

IRWINDALE COUNCIL CHAMBER
5050 N. IRWINDALE AVENUE
IRWINDALE, CALIFORNIA 91706

June 19, 2024
Wednesday
6:32 P.M.

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

ACTING CHAIR
FRYMARK Good evening everyone, I would like to call the Planning Commission meeting to order, June 19, 2024, at 6:32p.m. First item on our Agenda is our Pledge of Allegiance. So if you may, please stand for the Pledge of Allegiance. Ready, begin.

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

INVOCATION
ACTING CHAIR
FRYMARK Dear Heavenly Father, we stand before you in your grace, thanking you for your blessings, your love, your support, and for our health. Lord, we ask that you please continue to bless our community, bless all of our employees, all of our businesses, and bless those new Commissioners here with us today. We are excited to be a full Commission, and we ask that you continue to guide us in making the good decisions that are sound and good for the entire community. With all of this, in Jesus name we pray. Amen.

ROLL CALL: Present: Commissioners; Albert Acosta; Richard Chico; Casey Miranda; Joseph Rodriguez; Maricela Frymark

Also present: Julian Miranda, City Manager; Jamie Traxler, Assistant City Attorney; Eddie Chan, Director of Engineering; Brandi Jones, Senior Planner; Martin Romero, Planning Technician; Jesus Hernandez, Administrative Secretary; Karen Ruiz, Office Specialist

**AB 2449
DISCLOSURES**

ACTING CHAIR
FRYMARK Next, we have letter E. We have a full Commission. So I'm assuming we have no AB 2449 disclosures.

ADMINISTRATIVE
SECRETARY
HERNANDEZ That is correct.

ACTING CHAIR
FRYMARK Great, let's move on to Item F, that is Administration of the Oath of Office to the new Planning Commission.

ADMINISTRATION OF OATH OF OFFICE TO PLANNING COMMISSIONERS

ACTING CHAIR
FRYMARK With that, I'd like to introduce Mayor Ambriz to join us.

MAYOR AMBRIZ Commissioner Casey please raise your right hand and repeat after me. I, state your name, ...

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COMMISSIONER MIRANDA	I, Casey Miranda,
MAYOR AMBRIZ	Do solemnly swear
COMMISSIONER MIRANDA	Do solemnly swear
MAYOR AMBRIZ	That I will support and defend
COMMISSIONER MIRANDA	That I will support and defend
MAYOR AMBRIZ	The Constitution of the United States
COMMISSIONER MIRANDA	The Constitution of the United States
MAYOR AMBRIZ	And the Constitution of the State of California
COMMISSIONER MIRANDA	And the Constitution of the State of California
MAYOR AMBRIZ	Against all enemies
COMMISSIONER MIRANDA	Against all enemies
MAYOR AMBRIZ	Foreign and domestic.
COMMISSIONER MIRANDA	Foreign and domestic.
MAYOR AMBRIZ	That I will bear truth, faith and allegiance
COMMISSIONER MIRANDA	That I will bear truth, faith and allegiance
MAYOR AMBRIZ	To the Constitution of the United States
COMMISSIONER MIRANDA	To the Constitution of the United States
MAYOR AMBRIZ	And the Constitution of the State of California.
COMMISSIONER MIRANDA	And the Constitution of the State of California.
MAYOR AMBRIZ	That I take this obligation freely

COMMISSIONER MIRANDA	That I take this obligation freely
MAYOR AMBRIZ	Without any mental reservation
COMMISSIONER MIRANDA	Without any mental reservation
MAYOR AMBRIZ	Or purpose of evasion
COMMISSIONER MIRANDA	Or purpose of evasion
MAYOR AMBRIZ	And that I will and faithfully
COMMISSIONER MIRANDA	And that I will and faithfully
MAYOR AMBRIZ	Discharge the duties
COMMISSIONER MIRANDA	Discharge the duties
MAYOR AMBRIZ	Upon which I'm about to enter.
COMMISSIONER MIRANDA	Upon which I'm about to enter.
MAYOR AMBRIZ	Congratulations, Commissioner Miranda.
ACTING CHAIR FRYMARK	Welcome, Commissioner Miranda. We look forward to working with you.

REORGANIZATION OF PLANNING COMMISSION

ACTING CHAIR FRYMARK	Okay. So at this time, we're going to move on to Item G, Reorganization of the Planning Commission, and for that we will have Staff lead that item.
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ADMINISTRATIVE SECRETARY HERNANDEZ	Perfect, thank you. So, we are in the Reorganization of the Planning Commission. At this time, it is appropriate to reorganize the Planning Commission, including the selection of a Chair and Vice Chair. Any Commissioner may nominate another Commissioner or themselves, and no second to the nomination is required. I will start off with opening the nominations for Office of Chair. After receiving all nominations, I will close the nominations and conduct the election of Chair by Roll Call vote in the nominated order. Do I have any nominations for Office of Chair?
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COMMISSIONER CHICO	Yes, I would like to nominate Commissioner Frymark as the Chair person of this Planning Commission.
ADMINISTRATIVE SECRETARY HERNANDEZ	Thank you. Do we have any other nominations for Chair? No? Okay, perfect. So, I'll go ahead and do Roll Call, and this would be for nominating Commissioner Frymark as Chair. Commissioner Acosta.
COMMISSIONER ACOSTA	Yes
ADMINISTRATIVE SECRETARY HERNANDEZ	Commissioner Chico.
COMMISSIONER CHICO	Yes.
ADMINISTRATIVE SECRETARY HERNANDEZ	Commissioner Miranda.
COMMISSIONER MIRANDA	Yes.
ADMINISTRATIVE SECRETARY HERNANDEZ	Commissioner Rodriguez.
COMMISSIONER RODRIGUEZ	Yes.
ADMINISTRATIVE SECRETARY HERNANDEZ	Acting Chair Frymark.
ACTING CHAIR FRYMARK	Yes.
ADMINISTRATIVE SECRETARY HERNANDEZ	Thank you, and welcome as Chair.
CHAIR FRYMARK	Thank you, thank you Commissioner Chico, and thank you all. This is quite exciting. Okay, so with that awkwardness done, let's move on to Item H we have....
ADMINISTRATIVE SECRETARY HERNANDEZ	So we'll go ahead and do nominations for Vice Chair. Would you like to open that up?

CHAIR FRYMARK	Oh gosh, I was so excited that I wanted to just move on. I apologize to this Commission. Let's do Vice Chair, please.
ADMINISTRATIVE SECRETARY HERNANDEZ	So if you would like to open up for any nominations for Vice Chair?.
CHAIR FRYMARK	Sure. So I would like at this time to open up the nominations for Vice Chair. Do we have any nominations?
COMMISSIONER ACOSTA	Yes, I'd like to nominate Commissioner Chico as Vice Chair.
CHAIR FRYMARK	Wonderful, do we have any other nominations?
ADMINISTRATIVE SECRETARY HERNANDEZ	Commissioner Chico, do you accept or decline?
COMMISSIONER CHICO	Accept.
ADMINISTRATIVE SECRETARY HERNANDEZ	Thank you.
CHAIR FRYMARK	Are there any others? Okay, so is that a Roll Call next?
ADMINISTRATIVE SECRETARY HERNANDEZ	Now we can do Roll Call, yes.
CHAIR FRYMARK	Let's do it.
ADMINISTRATIVE SECRETARY HERNANDEZ	We will do Roll Call for nomination of Vice Chair for Commission Chico. Commissioner Acosta.
COMMISSIONER ACOSTA	Yes
ADMINISTRATIVE SECRETARY HERNANDEZ	Commissioner Chico.
COMMISSIONER CHICO	Yes.

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ADMINISTRATIVE
SECRETARY
HERNANDEZ Commissioner Miranda.

COMMISSIONER
MIRANDA Yes.

ADMINISTRATIVE
SECRETARY
HERNANDEZ Commissioner Rodriguez.

COMMISSIONER
RODRIGUEZ Yes.

ADMINISTRATIVE
SECRETARY
HERNANDEZ Chair Frymark.

CHAIR FRYMARK Yes.

ADMINISTRATIVE
SECRETARY
HERNANDEZ Thank you.

CHAIR FRYMARK Okay, so with that then we will now move on to Item H.

ANNOUNCEMENTS

CHAIR FRYMARK Any announcements?

ADMINISTRATIVE
SECRETARY
HERNANDEZ No announcements at this time.

CHAIR FRYMARK Let's move on to Number 1, Consent Agenda.

CONSENT CALENDAR

CHAIR FRYMARK 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. In this area we have Minutes. We have two Minutes, one regular meeting held on April 17, 2024, and the second item, regular meeting held May 15, 2024. Do we have anyone in the audience that would like to speak on the Consent Calendar? Okay. Do we have a motion to approve the Consent Calendar?

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COMMISSIONER ACOSTA	I move to approve the Consent Calendar.
CHAIR FRYMARK	Okay, do we have a second?
VICE-CHAIR CHICO	Second.
CHAIR FRYMARK	So, we have a first and we have a second.
ADMINISTRATIVE SECRETARY HERNANDEZ	Commissioner Acosta.
COMMISSIONER ACOSTA	Yes
ADMINISTRATIVE SECRETARY HERNANDEZ	Commissioner Miranda.
COMMISSIONER MIRANDA	Abstain.
ADMINISTRATIVE SECRETARY HERNANDEZ	Commissioner Rodriguez.
COMMISSIONER RODRIGUEZ	Yes.
ADMINISTRATIVE SECRETARY HERNANDEZ	Vice Chair Chico.
VICE-CHAIR CHICO	Yes.
ADMINISTRATIVE SECRETARY HERNANDEZ	Chair Frymark.
CHAIR FRYMARK	Yes.
ADMINISTRATIVE SECRETARY HERNANDEZ	Thank you.
CHAIR FRYMARK	Thank you. Moving on to Number 2, Spontaneous Communications.

**SPONTANEOUS
COMMUNICATIONS**

ADMINISTRATIVE
SECRETARY
HERNANDEZ

This is the time set aside for members of the audience to speak on items not on this agenda that is within the Planning Commission's subject's matter jurisdiction. The Planning Commission is an advisory board appointed by the City Council to review and provide recommendations on matters related to land use, planning, and development within the city. Except for very limited circumstances, state law prohibits any Commission discussion or action on items that are not on the agenda. All members of the public are asked to observe the City's Rules of Procedure and Public Meeting Decorum. The City's Rules of Procedure and Public Meeting Decorum can be found on the City's website, and Chapter 2.40 of the Irwindale Municipal Code. You may also contact the City Clerk's Office for copies. Each speaker will be limited to 3 minutes unless such time limits are extended. If a member of the public wishes to donate their time to another speaker, both persons must be physically present and in attendance of the meeting. The Presiding Officer may, in his or her discretion, extend the 3-minute time limitation for the particular subject for all speakers. In no event shall the total amount of speaking time exceed 6 minutes per person for the subject under discussion. Organized groups of persons wishing to address the Board on the same subject should select a spokesperson to represent the group, so as to avoid unnecessary repetition. The Commission may regulate a speaker who is speaking too long or out of order, being unduly repetitious, discussing irrelevancies, or extending to items not within the subject matter jurisdiction of the Commission. Please be reminded that discrimination, abusive use of profanity, unruly disruption, and violent or physically threatening conduct is discouraged. Members of the public shall not disrupt the orderly conduct of the meeting the Presiding Officer will request that a person cease any disruptive conduct, and if not immediately stopped, will direct the person to be removed from the meeting. So we are in the hybrid format, we have both in-person and hybrid audience members, and they will participate in the following order: Tier 1: In-person attendees, Tier 2: Teleconference attendees, and Tier 3: In-person and teleconference attendees who have not previously provided comments on the matter(s) being discussed by the legislative body.

CHAIR FRYMARK

Thank you. Do we have any members of the audience that would like to speak under Tier 1? Okay. Seeing none, how about Tier 2, teleconference attendees?

ADMINISTRATIVE
SECRETARY
HERNANDEZ

We do not have anyone for Tier 2.

CHAIR FRYMARK Thank you. And Tier 3? Anybody for in-person or teleconference who have not yet previously provided comments?

ADMINISTRATIVE SECRETARY HERNANDEZ We have no one for Tier 3.

CHAIR FRYMARK Thank you. With that, we'll move on to Item 3. New Business.

NEW BUSINESS

ADMINISTRATIVE SECRETARY HERNANDEZ No New Business.

CHAIR FRYMARK Okay. Item Number 4, Public Hearings.

PUBLIC HEARINGS

CHAIR FRYMARK So Public Hearings we have it looks like one item. Item A, which is Modification No. 02-2024 to Conditional Use Permit No. 5-03; New restaurant located at 15710 Arrow Highway. I don't need to read the rest of that do I? Okay, I will. Brenda Bruton, Farwest Restaurant Group, LLC (Wingstop). Thank you. So, at this time we will open up the... Staff Report first? Okay. Staff please. Thank you.

PLANNING TECHNICIAN ROMERO Good evening Chair, members of the Planning Commission, our next matter of discussion is a request for a Modification to Conditional Use Permit No. 5-03, for the property at 15710 Arrow Highway. The applicant is Brenda Bruton of Farwest Restaurant Group, LLC. The property owner is Irwindale 4th Street Associates, LLC. The applicant is requesting a Modification to Conditional Use Permit No. 5-03, to remove the existing restaurant use maximum and allow the operation of a new restaurant, Wingstop. The site is located on the southeastern corner of Arrow Highway and 4th Street. The property is zoned C-2, (Commercial), and has a General Plan designation of Commercial. The proposed project is categorically exempt from CEQA per Section 15301, Class 1; Existing Facilities. The property was developed by Irwindale 4th Street Associates, LLC as phase 3 of the Irwindale Commerce Center project. The site accommodates retail, service, and restaurant uses. The retail building was developed with six (6) individual storefronts. There are currently five (5) tenants including a dentist, a cycle shop, a coffee shop with a drive through, and two (2) restaurants. The applicant plans to lease one (1) of these storefronts. Due to the two-restaurant limit imposed by CUP 5-03, Wingstop, the applicant, would not be able to operate on this site at this time. The applicant is not proposing any exterior modifications or expansions. Any future signage will be processed administratively. There are plans for interior tenant improvements to accommodate for the proposed

restaurant use. Staff recommends the adoption of Resolution No. 827(24), approving Mod No. 02-2024 to CUP No. 5-03, subject to the proposed conditions of approval. This concludes my presentation. The applicant and I are available for comments or questions.

CHAIR FRYMARK

Thank you. Does the Commission have any questions?

COMMISSIONER
MIRANDA

Question. Why other than the current zoning limits of two (2) restaurants would there be any opposition to this? There's already 2 nice restaurants there.

PLANNING
TECHNICAN
ROMERO

I am sorry I...

COMMISSIONER
MIRANDA

I'm sorry. Why other than the current zoning allows only two (2) restaurants in that lot? Is there other reasons why there would be...

PLANNING
TECHNICAN
ROMERO

No, so the existing Conditional Use Permit is what limits to two (2) restaurants. That's not really something to that's pretty typical. If it allows for a use, the whole parcel should accommodate for that use.

COMMISSIONER
MIRANDA

Pretty sound, yeah.

PLANNING
TECHNICAN
ROMERO

Right.

COMMISSIONER
MIRANDA

Okay.

COMMISSIONER
RODRIGUEZ

Was there a reason why the Planning Commission and Council approved only two restaurants at the time?

PLANNING
TECHNICAN
ROMERO

So I tried to see the reasoning but I couldn't find one, I'm sorry.

COMMISSIONER
RODRIGUEZ

And this Wingstop restaurant will be dine in and take out?

PLANNING
TECHNICAN
ROMERO

I will let someone from the applicant's team answer that question.

CHAIR FRYMARK

Please approach.

AMADOR AVILA	Hi, my name is Amador Avila. I am representing Farwest Services. Currently yes, they will have some dine in and take out as well at this location.
COMMISSIONER RODRIGUEZ	Some questions were asked by residents regarding pay scales. Is there a difference in pay scale, regarding, if it was only a dine-in restaurant?
AMADOR AVILA	There's not. So, we are currently on the higher pay scale as of July 1st, we'll have a minimum of \$20.00 an hour and based on the position that might go a little bit higher. If you're a cook, you might get paid a little bit more, and if you're management you'll also be higher than that as well.
COMMISSIONER RODRIGUEZ	Thank you.
AMADOR AVILA	No problem.
CHAIR FRYMARK	In reference to hiring, I know you just spoke to the pay scale, so thank you for that. If approved, what is the window in time in which you anticipate hiring beginning?
AMADOR AVILA	So we hire, typically, management within about 90 days before opening because their training is a little bit more intense than a regular cashier and cook, and we plan to hire within 30 days the rest of the staff which require cashiers and cooks.
CHAIR FRYMARK	And how many are you anticipating hiring?
AMADOR AVILA	Anywhere between eighteen to twenty-five.
CHAIR FRYMARK	Does the Commission have any other questions? Thank you.
AMADOR AVILA	Thank you for your time.
CHAIR FRYMARK	Of course. Do we have any members of the audience that would like to speak on this item?
ADMINISTRATIVE SECRETARY HERNANDEZ	You would like to open up the Public Hearing?
CHAIR FRYMARK	Yes, please. Thank you.
OPEN PUBLIC HEARING	At 6:40 p.m., Chair Frymark opened the Public Hearing.
CHAIR FRYMARK	So at this time, any members of the public that would like to speak on this item, can you please approach?

ADMINISTRATIVE SECRETARY HERNANDEZ	It looks like we have no one for Tier 1. We can move on to Tier 2. No one for Tier 2 as well. We will move on to Tier 3. No one for Tier 3.
CHAIR FRYMARK	Thank you. So that will close the Public Hearing?
VICE-CHAIR CHICO	No, I have a question.
CHAIR FRYMARK	Oh, wonderful. Go ahead.
VICE-CHAIR CHICO	I have a question of the applicant, please.
AMADOR AVILA	Yes Commissioner.
VICE-CHAIR CHICO	In giving this a lot of thought about the question that was brought up, why there was a restriction on the number of applicants, one can come up with a lot of reasons. Maybe for some reason the Council felt at that time that it would be better economics, if you will. But, my question is... And I don't even know if this is within the realm of our thinking process, but the other restaurants that are occupying spaces in this shopping center, when they signed their lease they were made aware, I'm sure, of this Conditional Use Permit limiting that particular building to two (2) restaurants. Now we are considering adding a restaurant, which at the time they signed their lease they didn't know it was going to happen. My question is, was there any inquiry towards the other restaurant occupants as to whether they would object to this, whether they thought it was unfair, whether it encroached in their lease. I don't know. Is there anything you can add to that?
AMADOR AVILA	Not that I am aware of. Usually when we come into shopping centers with smaller restaurants they like having us there because we create a lot of traffic which is more visibility for them. So, they always see it as a plus versus a negative when we come into the shopping centers.
VICE-CHAIR CHICO	Well, that's good sales pitch right there. It doesn't really answer the question. Maybe you can.
PLANNING TECHNICAN ROMERO	I'd also like to make note that we noticed the restaurants as well and...
VICE-CHAIR CHICO	You did?
PLANNING TECHNICAN ROMERO	Yeah, we did.
VICE-CHAIR CHICO	Okay.

PLANNING
TECHNICAN
ROMERO

Yeah.

VICE-CHAIR CHICO

So they're all aware of this proceeding?

PLANNING
TECHNICAN
ROMERO

They are. I did not receive any comments.

VICE-CHAIR CHICO

Okay. All I wanted to know.

CHAIR FRYMARK

Thank you Vice-Chair Chico. Are there any other comments or questions at this time? No?

ADMINISTRATIVE
SECRETARY
HERNANDEZ

Would you like to close the Public Hearing?

CHAIR FRYMARK

Yes, let's go ahead and close the Public Hearing. Thank you, Jesus.

CLOSE PUBLIC
HEARING

There being no speakers, Chair Frymark closed the Public Hearing at 6:53 p.m.

CHAIR FRYMARK

Do we move on to vote?

ADMINISTRATIVE
SECRETARY
HERNANDEZ

Yes.

CHAIR FRYMARK

At this time we will go ahead and take a vote.

COMMISSIONER
MIRANDA

I had one quick question. I just remembered. For the applicant, are they having a public bathroom in this place? Public bathroom, sorry.

AMADOR AVILA

In this location we will have a bathroom available for the guest and the staff.

COMMISSIONER
MIRANDA

Perfect, thank you.

CHAIR FRYMARK

So now at this time we will go ahead and take a vote. Do we have any motions?

COMMISSIONER
RODRIGUEZ

Motion to adopt the resolution.

COMMISSIONER
ACOSTA

Second.

CHAIR FRYMARK	So we have a first and a second.
ADMINISTRATIVE SECRETARY HERNANDEZ	Thank you.
ASSISTANT CITY ATTORNEY TRAXLER	Yes, Chair, I'll go ahead and read the title of the resolution into the record.
CHAIR FRYMARK	Perfect, thank you.
ASSISTANT CITY ATTORNEY TRAXLER	So this is Resolution No. 827(24), a resolution of the Planning Commission of the City of Irwindale approving Modification No. 02-2024 to Conditional Use permit No. 5-03 to remove the existing restaurant-use maximum and allow the operation of a new restaurant located at 15710 Arrow Highway, Irwindale, California 91706, APN: 8417-035-028, in the C-2 (Heavy Commercial) Zone, subject to conditions as set forth herein and making findings in support thereof; applicant - Brenda Burton on behalf of Farwest Restaurants Group LLC, Wingstop. Thank you, Chair.
CHAIR FRYMARK	Thank you.
VICE-CHAIR CHICO	Jamie, the Resolution as it's written, it allows one (1) restaurant, correct? One (1) additional restaurant?
ASSISTANT CITY ATTORNEY TRAXLER	I would have to double check that, but I believe that the resolution just removes the restaurant maximum so it would allow any number of restaurants up to and including six (6), I believe.
VICE-CHAIR CHICO	I think the Commission should know that, that we are opening the door. We are opening Pandora's box in the way it is worded.
CHAIR FRYMARK	So, essentially what I'm understanding is originally there was the ability to only have two (2) restaurants, but by approving this modification it is allowing that parcel, that business area, to have up to six (6) restaurants because that's the number of buildings available in that space. Is that correct?
PLANNING TECHNICAN ROMERO	That is correct.
VICE-CHAIR CHICO	If that's the Commission's intent, so be it. I don't know. I would really be concerned with the other leaseholders, lessees, to make sure they understand that point that we've opened up the whole shopping center for more restaurants.

CHAIR FRYMARK	Hopefully we'll keep our tenants there and there won't be a lot of shifts and movements in in who we have there. But yes, I understand, and I hear you. Does the Commission have any concerns? We have a motion, a first and a second, but we haven't taken a Roll Call yet.
COMMISSIONER MIRANDA	As it stands now, there is a Thai place, there is a Chinese restaurant, and then we will have a Wingstop there, there is two (2) more coming. The only problem would be another Thai place comes in or something like that, competition wise. Something like that.
CHAIR FRYMARK	It's the Thai place, the dentist, then the Wingstop, the cycling, and then I believe there is a Chinese food?
COMMISSIONER MIRANDA	Yes.
CHAIR FRYMARK	Okay, and then Starbucks. So, assuming no one leaves....
COMMISSIONER MIRANDA	We're okay for now.
CHAIR FRYMARK	And hopefully they don't. Those would be the restaurants that we have at that location. Okay. Are we comfortable with moving forward with making a ... Do we make the motion again before we take a vote because the motion is already on the floor, right?
ASSISTANT CITY ATTORNEY TRAXLER	Correct. Yes.
CHAIR FRYMARK	So we just do Roll Call?
ASSISTANT CITY ATTORNEY TRAXLER	Yes, unless any Commissioners would like to amend the motion to include any other conditions.
VICE-CHAIR CHICO	I would. I would like to amend the motion and restrict it to one additional restaurant. Whether it be Wingstop or anybody else, but just one additional restaurant.
PLANNING TECHNICAN ROMERO	So just increase the number of restaurants on the parcel to three (3)?
VICE-CHAIR CHICO	Correct.
CHAIR FRYMARK	So we would be changing the resolution which currently stands from two (2) to three (3) basically?

PLANNING
TECHNICAN
ROMERO Well the current resolution would remove that limit.

CHAIR FRYMARK Oh, entirely.

PLANNING
TECHNICAN
ROMERO Entirely.

CHAIR FRYMARK Got it. Okay, so then the new resolution would be to modify it so that it only allows up to three (3) restaurants?

PLANNING
TECHNICAN
ROMERO Yes.

CHAIR FRYMARK Okay.

COMMISSIONER
MIRANDA We have Starbucks now, is that considered a restaurant?

CHAIR FRYMARK I don't know, great question. What is Starbucks considered?

PLANNING
TECHNICAN
ROMERO A coffee shop.

CHAIR FRYMARK But not a restaurant?

PLANNING
TECHNICAN
ROMERO Not a restaurant.

CHAIR FRYMARK Sure. Come on up.

FRED BARBOSA Fred Barbosa, 16164 Calle De Paseo.

CHAIR FRYMARK I am sorry Mr. Barbosa, can I give you one pause for a second. Do we need to open up the Public Hearing again?

ASSISTANT
CITY ATTORNEY
TRAXLER You do not. It's up to the Chair whether or not you would like to allow public comment at this point.

CHAIR FRYMARK We will go ahead and allow public comment. Thank you Mr. Barbosa, please.

FRED BARBOSA	Why would you want to stifle a restaurant row? I mean, we're going to have a lot of industry. We should be inviting restaurants. I think that would stimulate the area more, and have people stay in Irwindale while they're working instead of going out of town to eat. Consider building a restaurant row. I mean we've got the Carl's Jr. that is empty. Let's focus on making money instead of chasing them away.
CHAIR FRYMARK	Thank you for your comment. So, we did not open up the Public Hearing but we did accept that comment into the record. So, thank you, again. Public Hearing is closed on this item. So, it sounds like right now we are trying to figure out what the motion will be for this resolution, whether we would modify it to only allow up to three (3) restaurants, or we would completely be changing the resolution to allow for the openness, if you will, of all restaurants to be able to occupy those spaces. Those are the two options on the table.
VICE-CHAIR CHICO	I would like to respond to a comment. I agree with the idea of having a lot of restaurants. And again I'll repeat my concern, there are lessees on those properties that signed multi-year leases on the basis that they were going to be X number of restaurants. Now we're opening up the whole thing. I think those lessees deserve notice before we do that.
PLANNING TECHNICAN ROMERO	If I could comment on that, like I mentioned, we did notice a 500-foot radius and that included the lessees.
VICE-CHAIR CHICO	But as I did, I'm not sure they understood that it was opening the whole center. All this time I've been under the impression one more restaurant.
PLANNING TECHNICAN ROMERO	Well it was noticed with the Resolution, stating that it would remove the the restaurant use maximum.
VICE-CHAIR CHICO	I understand that.
PLANNING TECHNICAN ROMERO	Yeah.
VICE-CHAIR CHICO	But still, I still got the impression it was one (1) more restaurant.
CHAIR FRYMARK	How much notice was... Just out of curiosity, how much time was provided in that notice?
PLANNING TECHNICAN ROMERO	We usually notice ten (10) days before a Public Hearing.

- CHAIR FRYMARK Ten (10) days. So my comment on Wingstop in particular, is that they tend to draw a younger group of individuals. And so, from a commercial perspective, bringing in a Wingstop to the City of Irwindale seems like an opportunity for us in the community to be able to draw in a younger clientele. We see often times in our restaurants that they either don't stay very long or they're not open like on the weekends. We struggle on the weekends. And so, I think that opening it up to Wingstop that draws a younger crowd may help boost some of the economy in that particular area. Those are just my comments, something that I wanted to put on the record.
- VICE-CHAIR CHICO Let me add one more thing. In the perception of this thing, keep in mind there's only one (1) applicant applying for that space. So, I say that because if we were to limit it to just that space. I mean, we're not hurting anybody because there's nobody out there looking yet.
- PLANNING
TECHNICAN
ROMERO As of now, there's only one (1) vacancy, which is the one (1) Wingstop is taking over.
- VICE-CHAIR CHICO Right, whereas if we open it up, yeah, you'll get more applicants. Of course you will.
- PLANNING
TECHNICAN
ROMERO Well, there wouldn't be any other vacancies at this time. There's only six (6) storefronts, five (5) are currently occupied, and there's the one empty one.
- CHAIR FRYMARK Has there been any interest in the empty Carl's Jr. space.
- SENIOR PLANNER
JONES Good evening, Chair, Members of the Planning Commission. There has been some interest, but it's unrelated to this application. And also, I wanted to speak on the leasehold. So, we don't get involved in the leasehold affairs of the businesses. So, they don't have any bearing on the decision.
- ADMINISTRATIVE
SECRETARY
HERNANDEZ Chair, we have someone that raised their hand. Would you want to accept their comment or?
- CHAIR FRYMARK Sure.
- ADMINISTRATIVE
SECRETARY
HERNANDEZ Okay, I will go ahead and unmute Suzanne Gomez.
- SUZANNE GOMEZ Good evening, Commissioner, residents, audience. So, if you recall the historical perspective of the Council, the Council when they developed this area put a limitation because, I don't know if you remember, when Wendy's was coming in they wanted a Taco Bell and they didn't want

two (2) restaurants. We do not want to be known as a fast-food drive thru city. I agree with Mr. Barbosa that we could be like a restaurant row, but I would have to say that just for the sake of continuity with the Council, that Commissioner Chico that we should take each item individually. And then if another restaurant comes in then they can come back to the Commission. The Commission should vote just to do up to three (3), which is on the table. The reason for six (6) is baffling and unknown to me, especially since we don't know the historical perspective. Even though Staff couldn't find a reason behind it, there obviously is. Things are done intentionally in development. Thank you.

CHAIR FRYMARK

Thank you for your comment. Yes Brandi?

SENIOR PLANNER
JONES

I just wanted to respond to that. So, when we were doing the research for this project, we went through the original application for the development, the Conditional Use Permit, and the Site Plan Design Review. We were looking for any information that specifically talked about warranting the two-restaurant maximum and there was nothing. So, I just wanted to reiterate that.

COMMISSIONER
MIRANDA

Could it be just two (2) applicants at the time. Is that why?

SENIOR PLANNER
JONES

It could have been that.

CHAIR FRYMARK

Any other questions from the Commission?

COMMISSIONER
MIRANDA

I have a comment regarding what we are talking about. Perhaps we could just push this through as just the one (1) whereas we do a maximum. So, we can have them apply when they come through. Even though they're already... there is no vacancies. It is just to alleviate that, any kind of stress or worry about the other lessees.

CHAIR FRYMARK

Any other comments or thoughts? So, if we were to pose that motion, Jamie, would you be able to assist us in making that motion because I'm assuming we would have to modify the recommendation to adopt resolution as is would need a modification to only approve up to three restaurants in that space.

ASSISTANT
CITY ATTORNEY
TRAXLER

Correct, so I believe we do have a pending motion. Which was adoption of the resolution with Commissioner Chico's proposed modification, which was to change the maximum use from two (2) restaurants to three (3) restaurants. I don't believe we've had a second on that motion.

ADMINISTRATIVE
SECRETARY
HERNANDEZ

So we've had a first and a second. First by Commissioner Rodriguez and second by Commissioner Acosta. Do we need to go ahead and finish that one?

ASSISTANT CITY ATTORNEY TRAXLER	I apologize. Jesus is correct. We have a pending motion right now to approve the resolution as is because that motion had a second. That would just be the existing six (6) restaurant maximum and just removing the two-restaurant maximum. That is the pending motion. We would need to take a vote on that motion and if it passes, then the resolution stands as is. If it fails, then we can entertain a new motion.
CHAIR FRYMARK	Understood. Thank you. So, at this time, we'll take a vote for the motion as it stands, which would allow that space to be occupied with no limitations. So, Roll Call.
ADMINISTRATIVE SECRETARY HERNANDEZ	Commissioner Acosta.
COMMISSIONER ACOSTA	No.
ADMINISTRATIVE SECRETARY HERNANDEZ	Commissioner Chico.
VICE-CHAIR CHICO	No.
ADMINISTRATIVE SECRETARY HERNANDEZ	I am sorry.
VICE-CHAIR CHICO	It is alright.
ADMINISTRATIVE SECRETARY HERNANDEZ	Commissioner Miranda.
COMMISSIONER MIRANDA	No.
ADMINISTRATIVE SECRETARY HERNANDEZ	Commissioner Rodriguez.
COMMISSIONER RODRIGUEZ	No.
ADMINISTRATIVE SECRETARY HERNANDEZ	Vice-Chair Chico.
VICE-CHAIR CHICO	No.

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ADMINISTRATIVE
SECRETARY
HERNANDEZ Chair Frymark.

CHAIR FRYMARK No.

ADMINISTRATIVE
SECRETARY
HERNANDEZ Thank you.

VICE-CHAIR CHICO So I'd like to make a motion to amend it to restrict the number of restaurants to three (3).

ASSISTANT
CITY ATTORNEY
TRAXLER I am pulling up the Conditions of Approval. The motion would be to adopt the Resolution with the amendment to Condition of Approval Number 1, to incorporate a three-restaurant maximum instead of removal of the restaurant maximum limitation altogether.

VICE-CHAIR CHICO Yes, that is the motion.

COMMISSIONER
RODRIGUEZ Second.

CHAIR FRYMARK Perfect. So, we have a first and we have a second. Roll call.

ADMINISTRATIVE
SECRETARY
HERNANDEZ Commissioner Acosta.

COMMISSIONER
ACOSTA Yes.

ADMINISTRATIVE
SECRETARY
HERNANDEZ Commissioner Miranda.

COMMISSIONER
MIRANDA Yes.

ADMINISTRATIVE
SECRETARY
HERNANDEZ Commissioner Rodriguez.

COMMISSIONER
RODRIGUEZ Yes.

ADMINISTRATIVE
SECRETARY
HERNANDEZ Vice-Chair Chico.

VICE-CHAIR CHICO Yes.

ADMINISTRATIVE
SECRETARY
HERNANDEZ Chair Frymark.

CHAIR FRYMARK Yes.

ADMINISTRATIVE
SECRETARY
HERNANDEZ Thank you.

CHAIR FRYMARK Thank you. Thank you, Commission for that great discussion. That was really good. Thank you. Thank you, Staff. Okay, so now we will move on to Item No. 5.

**DISCUSSION ITEMS/
PRESENTATIONS**

CHAIR FRYMARK Any discussion items or presentations today?

ADMINISTRATIVE
SECRETARY
HERNANDEZ Staff does not have any.

CHAIR FRYMARK Do we have a Community Development or Director Report?

**COMMUNITY
DEVELOPMENT
DIRECTOR REPORT**

SENIOR PLANNER
JONES Yes, we do today. So, tomorrow is the State of the City. Doors open at 5:30 and the program begins at 6:00. It is at the Dan Diaz Recreation Center.

VICE-CHAIR CHICO 6:00?

SENIOR PLANNER
JONES Yeah, doors open at 5:30. And we would just like to congratulate Council Member Miranda on his appointment. Commissioner, sorry.

CHAIR FRYMARK I was like wow. That was fast.

SENIOR PLANNER
JONES Alright, that is all.

CHAIR FRYMARK Thank you. Slip of the tongue. Any comments from our lovely legal counsel?

LEGAL COUNSEL
COMMENTS

ASSISTANT
CITY ATTORNEY
TRAXLER

I would just like to remind the Commission that if you ever have any questions or concerns about anything within the Planning Commission's purview, that you are more than welcome to reach out to me. Give me a call, send me an e-mail, and I can answer any legal questions that you may have. I know this is a new generation of Commissioners and we're all learning together, learning this new planning and zoning language. So, I just wanted to remind you that I'm here as a resource for you.

VICE-CHAIR CHICO

Do you have any business cards?

ASSISTANT
CITY ATTORNEY
TRAXLER

I do. I will hand them out to you after the meeting.

VICE-CHAIR CHICO

I will pick one up.

CHAIR FRYMARK

Thank you, do we have any Commissioner comments tonight?

COMMISSIONER
COMMENTS

COMMISSIONER
ACOSTA

I just like to welcome Commissioner Miranda, and just glad that we're back at five again.

COMMISSIONER
MIRANDA

Thank you sir.

CHAIR FRYMARK

Vice-Chair Chico?

VICE-CHAIR CHICO

I do have questions, but I want to make sure the other Commissioners get a chance.

COMMISSIONER
MIRANDA

I have a quick comment. Is that okay?

CHAIR FRYMARK

Absolutely.

COMMISSIONER
MIRANDA

I just wanted to state that I'm very grateful and privileged to be serving this City, in this capacity. As you know, my family served many years throughout my uncles and aunts. Of course, my parents as well. My dad was a Commissioner for twenty-five years at the Parks and Rec Commission. And I know this seat is vacant because our recent loss, sudden loss, of dear Chico Fuentes. He served this seat with lots of tenacity and integrity. And I'm going to bring the same zeal to the seat

as well. I am very honored to be sitting with all you, my colleagues here. Thank you.

CHAIR FRYMARK Commissioner Rodriguez, any comments?

COMMISSIONER RODRIGUEZ I just want to welcome you and you know, it is great to have five again.

VICE-CHAIR CHICO Yeah, you're a great addition. Great addition.

COMMISSIONER MIRANDA Thank you.

VICE-CHAIR CHICO Anyway, if I may, I have a couple questions. We have to refer to the minutes of May 15th if you would, please. Let's see. Okay yeah, May 15th, page 5, down at the bottom a member of the public has been asking a question. And his question was referring to sidewalk improvements, which would be sidewalks and so forth and so forth. My question is, Brandi, there's nothing going on, on Live Oak Lane as far as improvements or is there?

SENIOR PLANNER JONES No, I think that question was in reference to a public notice that was received regarding the Irwindale Gateway, and in the EIR it does talk about improvements proposed on Live Oak Lane.

VICE-CHAIR CHICO Oh okay. Yeah, okay. Don't go away. Okay, you answered that. Same minutes on page twenty, again down at the bottom. The Director of Engineering Building made a comment that...in the middle of the paragraph, but since they have brought down the stockpile and used that dry stockpile to backfill the pit at the subject site, is there backfilling going on?

SENIOR PLANNER JONES There is. Remediation, right? Yeah, remediation.

VICE-CHAIR CHICO And it is being back filled?

SENIOR PLANNER JONES Yes, the Irwindale Gateway site.

VICE-CHAIR CHICO Is that being certified?

SENIOR PLANNER JONES Yes.

VICE-CHAIR CHICO It is?

SENIOR PLANNER JONES Yes.

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VICE-CHAIR CHICO	Because we already made that mistake one time before and caused a whole problem.
SENIOR PLANNER JONES	That's why they're fixing it.
VICE-CHAIR CHICO	But it being back filled and it is being certified? So everything is being done accordingly?
SENIOR PLANNER JONES	Yeah, it is on the up and up.
VICE-CHAIR CHICO	Great.
CITY MANAGER MIRANDA	Commissioner Chico? Commissioner Chico?
VICE-CHAIR CHICO	What? Who?
CITY MANAGER MIRANDA	Me over here. Commissioner Chico, Director of Engineering Eddie Chan, if you can give a little bit more background on it.
VICE-CHAIR CHICO	Alright.
DIRECTOR OF ENGINEER/BUILDING OFFICIAL CHAN	Evening Commissioner Chico, to answer that question, yes, they're doing remediation grading at the site. So, what they're doing is removing the existing field at the site. They are stockpiling on the stockpile that you see on Arrow Highway and they are mixing it up with better soil and then backfilling the pit inside.
VICE-CHAIR CHICO	So they're still removing some of the trash from the bottom of the pit, huh?
DIRECTOR OF ENGINEER/BUILDING OFFICIAL CHAN	Yeah.
VICE-CHAIR CHICO	To some extent.
DIRECTOR OF ENGINEER/BUILDING OFFICIAL CHAN	Yes.
VICE-CHAIR CHICO	Just roughly give me a percentage, how far along are they?
DIRECTOR OF ENGINEER/BUILDING OFFICIAL CHAN	They have separated into, I believe, eight (8) grids inside the pit. Right now they're in the process of reprocessing the first grid. So if you can imagine, yeah, the site.

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VICE-CHAIR CHICO Alright. Okay, thank you very much. That is all I have.

CHAIR FRYMARK Thank you, Vice-Chair Chico those are really great questions. I actually went to that Gateway Pit. It was pretty interesting to go down there and see it all happening, and seeing some of the excavation that is happening, and the things that they're finding down there, it's kind of interesting. You were there, right?

COMMISSIONER
RODRIGUEZ I was there, yes, as well. It was very interesting.

CHAIR FRYMARK Commissioner Miranda, it's a good time if you want to go.

COMMISSIONER
MIRANDA I want to go, yeah. Count me in.

CHAIR FRYMARK Wear some good shoes. I have a couple comments. First, I just want to welcome Commissioner Miranda to the Commission. I am excited to work with you in this capacity. It is an honor to be sitting with you and with our fellow Commissioners. I also want to wish everyone a happy Father's Day, belated Father's Day, and those fathers that we have in our audience as well. It's takes some big shoes to be a, a good present father. And I'm just happy to be able to wish you guys a... I hope you guys had a wonderful Father's Day. I think that is the only comments that I have at this time. And oh thank you, thank you guys for your vote of confidence. I look forward to serving as your Chair. With that, if we have no further Commissioner comments, we can go ahead and adjourn this meeting. So, I will adjourn this meeting at 7:17. Thank you everybody.

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 7:17 p.m.



Marcela Frymark, Planning Commission Chair

Attest:



Jesus Hernandez, Administrative Secretary

Approved as presented at the meeting held July 17, 2024