monitor the actual trips generated by the project and enforce the maximum limit of allowable trips. The owner/applicant shall be solely responsible for all costs related to analyses, peer review, monitoring and enforcement.

Staff has been informed that Rexford Industrial Realty has been granted an ingress-egress easement for a portion of the property directly adjacent to the Project by Lansford Development, owners and operators of the onsite business Decore-rative Specialties, as well as owners of the property at 4414 Azusa Canyon Road, known as Assessor's Parcel No. 8417-004-007.

The easement is 63.5 feet wide having the north line of the easement adjoining the south line of Assessor's Parcel 8417-004-006. The easement begins at the easterly right-of-way of Azusa Canyon Road and terminates easterly at the curve on the westerly rail road right-of-way, identified as Assessor's Parcel 8417-004-907.

At the time of this report, Staff has been informed that Rexford and Lansford Development have entered into an agreement regarding ingress and egress at the Project site and for construction of the proposed project improvements. Staff and the City Attorney's office will review the agreement once provided by the Applicant, and will advise the Planning Commission and supplement the staff report at the meeting as necessary.

SITE PLAN AND DESIGN REVIEW

Pursuant to the provisions of Chapter 17.70 (Site Plan and Design Review) of the Irwindale Municipal Code (IMC), "No person shall construct any building or structure or make structural and physical improvements, additions, extensions and/or exterior alterations, and no permit shall be issued for such construction until the site plan and design review has been submitted to, reviewed by, and approved in accordance with this

chapter. The property may only be developed, used and maintained in accordance with the approved site plan and design review.”

Development Standards

Development Standard	Minimum Requirement	Project Proposal
Front Yard Setback	20'-0"	69'-0" – 105'-0"
Side Yard Setback	20'-0"	25'-0" – 160'-0"
Rear Yard Setback	N/A	48'-5" – 108'-11"
Floor Area Ratio (F.A.R.)	1.0:1.0	0.52:1.0
Building Height¹	35'-0"	39'-0"
Landscaping	10%	11%
Parking	116	123
Truck/Trailer Parking	N/A	N/A

Project Description

The proposed project is for the construction of a ±129,830 square-foot speculative concrete tilt-up building and associated passenger vehicle parking. The building consists of ±9,160 square feet of office, ±17,000 square feet of manufacturing and ±103,670 square feet of warehousing. The property has a gross square footage of 256,664 square feet (5.89 acres) and a net square footage of 251,096 square feet (5.76 acres). There is a required street dedication (Exhibit “D”) along Azusa Canyon Road of 5,568 square feet (0.13 acres). At this time, there is no prospective user.

Tribal Consultation

On May 10, 2021, the following tribes were notified pursuant to AB 52:

Gabrieleno Band of Mission Indians–Kizh Nation
 Gabrieleno/Tongva San Gabriel Band of Mission Indians
 Gabrielino/Tongva Nation
 Gabrielino/Tongva Indians of California Tribal Council
 Gabrielino-Tongva Tribe
 Santa Rosa Band of Cahuilla Indians
 Soboba Band of Luiseno Indians

Three (3) responses were received. The Gabrielino/Tongva Indians of California Tribal Council requested that the tribe be notified if prehistoric materials or burial remains are found during construction. If burial remains are found, the tribe wants to engage in formal consultation. The Gabrieleno Band of Mission Indians–Kizh Nation provided tribal archive information identifying the high cultural sensitivity of the project site. To avoid impacting or destroying tribal cultural resources that may be inadvertently unearthed during the project's ground disturbing activities the tribe provided the City with measures to mitigate

¹ Per IMC Subsection 17.08.085 “Building Height” means the vertical distance from the finished grade of the lot to the highest average point of the building or structure.

or avoid a significant effect on tribal cultural resources. The Santa Rosa Band of Cahuilla Indians responded that the tribe did not have any comments.

Building Design/Design Guidelines

The proposed project is a single-story building located on the former PepsiCo Bottling plant. The proposed tilt-up building incorporates many of the desired design elements from the Commercial and Industrial Design Guidelines. The layout, landscaping and design of the site also incorporated encouraged design principles. For example, the use of an authentic period style compatible with City context, new buildings that draw upon the fundamental characteristics of existing buildings in the City, façade depth of plans and variations on all sides, including varied rooflines, berms, meandering sidewalks and multi-layered landscaping.

The building incorporates tower elements as focal points and breaks up the expansive exterior walls with architectural projections and details around the windows. The vertical and horizontal reveals, arched windows and multi-color palette also work to add depth and character to the building. The design is similar to many of the recently approved developments, which have been designed to closely adhere to the guidelines, while maintaining function and aesthetic uniqueness.

Design Enhancements

Based on feedback from the Planning Commissioners, the Applicant team revisited the designs for the sidewalk and water fountain. A meandering sidewalk along Azusa Canyon Road is now incorporated in the updated site plan. The Applicant is also proposing a “Welcome to Irwindale” sign on the water fountain on the corner of Azusa Canyon Road and Los Angeles Street. A revised site plan and detail of the water fountain has been included in the project plans and attached to this report as Exhibit “C”.

Operation

The prospective use is currently unknown but there are many potential uses that are permitted by right due to the current zoning designation. However, certain uses would not be allowed or would be subject to a Conditional Use Permit. These uses would require Planning Commission approval prior to operation and be subject to a set of Conditions of Approval and a signed Affidavit of Acceptance from the property owner and tenant acknowledging and agreeing to abide by the imposed conditions. Cold storage has been expressly prohibited for this site without further future environmental analysis. The overwhelming majority of new industrial development in the City is speculative.

Landscaping, Project Fencing and Screening

Approximately 27,979 square feet (11%) of the project site is proposed to be landscaped in compliance with the “City of Irwindale Commercial and Industrial Design Guidelines” and the Zoning Code requirements for parking area landscaping. The proposed percentage meets and exceeds the required ten percent (10%) that is required within the Irwindale Municipal Code. The proposed landscape plan is comprised of a combination of parking lot shade trees, shrubs, and groundcover. An eight (8) foot high steel fencing is proposed which surrounds the majority of the property.

Access and Circulation

Ingress and egress to the site are provided via a three (3) driveways, one fronting onto Azusa Canyon Road and the other two (2) fronting on Los Angeles Street. The proposed building is setback approximately 69'-0", which will also accommodate projected queuing, thus avoid overflow onto Azusa Canyon Road and Los Angeles Street. A 20'-0" wide street dedication along Azusa Canyon Road is required.

Parking

IMC Subsection 17.64.030.P(2) provides, "Offices not providing customer service on the premises" requires a minimum one (1) parking space for each two (2) employees on the maximum (most workers) working shift or one (1) space for each 350 square feet of gross floor area, whichever is the greater and IMC Subsection 17.64.030(V) "Warehouse and storage buildings" requires one (1) parking space for each 1,000 square feet of the first 20,000 square feet of gross floor area, one (1) space for each 2,000 square feet for the next 20,000 square feet of gross floor area and one (1) space for each 4,000 square feet for all floor area over 40,000 square feet of gross floor area.

Based on the proposed square footage, the project requires 116 stalls and 123 stalls are being proposed [five (5) ADA stalls, ninety-seven (97) standard stalls and twenty-one (21) compact stalls]. There are no designated trailer stalls. All parking is surface parking; there are no proposed parking structures or subterranean lots.

Building Height

The maximum building height in the M-1 (Light Manufacturing) zone is 35'-0". Per IMC Subsection 17.08.085 "Building Height" means the vertical distance from the finished grade of the lot to the highest average point of the building or structure. The rooflines vary from approximately 30'-7" to 35'-0" and the parapet walls, including the architectural features extend to a maximum height of 39'-0". IMC Subsection 17.68.010 "Height of Penthouses and Roof Structures" allows parapet walls to be erected above the height limits prescribed.

Signage

IMC Section 17.56.050 "Signs" provides the maximum allowable sign area for freestanding and wall signs. Based on the approximate square footage of the speculative industrial building, the allowable amount of wall signage would equate to ±1,298 square feet. Freestanding signs would be limited to 150 square feet regardless of building size.

ANALYSIS

Site Plan & Design Review Analysis

Before any Site Plan and Design Review is 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 subject site is zoned M-1 (Light Manufacturing) and has a General Plan land use designation of Industrial/Business Park and Residential. The existing General Plan and Zoning designations are consistent, which eliminates the need for any legislative action such as a Zone Change or General Plan Amendment. The project also meets the minimum development standards for the applicable zones, such as setbacks, height, floor area ratio (F.A.R), parking and aesthetic design without the need for a Zone Variance to accommodate a deviation from any measurable standards. The prospective use is currently unknown but there are many potential uses that are permitted by right due to the current zoning designation, however certain uses would be not be allowed or would be subject to a Conditional Use Permit.

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.

This finding is no longer applicable, as Irwindale Community Redevelopment Agency no longer exists. There are also no owner's participation agreement or disposition and development agreement involved.

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 building is setback approximately 69'-0" from vehicle ingress to accommodate projected queuing, thus avoiding overflow onto Azusa Canyon Road and Los Angeles Street. All structures and infrastructure improvements will be constructed to current code and completed prior to issuance of the Certificate of Occupancy.

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

There is no proposed through-site access. The site is bordered by industrial buildings to the north, south, and east and the City's Public Works yard and Olive Pit to the west. Azusa Canyon Road and Los Angeles Street serve as the vehicular access to the site. There is also a required 20'-0" street dedication on Los Angeles Street, which includes a meandering sidewalk.

- c) Setbacks,

The project has been designed to comply with and exceed the minimum required setbacks for the M-1 (Light Manufacturing) zone. The proposed front yard setbacks range from 20'-0" to 105'-0", exceeding the minimum requirement of 20'-0". The proposed side yard setbacks range from 25'-0" to 160'-0", exceeding the minimum requirement of 20'-0". The proposed rear yard setbacks range from 48'-5" to 108'-

11", and there is no required rear yard setback when abutting non-residentially zoned properties.

d) Height of buildings,

The maximum building height in the M-1 (Light Manufacturing) zone is 35'-0". Per IMC Subsection 17.08.085, "Building Height" means the vertical distance from the finished grade of the lot to the highest average point of the building or structure. Per IMC Subsection 17.68.010, parapet walls may be erected above the height limits. The rooflines vary from approximately 30'-7" to 35'-0" and the parapet walls, including the architectural features extend to a maximum height of 39'-0". Nonetheless, the proposed buildings have been designed to complement the massing and height of the existing buildings in the area.

e) Signs,

Based on the approximate square footage of the speculative industrial building, the allowable amount of wall signage would equate to $\pm 1,298$ square feet. Freestanding signs would be limited to 150 square feet regardless of building size.

f) Mechanical and utility service equipment,

The site has been designed to attractively screen all rooftop and surface level mechanical equipment and storage area. The parapet roof will provide adequate screening of any proposed rooftop equipment. During the permitting process, a line of sight study is required to substantiate proper screening. Mechanical equipment and storage areas are screened, out of public view and often with solid walls and landscaping.

g) Landscaping,

The landscaping requirement has been met through considered choices of plantings appropriate to the location, building type, and building scale. Approximately 27,979 square feet (11%) of the project site is proposed to be landscaped in compliance with the "City of Irwindale Commercial and Industrial Design Guidelines" and the Zoning Code requirements for parking area landscaping. The proposed landscape plan is comprised of a combination of parking lot shade trees, shrubs, and groundcover.

h) Grading,

Project has been designed to take advantage of the existing topography, thus reducing grading activities on site. A grading permit will be required and issued from Building and Safety.

i) Lighting,

All lighting is designed to complement the structures 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. 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.

j) Parking,

IMC Subsection 17.64.030.P(2) provides, “Offices not providing customer service on the premises” requires a minimum one (1) parking space for each two (2) employees on the maximum (most workers) working shift or one (1) space for each 350 square feet of gross floor area, whichever is the greater and IMC Subsection 17.64.030(V) “Warehouse and storage buildings” requires one (1) parking space for each 1,000 square feet of the first 20,000 square feet of gross floor area, one (1) space for each 2,000 square feet for the next 20,000 square feet of gross floor area and one (1) space for each 4,000 square feet for all floor area over 40,000 square feet of gross floor area. Based on the proposed square footage, the project requires 116 stalls and 123 stalls are being proposed [five (5) ADA stalls, ninety-seven (97) standard stalls and twenty-one (21) compact stalls]. All parking is surface parking; there are no proposed parking structures or subterranean lots.

k) Drainage,

A Water Quality Management Plan (WQMP) has been prepared to address hydrology and drainage.

l) Intensity of land use.

The project is located on a flat, irregularly shaped lot. It had been used as an orchard from at least 1928 until around 1952, when the site became vacant. The current main building was constructed in 1956 and was used by PepsiCo as a bottling plant. The site is presently developed with one building of approximately 62,713 square feet in the western half of the site, a large metal shed north of the building, and a loading dock and large truck yard on the eastern portion of the site (LACOA 2021). The building is a single-story structure of concrete tilt-up construction on a concrete slab floor. The metal shed was part of the old truck wash area that is connected to the building by an overhang. The bottling plant ceased operation in December 2020 and the site has remained vacant. The proposed building will be approximately 129,830 square feet with associated passenger vehicle parking, truck parking, and eighteen (18) loading docks. The proposed industrial warehouse building is consistent with the General Plan designation of Industrial/Business Park and Zoning designation of M-1 (Light Manufacturing), as well as adjacent industrial land uses.

4. 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 proposed tilt-up building incorporates many of the desired design elements from the Commercial and Industrial Design Guidelines including but not limited façade

elements, roofs and parapets, materials and colors. The layout, landscaping and design of the site also incorporated encouraged design principles. For example, the use of an authentic period style compatible with City context, new buildings that draw upon the fundamental characteristics of existing buildings in the City, façade depth of plans and variations on all sides, including varied rooflines, berms, meandering sidewalks and multi-layered landscaping.

CONCLUSION

It is recommended that the Planning Commission take the following action:

1. Adopt Resolution No. 813(22) recommending that the City Council adopt the Mitigated Negative Declaration (MND) and Mitigation Monitoring and Reporting Program (MMRP);
2. Adopt Resolution No. 814(22) recommending that the City Council approve Site Plan and Design Review (DA) No. 04-2020 subject to the proposed Conditions of Approval to permit the proposed improvements as presented herein.

Alternative Actions:

3. 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
4. Request that the applicant revise the project and continue the hearing to a date certain.

ATTACHMENTS

- Exhibit A: Resolution No. 813(22)
- Exhibit B: Resolution No. 814(22) with Conditions of Approval
- Exhibit C: Project Plans
- Exhibit D: Street Dedication Exhibit
- Exhibit E: Memo to Planning Commission, dated May 12, 2022 with links to project files: <https://www.irwindaleca.gov/575/4416-Azusa-Canyon-Road>
- Exhibit F: Response to the Lozeau Drury, LLP letter, dated March 7, 2022
- Exhibit G: Response to the Lozeau Drury, LLP letter, dated May 3, 2022

EXHIBIT "A"**RESOLUTION NO. 813(22)**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF IRWINDALE, RECOMMENDING THAT THE CITY COUNCIL ADOPT THE MITIGATED NEGATIVE DECLARATION (MND) AND MITIGATED MONITORING AND REPORTING PROGRAM (MMRP) FOR THE CONSTRUCTION OF ONE (1) SPECULATIVE INDUSTRIAL TILT-UP BUILDING TOTALING ±129,830 SQUARE FEET FOR PROPERTY LOCATED AT 4416 AZUSA CANYON ROAD, IRWINDALE, CA 91706 (APN: 8417-004-006) IN THE M-1 (LIGHT MANUFACTURING) ZONE AND MAKING CERTAIN FINDINGS OF FACT, PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

A. RECITALS.

- (i) Michael Ramirez, 11620 Wilshire Boulevard, 10th Floor, Los Angeles, CA 90025, on behalf of Rexford Realty Industrial, has made a request for a Site Plan and Design Review (DA) for the construction of one (1) speculative concrete tilt-up building totaling approximately 129,830 square feet.
- (ii) The Subject Property is located at 4416 Azusa Canyon Road, within the City of Irwindale (APN: 8417-004-006). The Subject Property is currently zoned M-1 (Light Manufacturing). Hereinafter in this Resolution, the subject Site Plan and Design Review shall be referred to as the "Application."
- (iii) Pursuant to the authority and criteria contained in the California Environmental Quality Act (CEQA) of 1970, as amended, and the City of Irwindale environmental guidelines, the City, as the Lead Agency has analyzed the project and has prepared a Mitigated Negative Declaration (MND). The MND was circulated for public review for the required 30 days from December 21, 2021 through January 19, 2022. A copy of the MND was circulated through the State Clearinghouse, posted on the City's website (<https://www.irwindaleca.gov/575/4416-Azusa-Canyon-Road>) and was available at the Community Development Department – Planning Division, City Hall, and the Irwindale Public Library. A copy of the MND and the Mitigation Monitoring and Reporting Program was posted on the City's website.
- (iv) The public review period for the MND ended on January 19, 2022.
- (v) The Final MND was prepared on the proposed project, including the Draft MND, comments received on the Draft MND and responses to those comments, and revisions and corrections to the Draft MND made in response to comments received.

- (vi) On February 16, 2022, the Planning Commission conducted a duly noticed public hearing on the Final MND at which time it received input from staff, the City Attorney's Office, and the Applicant, heard public testimony, and discussed the Proposed Project; and closed the public hearing, requested staff to provide more information on the traffic study and continued the meeting to a date uncertain.
- (vii) On March 16, 2022, the Planning Commission Meeting was cancelled.
- (viii) On May 18, 2022, the Irwindale Planning Commission conducted a duly noticed public hearing, closed the public hearing and recommended that the Irwindale City Council approve the Site Plan and Design Review (DA), subject to the approval of a Resolution, which details the specific Conditions under which the Application was approved.
- (ix) This document was prepared concurrently with the Site Plan and Design Review (DA) No. 04-2020.
- (x) All legal prerequisites to the adoption of this Resolution have occurred.

B. RESOLUTION.

NOW, THEREFORE, Planning Commission of the City of Irwindale, having reviewed and considered the information in the MND and supporting documents and materials, does hereby find, determine, resolve and order 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 and incorporated herein by this reference.

2. Pursuant to the California Environmental Quality Act ("CEQA") and the City's Local CEQA Guidelines, City staff prepared an Initial Study for the project. City staff determined that there was no substantial evidence that the project would have a significant effect on the environment after the implementation of Mitigation Measures. Based on that determination, a Mitigated Negative Declaration was prepared. Thereafter, the City staff provided public notice of the public comment period and of the intent to adopt the Mitigated Negative Declaration.

3. The MND was circulated for public review for the required 30 days from December 21, 2021 through January 19, 2022. A copy of the MND was circulated through the State Clearinghouse, posted on the City's website (<https://www.irwindaleca.gov/575/4416-Azusa-Canyon-Road>) and was available at the Community Development Department – Planning Division, City Hall and the Irwindale Public Library. A copy of the MND and Mitigation Monitoring and Reporting Program and technical studies were posted on the City's website.

4. The Planning Commission has reviewed the Initial Study and Mitigated Negative Declaration, comments received regarding the Mitigated Negative Declaration thereto, and City staff's responses. Based on the whole record before it, the Planning Commission hereby finds: (i) that the Mitigated Negative Declaration was prepared in compliance with CEQA; and (ii) that there is no substantial evidence that the project will have a significant effect on the environment after the implementation of mitigation measures. The Planning Commission further finds that the Mitigated Negative Declaration reflects the independent judgment and analysis of the Planning Commission. Based on these findings, the Planning Commission therefore recommends that the City Council adopt the Mitigated Negative Declaration, attached hereto as Exhibit "E" (<https://www.irwindaleca.gov/DocumentCenter/View/7118>).
5. The Planning Commission has also reviewed and considered the Mitigation Monitoring and Reporting Program (MMRP) prepared for the project pursuant to the requirements of Public Resources Code Section 21081.6 and finds that the Mitigation Monitoring and Reporting Program is designed to ensure compliance with the mitigation measures during project implementation. The Planning Commission therefore recommends that the City Council adopt the Mitigation Monitoring and Reporting Program for the project, attached hereto as Exhibit "E" (<https://www.irwindaleca.gov/DocumentCenter/View/7237>).

6. The custodian of records for the Initial Study, Mitigated Negative Declaration, MMRP and all other materials, which constitute the record of proceeding upon which the Planning Commission's decision is based, is the Director of Community Development of the City of Irwindale. Those documents are available for public review in the Community Development Department – Planning Division, located at 16102 Arrow Highway and City Hall and the Irwindale Public Library, located at 5050 Irwindale Avenue.

7. 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 18th day of May 2022.

Suzanne Gomez, Chair
City of Irwindale Planning Commission

ATTEST:

Marilyn Simpson, AICP, Secretary

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

I, Marilyn Simpson, AICP, 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 18th day of May 2022, by the following vote:

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

Marilyn Simpson, AICP, Secretary

Exhibits (*Digital Downloads*):

- Mitigated Negative Declaration (MND) –
<https://www.irwindaleca.gov/DocumentCenter/View/7118>
- Mitigated Monitoring and Reporting Program –
<https://www.irwindaleca.gov/DocumentCenter/View/7237>

EXHIBIT "B"**RESOLUTION NO. 814(22)**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF IRWINDALE RECOMMENDING THAT THE CITY COUNCIL APPROVE SITE PLAN AND DESIGN REVIEW (DA) NO. 04-2020 FOR THE CONSTRUCTION OF ONE (1) SPECULATIVE INDUSTRIAL TILT-UP BUILDING TOTALING ±129,830 SQUARE-FEET FOR THE PROPERTY LOCATED AT 4416 AZUSA CANYON ROAD, IRWINDALE, CA 91706 (APN: 8417-004-006) IN THE M-1 (LIGHT MANUFACTURING) ZONE AND MAKING CERTAIN FINDINGS OF FACT.

A. RECITALS.

- (i) Michael Ramirez, 11620 Wilshire Boulevard, 10th Floor, Los Angeles, CA 90025, on behalf of Rexford Realty Industrial, has made a request for a Site Plan and Design Review (DA) for the construction of a speculative concrete tilt-up building totaling approximately 129,830 square feet.
- (ii) The Subject Property is located at 4416 Azusa Canyon Road (APN 8417-004-006). The Subject Property is currently zoned M-1 (Light Manufacturing). Hereinafter in this Resolution, the subject Site Plan and Design Review shall be referred to as the "Application."
- (iii) Pursuant to the authority and criteria contained in the California Environmental Quality Act (CEQA) of 1970, as amended, and the City of Irwindale environmental guidelines, the City, as the Lead Agency has analyzed the project and has prepared a Mitigated Negative Declaration (MND). The MND was circulated for public review for the required 30 days from December 21, 2021 through January 19, 2022. A copy of the MND was circulated through the State Clearinghouse, posted on the City's website (<https://www.irwindaleca.gov/575/4416-Azusa-Canyon-Road>) and was available at the Community Development Department – Planning Division, City Hall, and the Irwindale Public Library. A copy of the MND and the Mitigation Monitoring and Reporting Program was posted on the City's website.
- (iii) The public review period for the MND ended on January 19, 2022.
- (iv) The Final MND was prepared on the proposed project, including the Draft MND, comments received on the Draft MND and responses to those comments, and revisions and corrections to the Draft MND made in response to comments received.
- (v) On February 16, 2022, the Irwindale Planning Commission conducted a duly noticed public hearing, as required by law, on the Application, closed the public hearing and requested staff to provide more information on the

transportation impacts analysis and continued the meeting to a date uncertain.

- (vi) On March 16, 2022, the Planning Commission Meeting was cancelled.
- (vii) On May 18, 2022, the Irwindale Planning Commission conducted a duly noticed public hearing on the Application, closed the public hearing and recommended that the Irwindale City Council approve the Site Plan and Design Review (DA), subject to the approval of a Resolution, which details the specific Conditions under which the Application was approved.
- (viii) This application is being processed concurrently with the MND and MMRP.
- (ix) 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 and incorporated herein by this reference.

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 "B," 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 subject site is zoned M-1 (Light Manufacturing) and has a General Plan land use designation of Industrial/Business Park. The existing General Plan and Zoning designations are consistent, which eliminates the need for any legislative action such as a Zone Change or General Plan Amendment. The project also meets the minimum development standards for the applicable zones, such as setbacks, height, floor area ratio (F.A.R), parking and aesthetic design without the need for a Zone Variance to accommodate a deviation from any measurable standards. The prospective use is currently unknown but there are many potential uses that are permitted by right due to the current zoning designation, however certain uses would be not be allowed or would be subject to a Conditional Use Permit.

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.

This finding is no longer applicable, as Irwindale Community Redevelopment Agency no longer exists. There are also no owner's participation agreement or disposition and development agreements involved.

- 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:
- i. Facilities and improvements,
The proposed building is setback approximately 69'-0" from vehicle ingress to accommodate projected queuing, thus avoiding overflow onto Azusa Canyon Road and Los Angeles Street. All structures and infrastructure improvements will be constructed to current code and completed prior to issuance of the Certificate of Occupancy.
 - ii. Pedestrian and vehicular ingress, egress, and internal circulation,
There is no proposed through-site access. The site is bordered by industrial buildings to the north, south, and east and the City's Public Works yard and Olive Pit to the west. Azusa Canyon Road and Los Angeles Street serve as the vehicular access to the site. There is also a required 20'-0" street dedication on Los Angeles Street, which includes a meandering sidewalk.
 - iii. Setbacks,
The project has been designed to comply with and exceed the minimum required setbacks for the M-1 (Light Manufacturing) zone. The proposed front yard setbacks range from 20'-0" to 105'-0", exceeding the minimum requirement of 20'-0". The proposed side yard setbacks range from 25'-0" to 160'-0", exceeding the minimum requirement of 20'-0". The proposed rear yard setbacks range from 48'-5" to 108'-11", and there is no required rear yard setback when abutting non-residentially zoned properties.
 - iv. Height of buildings,
The maximum building height in the M-1 (Light Manufacturing) zone is 35'-0". Per IMC Subsection 17.08.085 "Building Height" means the vertical distance from the finished grade of the lot to the highest average point of the building or structure. Per IMC Subsection 17.68.010, parapet walls may be erected above the height limits. The rooflines vary from approximately 30'-7" to 35'-0" and the parapet walls, including the architectural features extend to a maximum height of 39'-0". Nonetheless, the proposed buildings have been designed to complement the massing and height of the existing buildings in the area.
 - v. Signs,
Based on the approximate square footage of the speculative industrial building, the allowable amount of wall signage would equate to $\pm 1,298$ square feet. Freestanding signs would be limited to 150 square feet regardless of building size.

- vi. Mechanical and utility service equipment,
The site has been designed to attractively screen all rooftop and surface level mechanical equipment and storage area. The parapet roof will provide adequate screening of any proposed rooftop equipment. During the permitting process, a line of sight study is required to substantiate proper screening. Mechanical equipment and storage areas are screened, out of public view and often with solid walls and landscaping.
- vii. Landscaping,
The landscaping requirement has been met through considered choices of plantings appropriate to the location, building type, and building scale. Approximately 27,979 square feet (11%) of the project site is proposed to be landscaped in compliance with the “City of Irwindale Commercial and Industrial Design Guidelines” and the Zoning Code requirements for parking area landscaping. The proposed landscape plan is comprised of a combination of parking lot shade trees, shrubs, and groundcover.
- viii. Grading,
Project has been designed to take advantage of the existing topography, thus reducing grading activities on site. A grading permit will be required and issued from Building and Safety.
- ix. Lighting,
All lighting is designed to complement the structures 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. 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.
- x. Parking,
IMC Subsection 17.64.030.P(2) provides, “Offices not providing customer service on the premises” requires a minimum one (1) parking space for each two (2) employees on the maximum (most workers) working shift or one (1) space for each 350 square feet of gross floor area, whichever is the greater and IMC Subsection 17.64.030(V) “Warehouse and storage buildings” requires one (1) parking space for each 1,000 square feet of the first 20,000 square feet of gross floor area, one (1) space for each 2,000 square feet for the next 20,000 square feet of gross floor area and one (1) space for each 4,000 square feet for all floor area over 40,000 square feet of gross floor area. Based on the proposed square footage, the project requires 116 stalls and 123 stalls are being proposed [five (5) ADA stalls, ninety-seven (97) standard stalls and twenty-one (21) compact stalls]. All parking is surface parking; there are no proposed parking structures or subterranean lots.

- xi. Drainage,
A Water Quality Management Plan (WQMP) has been prepared to address hydrology and drainage.
 - xii. Intensity of land use.
The project is located on a flat, irregularly shaped lot. It had been used as an orchard from at least 1928 until around 1952, when the site became vacant. The current main building was constructed in 1956 and was used by PepsiCo as a bottling plant. The site is presently developed with one building of approximately 62,713 square feet in the western half of the site, a large metal shed north of the building, and a loading dock and large truck yard on the eastern portion of the site (LACOA 2021). The building is a single-story structure of concrete tilt-up construction on a concrete slab floor. The metal shed was part of the old truck wash area that is connected to the building by an overhang. The bottling plant ceased operation in December 2020 and the site has remained vacant. The proposed building will be approximately 129,830 square feet with associated passenger vehicle parking, truck parking, and eighteen (18) loading docks. The proposed industrial warehouse building is consistent with the General Plan designation of Industrial/Business Park and Zoning designation of M-1 (Light Manufacturing), as well as adjacent industrial 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 proposed tilt-up building incorporates many of the desired design elements from the Commercial and Industrial Design Guidelines including but not limited façade elements, roofs and parapets, materials and colors. The layout, landscaping and design of the site also incorporated encouraged design principles. For example, the use of an authentic period style compatible with City context, new buildings that draw upon the fundamental characteristics of existing buildings in the City, façade depth of plans and variations on all sides, including varied rooflines, berms, meandering sidewalks and multi-layered landscaping.

3. The MND was circulated for public review for the required 30 days from December 21, 2021 through January 19, 2022. A copy of the MND was circulated through the State Clearinghouse, posted on the City's website (<https://www.irwindaleca.gov/575/4416-Azusa-Canyon-Road>) and was available at the Community Development Department – Planning Division, City Hall and the Irwindale Public Library. A copy of the MND and Mitigation Monitoring and Reporting Program and technical studies were posted on the City's website.

4. Based upon the substantial evidence and conclusions set forth herein above, this Planning Commission approves the application for the Site Plan and Design

Review (DA) subject to adoption of the MND by the City Council, including the corresponding Mitigation Monitoring and Reporting Program.

5. 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 "B" 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.

6. 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 18th day of May 2022.

Suzanne H. Gomez, Chair
City of Irwindale Planning Commission

ATTEST:

Marilyn Simpson, AICP, Secretary

I, Marilyn Simpson, AICP, Community Development Director of the City of Irwindale, do hereby certify that the foregoing Resolution was adopted at the meeting of the Planning Commission of the City of Irwindale held on the 18th day of May 2022, by the following vote:

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

Marilyn Simpson, AICP, Secretary

PLANNING COMMISSION RESOLUTION NO. 814(22)

Site Plan and Design Review No. 04-2020
Speculative, concrete tilt-up building
4416 Azusa Canyon Road
Irwindale, CA 91706

A. GENERAL

1. The use and development authorized by this Site Plan and Design Review (DA), allow for the construction of one (1) speculative, concrete tilt-up building substantially in conformance with the plans submitted to the City dated May 4, 2022.
2. A building 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 Director at least thirty (30) days prior to such expiration or abandonment. Upon receipt of written request for extension, the Community Development Director 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. The Applicant shall agree and consent, in writing, to each and every condition set forth herein within twenty (20) days from the adoption of this Resolution by the City Council approving the Site Plan and Design Review (DA).
4. Prior to the issuance of a business license and/or occupancy permit and/or final inspection by the Community Development Department for the speculative building, all applicable conditions of approval (except those involving construction permits) shall be completed to the reasonable satisfaction of the City.
5. 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 to Site Plan and Design Review Permit No. 04-2020, including the environmental review and approvals therefore. The City will promptly notify the permittee of any such claim, action, or proceeding against the City and will cooperate fully in the defense.
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. Security lighting fixtures are to be shielded and shall not project above the fascia or roof line of the buildings. The shields shall be painted to match the surface to which they are attached. Security lighting fixtures shall not be substituted for parking lot or walkway lighting fixtures.
11. 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.
12. Prior to occupancy of the project, all users of the facility shall comply with the City of Irwindale M-1 (Light Manufacturing) zoning standards and regulations through the business license and zoning compliance process.

B. COMMUNITY DEVELOPMENT DEPARTMENT

1. The use and improvements authorized by this Site Plan and Design Review (DA), shall conform to the plans as finally approved by the City (dated May 4, 2022) as conditioned herein, and any appreciable modification of the plans or mode of operation, as determined by the Community Development Director, shall require the prior approval of the final approving body (City Council) pursuant to the amendment of the Site Plan and Design Review Permit.
2. This project shall be subject to the City of Irwindale's utility tax.
3. This project shall be subject to the City of Irwindale's Development Impact Fees (DIF).
4. 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.

5. The following use(s) shall be prohibited. Should any of the following uses be proposed, environmental review shall be required prior to any tenant improvements to the building.
 - a. Cold storage
6. Any future last mile tenant, which would provide the last leg of the delivery or final step in the supply chain, shall be subject to additional analysis including, but not limited to, traffic, air quality/greenhouse gas.
7. Project landscaping shall comply with Irwindale Municipal Code Chapter 15.30, "Water Efficient Landscape Standards and Guidelines."
8. Landscaping 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 and as modified pursuant to City Building Plan Check review of Precise Landscape and Irrigation plans.
9. Landscape and irrigation plans shall be prepared by a licensed landscape architect, and are subject to the approval of the Community Development Director and the Director of Engineering. Vision clearance shall be maintained at all vehicle entrances and exits.
10. A complete, permanent, automatic irrigation system shall be provided for all landscaped areas.
11. A six (6) inch horizontal concrete curb shall surround all landscaped planters.
12. 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)
13. A minimum of 10% ($\pm 25,110$ square feet) the total lot area shall be landscaped.

14. All plant material, including trees, shall be maintained in good condition and replaced in the event they die or become diseased.
15. Any event not held during typical hours of operation shall be subject the Community Development Department review.
16. The Applicant shall obtain approval and permits from the Planning and Building Divisions for all project signage prior to construction of any signs on the project site.
17. Drive aisles shall remain open and unobstructed for vehicular circulation.
18. 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.
19. Trash enclosures (6'-0" high min.) with solid metal self-closing and self-latching gates shall be provided. The enclosures shall be covered and built with decorative materials to match the type, texture, and color of the materials used in the construction of the buildings. Gates shall remain closed at all times when the trash receptacles are not in use.
20. All utility equipment such as backflow units and transformers shall be screened with evergreen screen shrubs or similar planting materials as allowed.
21. 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 buildings¹. 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.
22. 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.
23. The street numbers for the development shall be painted on the rooftop of each building in such a manner that it is clearly visible to public safety personnel and shall be a minimum five (5) feet in length painted with minimum one (1) foot wide brush strokes. Rooftop numbers shall be shown on the plans submitted for plan check.

¹ Photovoltaic equipment is exempt from this requirement.

24. A lighting plan shall be submitted for approval by the Community Development Director describing lighting fixtures for building exterior lighting. Lighting fixtures shall be designed to shield light and/or directs light in a downward direction to minimize light spillover to adjacent residential areas. A minimum of 1-foot candle shall be provided.
25. Applicant shall obtain approval and permits from the Community Development Department and Building Division for all project signage prior to construction of any signs on the project site.
26. A temporary chain link fence with green screening, or acoustical fencing assembly as specified in the Mitigated Negative Declaration, shall be installed and maintained around the perimeter of the site at all times during construction.
27. Any masonry walls, tube steel fences, and driveway gates shall be decorative and 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. No chain link fencing shall be allowed for permanent perimeter fencing applications.
28. Applicant shall at all times comply with the Irwindale Municipal Code Noise Standards (as may be amended) as measured at the Site boundary. Additionally, if noise impacts exceed the applicable noise standard contained in the Irwindale Municipal Code, Applicant shall take necessary actions and implement procedures to bring the operations into compliance with this Code.
29. Applicant/developer shall post "No Overnight/Unauthorized Parking" signs on the property to prevent unauthorized parking on the site.
30. Construction activity shall take place no earlier than 7:00 AM on each day and no later than 7:00 PM on each day, Monday thru Saturday. No construction activities of any kind shall be performed on Sundays or holidays without a permit per Subsection 9.28.110(A).
31. All construction related activity shall comply with the noise standards as set forth in IMC Section 9.28.030.
32. All truck loading and unloading shall occur on the site. No loading, unloading or truck idling shall be permitted to take place on the street for any business located on the site.

C. FIRE DEPARTMENT

1. Fire Department access shall comply with Section 503 of the Los Angeles County Fire Code.

2. Provide a minimum unobstructed width of 28 feet, exclusive of shoulders, except for approved security gates in accordance with Section 503.2.1.2.1, and an unobstructed vertical clearance “clear to sky” Fire Department vehicular access to within 150 feet of all portions of the exterior walls of the first story of the building.
3. Cross-hatch any on-site Fire Department vehicular access to within 150 of all portions of the exterior walls.
4. Show any existing fire hydrants within 600 feet of the lot frontage.
5. Submit a fire flow availability form, Form 196 along with plans.
6. All fire hydrants shall measure 6” x 4” x 2½”, conforming to AWWA Standard C503-75 or approved equal.
7. Project shall comply with approved plans (Plan# FEPC2020-1317, approved March 9, 2021 and Plan# FEPC2021-1661, approved June 16, 2021).

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 Director of Engineering. Construction plans shall be reviewed and approved by the Director of Engineering.
2. The owner and/or developer shall resurface Azusa Canyon Road (full street width), along the project frontage. All improvements shall be constructed in accordance with City standards to the satisfaction of the Director of Engineering. Construction plans shall be reviewed and approved by the Director of Engineering.
3. The owner and/or developer shall design, install and construct a meandering sidewalk (5 feet wide minimum) on Azusa Canyon Road along the project frontage, in accordance with proposed site plans. All improvements shall be constructed in accordance with City standards to the satisfaction of the Director of Engineering. Construction plans shall be reviewed and approved by the Director of Engineering. Landscaping and tree planting plans shall be reviewed and approved by the Public Services Director.
4. Roadway dedication and pedestrian access easements (20 feet wide minimum) shall be granted to the City along the project frontage on Azusa Canyon Road as directed by the Director of Engineering.
5. The owner/developer shall obtain written authorization or a construction easement from the owner of the private street along the Los Angeles Street project frontage for the construction of the proposed project improvements.

6. The owner and/or developer shall remove and reconstruct all damaged or deficient sidewalk, driveways, curb and gutter as directed by the Director of Engineering.
7. The owner/developer shall install ADA accessible driveway approaches and remove all existing driveways and parkway drains along Azusa Canyon Road. The owner/developer shall install an ADA curb ramp at the northeast corner of the intersection of Azusa Canyon Road and Los Angeles Street. All improvements shall be constructed in accordance with City standards to the satisfaction of the Director of Engineering.
8. The owner and/or developer shall upgrade street lighting fixtures along the Azusa Canyon Road property frontage to LED fixtures in accordance with Los Angeles County standards and to the satisfaction of the Director of Engineering.
9. The owner and/or developer shall reimburse the City for the actual cost for the installation, replacement or modification of street name signs, traffic control signs, striping and pavement markings required in conjunction with the development.
10. Common driveways shall not be allowed, unless approved by the Director of Engineering. Proposed driveways shall be located clear of existing fire hydrants, street lights, water meters, etc.

UTILITIES

11. 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 Director of Engineering's requirements. The owner/developer shall submit grading and drainage plans to the Director of Engineering 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.
12. The owner/developer shall pay for the entire cost for the design, engineering construction and inspection of any upgrade to the water main and connections as required by the serving water company for the proposed development.
13. The owner/developer shall obtain a Storm Drain Connection Permit for the connection to the existing storm drain system.
14. Fire hydrants shall be installed as required by the Fire Department. Existing public fire hydrants adjacent to the site, if any, shall be upgraded if required by the Director of Engineering.
15. 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 Director of Engineering. A sewer study shall be submitted along with the sanitary sewer plans.

16. Prior to the issuance of building permits, the owner/developer shall provide a will-serve letter from the water utility provider to the City.

TRAFFIC

17. In accordance with Mitigation Measure T-1 of the project MND, prior to the issuance of certificates of occupancy, the owner/developer shall construct the following improvements:
 - New crosswalks on the east and west leg of the intersection
 - Restrict on-street parking on the south side of Los Angeles Street, east of Azusa Canyon Road, within 150 feet of the intersection
 - Restrict on-street parking on the east side of Azusa Canyon Road, north of Los Angeles Street, within 150 feet of the intersection
 - Review sight distance and other safety considerations prior to finalization of the proposed driveways
18. Prior to the issuance of building permits, the owner/developer shall pay the projects fair share amount for improvements at the intersection of Arrow Highway and Azusa Canyon Road. Improvements will include the addition of a 3rd westbound through lane and a northbound right turn traffic signal overlap phase.
19. Prior to the issuance of any building permits, the owner/developer shall pay to the City \$550,000 for the installation of a new traffic signal at the intersection of Azusa Canyon Road and Los Angeles Street. The owner shall dedicate any easements necessary for the construction, maintenance, and operation of the traffic signal. Improvements will include modifying the existing striping for the eastbound and westbound approaches to provide the following lane configuration:
 - Eastbound: 1 left turn, 1 shared left/through, 1 right turn
 - Westbound: 1 left turn, 1 shared/through/right
20. Prior to the issuance of any occupancy or tenant improvement permit, the proposed tenant(s) shall provide a site-specific trip generation technical memo demonstrating that the average daily vehicle trips do not exceed 362 daily PCE (passenger car equivalent) trips, 45 PCE AM trips, 46 PCE PM trips, and 197 daily passenger car trips. The City will regularly and continually monitor the actual trips generated by the project and enforce the maximum limit of allowable trips. If the project applicant/owner proposes to exceed any limits, additional traffic analyses and VMT (vehicle miles traveled) analysis shall be reviewed and approved by Director of Engineering. If the VMT exceeds the applicable threshold at the time of subsequent review, the issuance of the respective permit shall be subject to CEQA

review. The owner/applicant shall be solely responsible for all costs related to analyses, peer review, monitoring and enforcement.

FEES

21. That the owner/developer shall comply with all requirements of the County Sanitation District, make application for and pay the sewer maintenance fee.
22. That the owner/developer shall pay the connection fee upon application for storm water connection to the County of Los Angeles system.

MISCELLANEOUS

23. The owner/developer, under the direction of a certified land surveyor and at no cost to the City, shall install all required property boundary monuments, centerline ties and City monuments subject to the Director of Engineering's approval.
24. 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.
25. 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.

E. PUBLIC WORKS SERVICES

1. All utilities and signs on the public right-of-way shall meet horizontal and vertical ADA clearance requirements. The utilities and signs in the public right-of-way include: two (2) Edison poles, one (1) anchor support for Edison pole, two (2) fire hydrants, one (1) stop sign, one (1) welcome to Irwindale sign, and two (2) speed limit signs.

2. All pedestrian and approach ramps in the public right-of-way shall meet ADA requirements. Pedestrian ramps shall have brick red truncated domes in the public right-of-way.
3. City of Irwindale requests irrigation and landscaping plans for the public right-of-way and parkways. The plans will be submitted to the Public Works Services Manager for review and approval.
4. Repair underground vault to make flush within the sidewalk adjacent to northern most fire hydrant on Azusa Canyon Road.
5. 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.
6. 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.
7. Any work within easements on the project site shall require proper permits from the easement holder (City of Irwindale, County of Los Angeles, etc.).
8. 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.
9. 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.
10. 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.

11. No dumping or unpermitted discharges are allowed into the San Gabriel River via Big Dalton Wash, catch basins and storm drains.

F. BUILDING AND SAFETY

1. Complete Construction Documents include but not limited to Grading, Drainage, Soil Investigation, Architectural, Structural, Electrical, Mechanical, Plumbing, Landscaping...etc., shall be submitted to Irwindale Building & Safety Department for Plan check and Approval Process prior to any Permit Issuance. All Construction Documents shall be prepared by a California Licensed Engineer specialized on the submitted documents based on the current Codes adopted by City of Irwindale.
2. Grading, Drainage, Building and all other trade permits shall be obtained from Irwindale Building and Safety Division by a California licensed contractor(s). All construction shall be in compliance with the current Irwindale Building & Municipal Codes.
3. Other agencies' (Fire, Sanitation...etc.) approvals shall be required prior to any permit issuance. An agency referral sheet shall be provided to the applicant at the time of submittal to Building & Safety.
4. The Owner/Developer/Applicant shall be the sole responsible party for all required Plan Check and Permit fees, as well as any other agencies' fees.
5. All plans submitted shall be subject to the County of Los Angeles (City of Irwindale office) Minimum Plan Submittal Requirements for Non-Residential Construction.

EXHIBIT "D"**LINE TABLE**

NO.	DISTANCE	BEARING
L1	33.79	S26°10'49"E

Curve Table

NO.	DISTANCE	RADIUS	DELTA
C1	24.76	2400.00	0°35'28"

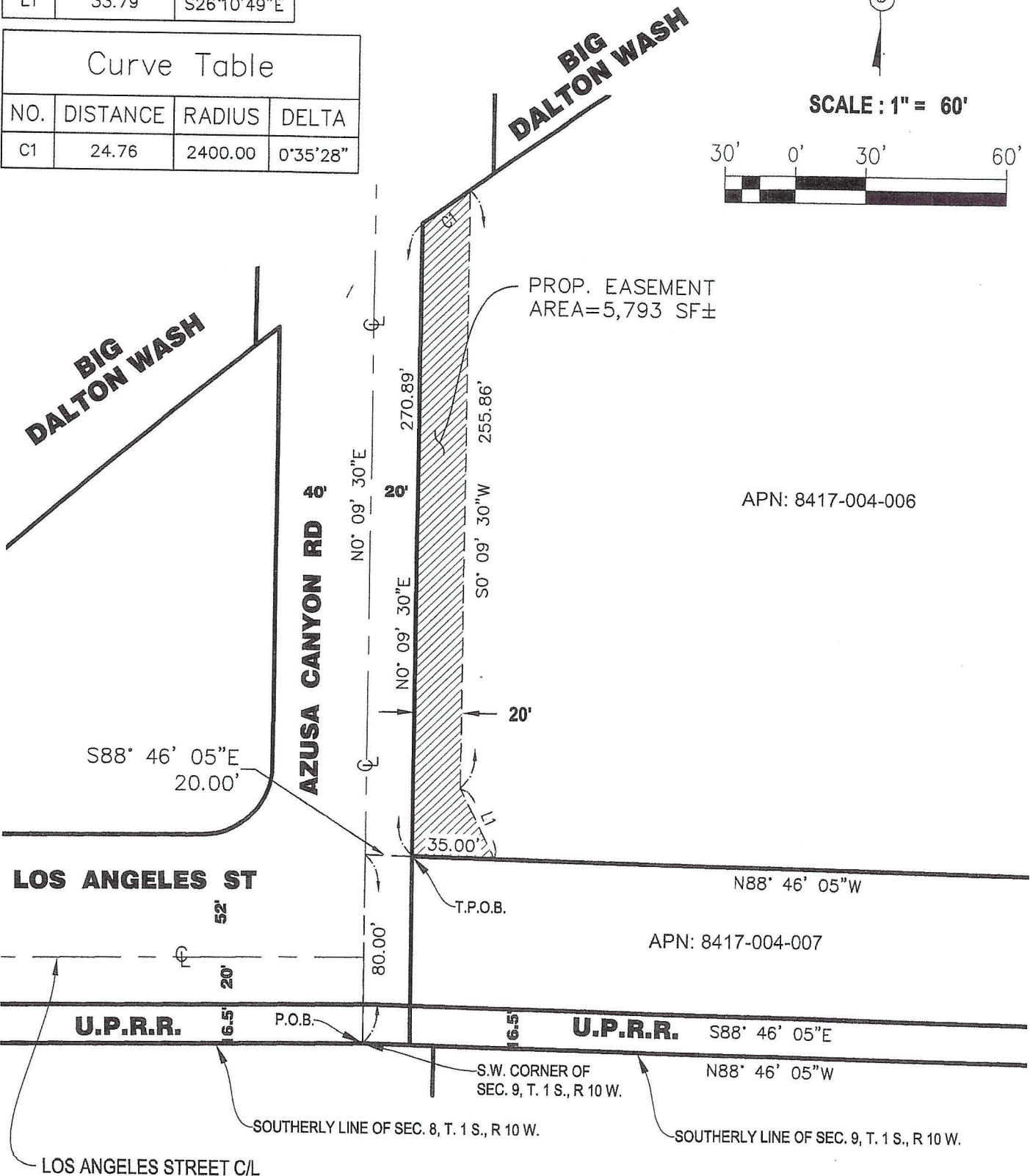
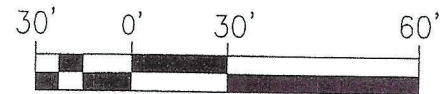
SCALE: 1" = 60'**EXHIBIT "B"**

EXHIBIT "E"

Date: May 12, 2022

To: Honorable Chair and Members of the Planning Commission

From: Brandi Jones, Senior Planner
Lisa Chou, Associate Planner

Project: 4416 Azusa Canyon Road
Site Plan & Design Review (DA) No. 04-2020
Speculative 129,830 Square-Foot Concrete Tilt-Up Building

Re: Initial Study/Mitigated Negative Declaration

Summary

The Applicant is requesting a Site Plan and Design Review (DA) for the construction of a ±129,830 square-foot speculative concrete tilt-up building and associated passenger vehicle parking. The above referenced entitlement had been brought before the Planning Commission on February 16, 2022 and will be brought before the Planning Commission once more on May 18, 2022 for a recommendation to the City Council.

In accordance with the California Environmental Quality Act, the City of Irwindale (contracted with PlaceWorks) has prepared an Initial Study to determine whether the proposed project may have a significant adverse effect on the environment. The Initial Study and Proposed Mitigated Negative Declaration reflect the independent judgment of City of Irwindale Staff.

Due to the depth of the document and appendices, the Initial Study/Mitigated Negative Declaration and technical appendices are available electronically. These files can also be viewed and/or downloaded from the project's dedicated webpage (<https://www.irwindaleca.gov/575/4416-Azusa-Canyon-Road>). A list of active links has been provided. Hard copies are available for viewing at City Hall, Community Development Department – Planning Division, and the Irwindale Public Library. The entire agenda packet will be distributed during the normal timeframe. The environmental consultant will be in attendance and will be available to answer any questions regarding the document and technical studies.

If you have any questions or concerns, please do not hesitate to contact:
Lisa Chou, Associate Planner at LChou@IrwindaleCA.gov or (626) 430-2246
Brandi Jones, Senior Planner at BJones@IrwindaleCA.gov or (626) 430-2260

Documents as of May 12, 2022

[Project webpage](#)

<https://www.irwindaleca.gov/575/4416-Azusa-Canyon-Road>

Environmental Documents

[Initial Study/Mitigated Negative Declaration \(IS/MND\)](#)

<https://www.irwindaleca.gov/DocumentCenter/View/7118>

[Response to Comments](#)

<https://www.irwindaleca.gov/DocumentCenter/View/7236>

[Mitigation Monitoring and Reporting Program \(MMRP\)](#)

<https://www.irwindaleca.gov/DocumentCenter/View/7237>

Technical Appendices

[Appendix A - Air Quality \(AQ\) and Greenhouse Gas \(GHG\) Background and Modeling](#)

<https://www.irwindaleca.gov/DocumentCenter/View/7119>

[Appendix B - Health Risk Assessment \(HRA\)](#)

<https://www.irwindaleca.gov/DocumentCenter/View/7120>

[Appendix C - Cultural and Paleontological Resources Assessment Report](#)

<https://www.irwindaleca.gov/DocumentCenter/View/7121>

[Appendix D - Geotechnical Investigation and Results of Infiltration Testing](#)

<https://www.irwindaleca.gov/DocumentCenter/View/7122>

[Appendix E - Phase I Environmental Assessment](#)

<https://www.irwindaleca.gov/DocumentCenter/View/7123>

[Appendix F - Low Impact Development \(LID\) Report and Hydrology and Detention Report](#)

<https://www.irwindaleca.gov/DocumentCenter/View/7124>

[Appendix G - Noise Background](#)

<https://www.irwindaleca.gov/DocumentCenter/View/7125>

[Appendix H - Public Services and Utility Provider Responses](#)

<https://www.irwindaleca.gov/DocumentCenter/View/7126>

[Appendix I - Transportation Analysis](#)

<https://www.irwindaleca.gov/DocumentCenter/View/7127>

[Appendices Volume I \(AQ and GHG, HRA, Cultural and Paleontological Resources, Geotechnical\)](#)

<https://www.irwindaleca.gov/DocumentCenter/View/7115>

[Appendices Volume II \(Phase I\)](#)

<https://www.irwindaleca.gov/DocumentCenter/View/7116>

[Appendices Volume III \(LID, Noise, Public Services and Utility, Transportation\)](#)

<https://www.irwindaleca.gov/DocumentCenter/View/7117>

Exhibit “F”

PlaceWork’s Response to Lozeau Drury, LLP Dated March 07, 2022

[https://www.irwindaleca.gov/DocumentCenter/View/7440/
Exhibit-F---Response-to-Lozeau-Drury-LLP-03072022](https://www.irwindaleca.gov/DocumentCenter/View/7440/Exhibit-F---Response-to-Lozeau-Drury-LLP-03072022)

Exhibit “G”

PlaceWork’s Response to Lozeau Drury, LLP Dated May 3, 2022

[https://www.irwindaleca.gov/DocumentCenter/View/7441/
Exhibit-G---Response-to-Lozeau-Drury-LLP-05032022](https://www.irwindaleca.gov/DocumentCenter/View/7441/Exhibit-G---Response-to-Lozeau-Drury-LLP-05032022)