

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

November 14, 2024
Thursday
6:30 P.M.

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

CHAIR FRYMARK Wednesday, excuse me, Thursday, November the 14th at 6:30pm. If able please stand for the Pledge of Allegiance. Sorry, I call to order, yes, Pledge of Allegiance, thank you. 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
CHIAR FRYMARK I invite you to please bow your heads for invocation. Dear Heavenly Father, we come before you with gratitude in our hearts and a desire to ask you to lead us in making the best possible decisions that we can tonight for our residential community, our business community and all the surrounding communities that we are blessed to be surrounded by. Lord, we ask you to put patience in our heart and to put clarity in our minds, to help us in making the decisions that will pay for the future of Irwindale. All this in Jesus' name we pray. Amen. Roll call.

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

Also present: Julian Miranda, City Manager; Theresa Olivares, Assistant City Manager; Adrian Guerra, City Attorney; Marilyn Simpson, Community Development Director; Brandi Jones, Senior Planner; Luis Pimentel, Associate Engineer; Jeff Tyler, Acting Associate Planner; Jesus Hernandez, Administrative Secretary; Jarrod Palmer, Community Development Intern

AB 2449
DISCLOSURES

CHAIR FRYMARK Seeing that we are all here, I'm assuming we have no AB 2449 disclosures?

ADMINISTRATIVE
SECRETARY
HERNANDEZ That is correct.

CHAIR FRYMARK Thank you. Do we have any Announcements?

ANNOUNCEMENTS

ADMINISTRATIVE
SECRETARY
HERNANDEZ No announcements from Staff.

CONSENT CALENDAR

CHAIR FRYMARK

Okay. We will move on to Item Number 1 on our agenda, which is the Consent Calendar. However, there are no items to consider tonight for Consent, so we will move on to Item 2, Spontaneous Communication.

**SPONTANEOUS
COMMUNICATIONS**

ADMINISTRATIVE
SECRETARY
HERNANDEZ

Okay, this is the time set aside for members of the audience to speak on any item not on this agenda that is within the Planning Commission's subject matter jurisdiction. The Planning Commission is an advisory body 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 this 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. 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, and Tier 3: in-person and teleconference attendees who have not previously provide comments on the matters being discussed by the legislative body.

CHAIR FRYMARK

Thank you. Do we have any members of the audience that would like to come forward to speak under Spontaneous Communication? You may do so now. Please state your name.

FRED BARBOSA Good evening Commissioners, Chairwoman, residents, Staff. Since this has nothing to do with what we're talking about, I'd like to bring to the point that during Planning Commissioners meetings, we talked about raising the height to 85 feet on the M-2 along the 210 and the 605 corridor. So, I was kind of wondering whether you could maybe, not to this developers saying that the City would raise that there due to the fact that it is increased the revenue stream due to the height added to the 65. So maybe you could let them know in some kind of way that the city is open along that corridor with specific... plans, you know, not just a blanket "oh, everybody go 85 feet". We're going to do them individually projects for the merits. Thank you.

CHAIR FRYMARK Thank you. Are there any other members of the public that would like to speak under Spontaneous Communication for an item currently not on the agenda? Seeing no one else come forward, let's go ahead and move into tier 2. Do we have any teleconference attendees?

ADMINISTRATIVE
SECRETARY
HERNANDEZ No one for Tier 2.

CHAIR FRYMARK Thank you. Tier 3?

ADMINISTRATIVE
SECRETARY
HERNANDEZ And no one for Tier 3.

CHAIR FRYMARK And seeing that we don't have anyone coming forward, it sounds like we are ready to move forward. We're going to move on to item 3: New Business.

NEW BUSINESS

CHAIR FRYMARK Not seeing anything for discussion under new business, so we're going to go ahead and move to Public Hearing.

PUBLIC HEARINGS

CHAIR FRYMARK So, at this time we have one item under Public Hearing, which is item A, Irwindale Gateway Specific Plan. And I'll read the full title just for the minutes: Final Environmental Impact Report, General Plan Amendment #02-2002. Zone Change No. 02-2002... 2022, my apologies, Zoning Ordinance Amendment No. 02-2023, Tentative Parcel Map No. 83854, 13620 Live Oak Lane, with KP, Irwindale Owner LLC as the developer. We will start off with staff first, any staff reports and then we will move... open the floor to anyone else that is here that would like to speak on this item. Welcome.

SENIOR PLANNER JONES Thank you. Good evening, Chair, members of the Planning Commission. The next item is the Irwindale Gateway Specific Plan. And before I get started, I wanted just to let you know, so I'll be giving a presentation that you already have up there, then the applicant will have a separate presentation... to go over some of their points, Okay.

CHAIR FRYMARK Thank you.

SENIOR PLANNER JONES So, the applicant is requesting approval of the Gateway Specific Plan which would provide direction for development for the location at 13620 Live Oak Lane, over the next several years. The plan provides a comprehensive land use program to guide the... to guide the development of an approximately 66.64-acre site. The plan covers an approximately 52.65-acre developable portion called the development area and a 13.99-acre undevelopable area for SCE easement. The Specific Plan land use concept features an industrial business park with up to 997,796 square feet. So, the Gateway Specific Plan entitlements are a General Plan Amendment to change the General Plan land use designation from Regional Commercial to Specific Plan. The Irwindale Gateway Specific Plan Zone Change, which would change the Zoning Map designation from M-2 to Irwindale Gateway Specific Plan, a Zone Ordinance Amendment which will add the Irwindale Gateway Specific Plan to Title 17 of the IMC, and Tentative Parcel Map No. 83854, which would be to subdivide the site into 7 parcels, along with certifying the Final EIR. So, the entire Specific Plan area is comprised of two parcels known as 13620 Live Oak Lane and 1380 Arrow Highway. And so, here's just a little background history, so the Live Oak Lane site from 1894 to 1941 was vacant or undeveloped. From 1957 to 1973, it was a sand and gravel quarry. From 1985 to 1996, the LA Regional Water Quality Board issued permits to fill the pit, and an EIR and supplemental EIR were approved. Post 2005, there was a CUP for import, export, stockpiling and crushing. Some of you may remember the LB Crushing business that was there. And currently it's the Nu-Way Live Oak Reclamation Operations Plan. The site for Arrow Highway from 1957 to today has been used as a retention pond, vehicle storage, and street sweeping business. So, development of the proposed business park will be implemented and regulated through the Specific Plan, and the fundamental purpose of the proposed project is to develop an industrial park and a Battery Energy Storage System, also known as "BESS," on the site to make productive use of a remediated property that previously operated as a landfill and a sand and gravel quarry. So, approval of the Specific Plan will allow development of the business park in a way that provides flexibility and design and building placement consistency and process and procedures provides compatibility with adjacent neighborhoods and addresses on and offsite impacts to local infrastructure and other environmental factors. So, the Specific Plan is comprised of a single planning area with two (2) development land options. So, Specific Plan option one is to develop 52.65 acres as an industrial business park

with three (3) buildings and associated parking. Again, the remaining approximately 14 acres would be for the Edison Easement. The three (3) buildings would allow a maximum of 997,796 square feet of building space. 954,796 would be for warehouse and the remaining 45,000 would be for office. So, the development of this proposed...this option would take approximately four and a half years, with completion and occupancy estimated in late 2027 or early 2028. So, here's a site plan showing the proposal. So, you've got three (3) buildings that... potentially could be divided over the seven parcels. But again, this is just a concept, so when they come in for the actual development, it would be more specific. So Specific Plan option 2 is for 36.71 acres developed as industrial buildings. So, for two (2) warehouse buildings and a 15.9-acre parcel for a 400-megawatt BESS facility. So, the two (2) buildings will allow a maximum of 704,070 square feet, 668,070 being for warehouse, the remaining 36,000 being for office. So, the preliminary design for the BESS has approximately 353,000 square feet of battery arrays, and any BESS proposal will be subject to the approval of a Development Agreement, so it would have to come back to Planning Commission and City Council. The industrial development would be on the same timeline as option one, about 4 1/2 years the battery storage would take approximately 18 months to construct and the...that construction could be phased. And the commercial operation of the battery storage is anticipated by late 2027. So, this is just a... a layout of a conceptual layout of the two (2) buildings, and then the battery storage. So again, the General Plan, so this is just a visual representation of the General Plan Amendment. So, the brown area that you see... that's east of the 605 is the subject property. The other area that's brown on the other side is a different Specific Plan that was recently approved. So, for the Zone Change, it's just, again, another visual representation. So currently the Zone is... is M-2, which is the dark gray. And it's going to be going to a just a specific color for the Irwindale Gateway. So, the Zone Ordinance amendment is required to adopt the Specific Plan as a Zoning document for the site. It'll, again, define the uses, development, infrastructure, all of that for the... the specific area. And the Specific Plan constitutes the regulatory and policy document that guides and governs the growth of the business park over the next several years. And we have the tentative parcel map, which is to subdivide the property into seven (7) individual lots for future development. Okay. So... so the Specific Plan is intended to address unique factors related to the site and provide clarity and development processes. The plan regulates the entire scope of the project and describes the processes for development approvals, including allowable land uses, development standards such as height, setbacks, parking, administration, and implementation processes. And unlike traditional zoning, the Specific Plan allows customization of the factors listed above, based on the location, circumstances, and intensity of the planned development. This Specific Plan would eliminate the potential piecemealing if it were developed under the M-2 Zoning designation. So, one of the components of the Specific Plan is

battery storage. So, I'll just give just some general information, and again, as part of the applicant's proposal, they can provide more in-depth discussion on the battery storage. So, a battery storage is an engineered system of electrical devices and equipment that enable electric energy, such as energy generated from renewable energy sources like solar and wind, to be stored and then released when power is needed. It would be unmanned, but may include an operational and maintenance building, like with a restroom and space for parts. The project would likely require a six-person crew for maintenance who visit once every two to three months on average and would primarily be operated remotely and could be operated up to 24 hours a day, seven days a week. The project design would be subject to fire department review, and the site would be subject to periodic fire inspections and a permit issued by the fire department. So as of June 20, 2023, 14 BESS plants are in operation in LA County, and 8 are in the late-stage development or construction. And the proposed BESS would be... would be designed to be in operation for 25 years. So now I'm going to talk about the Specific Plan components. So, the following sections focus on key topics and addresses distinctive elements, included in the Specific Plan. So, we have the relationship to other land regulations, so it's designed to meet the goals established in the City's General Plan by providing a framework for future development. The Specific Plan will be consistent with and serves as an extension of the City's General Plan. So, Section 4 of the Specific Plan allows... establishes the allowable uses within the development area. Section 5 of the plan provides a roadway network to meet the vehicular and non-vehicular needs of employees and visitors and for the transportation of good to and from the development area. Section 6 establishes development standards applicable to all developments within a development area. And the Design Guides established the quality and character of the built-in environment for the master plan development of the Specific Plan. The Design Guidelines discuss the site planning, architecture, building, form, materials, colors and textures, fenestration, loading doors, and service docks, and project monuments. Section 8 is actually, let me just go back... Section 8 details the build-out requirement for the installation of water, sewer, stormwater, drainage, dry utility infrastructure and solid waste disposal. And Section 9 establishes the implementation and review process required for development proposed within the Specific Plan area. So again, it's pretty much just like a Zoning Code specifically for this, because all of those things are in our current Zoning Code. Okay. So, I'll go on to a discussion about the environmental review and the CEQA and also our CEQA consultant is here in person as well as the remaining team that's online. So, the EIR is a disclosure document of the project's environmental impacts, identifies as ways to avoid or reduce environmental impacts through mitigation, monitoring, and alternatives, fosters interagency coordination with public review and participation. Also, we'll discuss the Mitigation Monitoring Reporting Program as well as the findings of facts and statement of overriding consideration. So,

the EIR has been... a Final EIR has been prepared to analyze the environmental impacts, discuss feasible alternatives, and recommend mitigation measures related to the implementation of the Gateway Specific Plan. Certification of an EIR will enable the applicant or developer to pursue their development goals outlined in the Specific Plan that have been previously analyzed under and are within the project description and maximum build out contemplated in the EIR. So, all the proposals that are the proposed options one (1) and two (2) have been completely analyzed. So, there wouldn't necessarily be a requirement to come back to do additional CEQA analysis unless it would maybe be something outside of those parameters. So... for purposes of the environmental analysis, a maximum development capacity allowed by the Specific Plan and considered by the EIR consists of the approximately 997,000 square feet. So as part of the EIR process, we are required to do public outreach. So, well, in addition to the EIR process, our zoning code requires also public notification. So, the notice of preparation related to the EIR was released by the City for public comment on February 10, 2023, and concluded March 11th, 2023. We... we had a public scoping meeting on March 2nd, 2023, in the Senior Center dining room. The notice of availability related to the EIR was released by the City for public comment on May 13th and concluded on June 27, 2024, so that was for 45 days, and all required CEQA and municipal... IMC noticing requirements were met, including, but not limited to, regular mail, certified mail, e-mail, newspaper noticing, public location posting, along with a dedicated website that we have for the project. Also, you can sign up for the CivicClerk, so you get a notification whenever we post a notice or an agenda. So based on the aforementioned scenario, 20 environmental study areas have been analyzed as part of the analysis. And part of the analysis includes the preparation of four project alternatives, offering a series of mitigation measures and identifying 2 significant and unavoidable environmental impacts. So, 2 significant and unavoidable adverse impacts were identified, as defined by CEQA, that would result from implementation of the proposed project. Unavoidable adverse impacts may be considered significant on a project-specific basis, cumulatively significant, and or potentially significant. The city must prepare a statement of overriding considerations before it can approve the project attesting that the decision-making body has balanced the benefits of the proposed project against this unavoidable, significant environmental impact effect, and has determined that the benefit outweigh the adverse effects and therefore, the adverse effects are considered acceptable. The impacts that were found in the final EIR to be significant and unavoidable were related to air quality and greenhouse gas. Although the Final EIR identifies significant environmental effects that will result in the project...that will result if the project is implemented, all significant effects that can be feasibly avoided or mitigated will be by the imposition of a Condition of Approval or a Mitigation Measure. The significant impacts of the Specific Plan that have not been reduced to a

level of insignificance will have been substantially reduced in their impacts by the imposition of mitigation measures. Staff will be recommending that the Planning Commission recommend that the City Council find the significant, unavoidable adverse effects of the project are clearly outweighed by the economic, social and other benefits of the project. So, each EIR is required to consider alternatives to the proposed project that are capable of eliminating significant adverse environmental effects or reducing them to less than significant levels, even if these alternatives would impede, to some degree, the attainment of the proposed project objectives. The alternatives to the project, the proposed project under consideration with the EIR consists of a no project alternative or no development. This alternative contemplates no development of the site. The existing General Plan option would mean this alternative contemplates the site developed consistent with the existing Regional Commercial land use designation. The reduced intensity alternative contemplates the same land uses as the proposed project but assumes the warehousing square footage is significantly reduced to eliminate the significant greenhouse gas emissions impact on the proposed project. And finally, the truck trailer storage alternative, which contemplates a total of 2,062 tractor trailer parking stalls and a 40,726 square-foot building accommodating warehousing and office spaces. So again, in conclusion, the Gateway Specific Plan is a positive project for the City of Irwindale by providing the framework for coordinated and comprehensive business park development with industrial, commercial, and battery storage uses over the next several years. It provides the City a development that offers jobs and industrial and commercial opportunities. It provides the developer a framework to develop the site and attract businesses to Irwindale while promoting compatible design that is sustainable, attractive, and connective to the surrounding community. The Specific Plan also provides a developer certainty to invest and grow within the boundaries and consistency and progress... in process and procedures. So that concludes Staff's report. So, I'll go ahead and allow the applicant to continue their presentation.

CHAIR FRYMARK

Thank you, Brandi.

JEFF DRITLEY

Madam Chairman, and members of the Commission, my name is Jeff Dritley, with Kearny Real Estate Company. Thank you for the opportunity to present our project. More importantly, thank you for holding a special meeting. We... we really appreciate it. My apologies again if, two weeks ago I was a little presumptuous, a little... too aggressive. I'll... get back to it, but this is Irwindale Gateway. This would be... this is an elevation of one of the gateways to Irwindale, when you get off the 605-freeway coming north and turn right into the heart of the city on... on Live Oak, this would be... our landscaped planned to open up the community. You... just... here with me tonight from Kearny is Steven Hillgren. Hopefully you've seen Steven around. He's on the board of the Chamber of Commerce. Maybe more

importantly, he's on the board of the Irwindale Community Foundation. Eric Dritley's here with me. There are four or five gentlemen from AYPa who will be the developer of the battery energy storage facility, and most importantly is one of their consultants, Brian Fink, who is an expert on BESS fire safety, which we know is one of the concerns that we're here to address. So, Brian will follow me. My presentation, based on the questions we've heard, is going to focus predominantly on the economic benefits to the community of... of a battery storage project versus, you know, an alternative, which would be a full development of the project with industrial buildings. And then fire safety. You know, those are the two big questions. We heard questions from... from people yesterday. Fred Barbosa, Robert Diaz, Suzanne Gomez, Commissioner Miranda, we're going to try to answer all of those concerns tonight, and then obviously... I and the AYPa team are here to answer your questions. But, again, our... our opening and we named the Project "Gateway" 'cause, it is a gateway to the city. This is my 38th year standing at this dais. I haven't stood here all 38 years, but I've developed... this is my third major project in Irwindale. I've developed two pretty big projects in Irwindale. The one in my lower right-hand corner, 25 acres, not too far from here, maybe quarter of a mile, a 25 acres northwest corner of Irwindale Ave. and Arrow, where iHealth is probably the biggest building. I was here in 1986 to get approvals for that. In 1990, I was here to get approvals on what we call the Rivergrade Road project. At the time, Hughes Market occupied the big industrial warehouse that was built and two- or three-story office building that was there, so I'm very pleased to be here again. Umm, you've seen this, this is alternative one, which is 3 industrial buildings totaling about a million square feet. This is the elevation that... that we've presented in the Specific Plan. This is alternative two, which takes the 16 acres fronting Live Oak Avenue and creates a battery energy storage project that the AYPa people... they will buy that parcel on land from us and develop that. You'll see in this case that the square footage of the buildings is 704,000 feet, so it's about a 30% reduction in the warehouse space. This is what a typical BESS unit looks like. It's a modern style container. The... if we need to get into the numbers, the AYPa gentleman can answer it, but they'll be hundreds, 3 or 400 of those on the site. They're 20 to 25 feet long, and they're 12... 12 feet high. We will have concrete block walls behind our landscape setbacks so the view will be minor, if at all, depending on how high the block wall is. Live Oak Lane... so I'm going to... I'll start small and then build to the to the bigger things, which will be batteries, or will be economics to the city. But Live Oak Lane today is a private street. It's owned by us, the Mnoinians owned it when we bought the property. We own that street. Part of the plan that the city has asked for is that we deed that land to the city and create a private street so that the portions in red on the top and the bottom, those will be a 60-foot-wide public street, 40 feet curb to curb, with five feet of landscaping and sidewalks on both sides. That's your typical public street, which we will build and deed to the City. The green in the

middle, we don't own the land on either side of the street, so we can't deed it to you, but we will improve that and put new bays and new asphalt and that will become a 30- to 45-foot-wide public alley. Again, we view this, we named the project Irwindale Gateway, and we want to make it a gateway. It's one of the first sites that people will see when they enter the city. The required setback along Live Oak Avenue is 20 feet. We have proposed in our plans that we'll have a minimum 30-foot setback, and you can see the triangle in the left-hand corner, you know... at its widest there's 130 feet of landscaping and that's... that's the first thing that you'll see when you get off the 605 freeway and turn right onto Live Oak coming into your community. I'm sorry, 114-foot setback at its deepest. So, you know, we're proposing to provide 75% more landscape set back and landscaping than is required by the city, and we're doing it because it's a gateway. This is similar to the first elevation we showed you. Here's that corner that'll have 114 feet of landscape setback in that triangle. The top picture is what it looks like now. The bottom picture is what it will look like when we... when we finish it with a monument, it will say Irwindale Gateway and we hope it will provide a great first impression. This is... looking west on Live Oak Avenue, going into Live Oak Lane. So, Robertson's is on the right, and again, we'll improve that with a dramatic monument and palm trees, and hopefully every day the... the air quality will be like that so you can see the mountains in the background. And behind all of this landscape, there'll be a block wall, which will hide the... hide the batteries. The project benefits, there's a lot of history on this site, and I know the Mnoians had a challenging relationship with you. You know, we're claiming a blighted former quarry for future use. We are spending four years and considerable money to remediate the site, which, although it was permitted to be filled with certified fill, it wasn't done correctly. So, we're going back in and pulling it out and doing it per the permit. You know, we've got state-of-the-art industrial buildings that are... are coming in. #2, we estimate... not we, I asked Marilyn and Brandi would it be helpful to have a fiscal analysis done? So, we hired DTA, which does a lot of work for cities and... and we asked them what would the net benefit, revenue minus new expenses, be to the city, and they came up with an estimate of 1.1 million, which I looked at the city's financial statements for the last 10 years and you have some special events. You sell land or you have some big expenses. I took those special events out. On average, the city nets about \$4 to \$4.5 million dollars a year without special events, so \$1.1 million from 1 project would... would increase your net revenue by... by 25%. Part of the reason we proposed or considered the BESS, I'm an industrial developer. If I had my druthers, I'd probably build 3 buildings, but every community that we develop in, and probably every community in Southern California, the concern from the residents and the community is truck traffic and air quality issues because of truck traffic. So, when the AYPa gentleman came to us and... and proposed this alternative use, we looked at it and said, "you know, this is a win-win. We reduce truck traffic and the issues of air quality by 30%. The city makes more

money than if we built an industrial building. And we're helping to the green energy transition." Umm, you know, battery energy storage, as the consultant last night let you know, is essential to maintaining, you know, consistent delivery of power to the region. I just read this in a Wall Street Journal. Electric rates in California are up 57% in the last five years. That's twice the national average. Our grid and our electrical production is under... under stress, and this will help. I'd also like to point out, in addition to the estimated \$1.1 million, the city, as you've seen as part of the Specific Plan, is requiring a Development Agreement with the battery, with the BESS developer. I'm still asking Julian what will be in that, but I am sure that will be things in there that benefit the city over and above what our... what the outside financial consultant put together. We had the DT, the DT report in there... Oh. Ok, so because there was a question, questions, last night about... I've told you what the benefit of the project is. The question was asked "well, is that the best alternative for the city? You know, you don't have that much... well, every city only has so much land to develop, and this is a big parcel. "Is this the best alternative?" So, I've got copies for all the Commissioners and you guys and you guys, staff already has this. These are pages from the fiscal analysis that was done by a company, DTA, and... and this answers the question: "Is BESS a better alternative to the city economically?" And with Bess included again the estimated benefits... net benefits are \$1.1 million. Without BESS, with the three industrial building scenario, it's 421,000. The difference being \$665,000 annually benefit because of BESS. Why is that? These batteries are really expensive. Way more expensive than an industrial building, we will build. So, although the city only gets part of the incremental property taxes, the property tax base, with these batteries there, is dramatically higher than the property tax basis than an industrial building. You also get other... you can see the line items. You know, there's probably ten light items of revenues and 7- or 8-line items of expenses, but you can see the breakdown there. So, you know, from... from our perspective, we're reducing the project in terms of truck traffic and air quality issues. We're replacing that with something that has no truck traffic and no air quality issues. And dramatically improves the revenues to the city. So, although I'd rather build 3 industrial buildings, that, to me, was a pretty easy decision to present a project that we really felt like... I had a very good chance of being approved by the community. With that, I'm going to ask... so that's the economic part of it. Fire safety's a big part of it, which is not my area of expertise, so I'm going to ask Brian Fink, who's a consultant, came all the way here from New York. Consults on... on battery energy store safety around the world. Well, mostly Canada and here. And with that, I'll let him address fire safety issues. And then whatever questions you have will be back.

BRIAN FINK

Evening, Commissioners.

CHAIR FRYMARK

Look a little different in the... in the picture here than you do today.

- BRIAN FINK It was a couple of years ago. Yeah, yeah. I'm not quite sure how to pull this presentation up. There's only a couple of slides. Do I look worse or better?
- CHAIR FRYMARK No comment (laughter).
- BRIAN FINK Great. Thank you. So, just... just a little bit about my background, I retired from the New York City Fire Department roughly two years ago. I spent 38 years with them. The last 20 as battalion commander in the Bronx. When I retired, a firm called Fire and Risk Alliance reached out to me. I'd worked on a couple of projects with them while I was still with the fire department. It's a fire protection engineering firm. They write a lot of the emergency response plans for these facilities. The Hazard Mitigation Analysis reports for these facilities. They do plume modeling, explosion modeling, and a lot of the design work for these and they didn't have somebody who could go out and talk to fire departments about how to respond to these facilities and the dangers and some of the things they ought to be considering if they have an event at one of these facilities. So, they asked me, would I come back and... and go around the country and talk to firefighters about being safe at one of these events, and I says "absolutely, I love speaking to firefighters". Part of that also came down to coming to speak to people like yourselves, to give you some information to help you make decisions. I'm not here to sell a project to you. I'm here to give you my best knowledge as a firefighter with a firefighting background to help you make good decisions for your community. So, I don't have a lot of material I'm going to present to you. I've got 1 slide just to talk about old technology versus new technology, but then I want you to be able to ask questions that you have that hopefully I can answer for you and anybody else in the audience who has questions. I'll try to fill in those blanks for you. So, last night Mr. Lewis did a pretty good job of explaining old technology versus new technology, and I know you've had some fire events in California over this past year involving energy storage. The one in Otay Mesa, an indoor facility, we had one like this in Long Island, about a year and a half ago as well that I worked on that facility. The problem with the indoor facilities is that they have to be sprinklered to protect the building from the batteries, right? It's a different thing than these containers. Problem was, when they have a fire or a thermal runaway in one of those facilities, the sprinkler system activates. Part of the problem with that fire and why it's spread to so many batteries was because when the sprinklers go off, they short out more rows of batteries and it spreads the fire. So, we're talking apples and oranges as far as an outdoor facility and an indoor facility. The other thing that they had there, and Mr. Lewis had brought this up about the chemistry of the batteries involved, and I know it's getting a little technical and it's a little like when I first started hearing all this stuff, I was like, "what are you talking about"? Right? Nickel manganese cobalt batteries, that's the old technology. The problem with those batteries is they will go... they will start to vent and go to

thermal runaway at a lower temperature. When they go into thermal runaway, they also have a tendency, almost always, to auto ignite and to blow themselves apart. It's a violent reaction. The new technology, the lithium iron phosphate batteries, are different. They are very different. They go into... venting and thermal runaway at higher temperatures and typically when they go into thermal runaway, they do not auto-ignite. Why is that important? Because when they auto-ignite, when the old technology did, it made it easy to spread to more and more cells. Inside of these containers, there's individual cells put into modules. There's thousands of cells inside of these containers. So, if you get a propagating event where it's spreading from cell to cell to cell, then from module to module to module, you've got a whole container on fire. Less likely with the new technology because they don't auto-ignite when they go into thermal runaway. So that was part of what Mr. Lewis was trying to get across last night. It's a... it's a tough concept to understand. Hopefully I've cleared it up a little bit for you, but I know there was a lot of other questions last night that I think maybe you wanted more information about, and I would like to try to clear up whatever you have, concerns or thoughts or questions, and I heard some good questions last night, and you're thinking about this the right way. You're thinking about the safety part of this, and that's a good thing to do. I've worked with the LA County Fire Department on several projects. I helped them write their emergency response plans. I'm very versed. I've trained a lot of their people on how to respond to these facilities. You can reach out to them. You can ask them about me. Whether or not they would advise you to listen to me. I... I'm hoping they would say yes, even though my picture isn't as good as... (laughter). But please, what questions you have, I'd like to be a resource for you to help you understand. The batteries and these systems in general.

CHAIR FRYMARK

I have a couple questions.

COMMISSIONER
MIRANDA

Oh. Real quick, before we get any questions, I want to let the commission know, my dais, and everybody know, I had a meeting today on the phone. I already have saw this document actually in the e-mail with Jeff and Steve. A nice conversation. Just went over to highlight a few things today. And some of my concerns and questions from last night's meeting. So, it was great, just want to make sure we're clear on that. Thank you.

CHAIR FRYMARK

My questions are pretty basic, although I have more but you brought a couple things to mind. One thing is, generally speaking, with the newer technology, when these containers do have, or when they do erupt, for whatever reason, what does the response time look like, generally speaking?

BRIAN FINK

Response time of the Fire Department?

- CHAIR FRYMARK From the Fire Department, from the time it's detected to the time that the Fire Department is able to respond.
- BRIAN FINK That depends on when they... when they want to be notified, and that's the fire department making that decision. So, these containers have a lot of detection devices inside of them. Smoke, heat, gas detection. They're going back and forth trying to decide when they want to be notified, because if just one detector is going off, it's probably just a bad detector. Because if one of these things goes into thermal runaway, all of those will be going off. So that's just a little bit of the response time issue. If all the alarms are going off, depends on the distance from the location that the fire station is located, right? I would say within minutes they will be there. Most of LA County has pretty good response times from what I can see and has fire stations pretty well spread out. It will be very rapid that they get there.
- CHAIR FRYMARK We talked about training. What does training look like?
- BRIAN FINK So, the training, and typically I'll do that for them. Typically, we'll do about an hour and a half presentation about batteries in general, about response hazards. They'll have a very good understanding of what to do and more importantly, maybe what not to do at these, because firefighters typically, they want to run right in and put this fire out. That's not how these fires go, right? These fires... if a battery goes on fire, and it can be your cell phone battery, your scooter, your E-bike, and I think personally, in New York City, we've had a lot of problems with E-bikes and scooters. Many fatalities as a result of those. I'm more concerned for our firefighters and for our civilians with those type of events than these types of events. Firefighters don't need to go into these facilities to fight this fire. When batteries go on fire, water is ineffective. There is no extinguishing agent that puts out the act of flaming. It doesn't work. You can take one of these batteries and drop it in a container of water and it's going to continue to burn. Your safest option is to let the affected battery burn up. If there's no energy left in the battery, it's just garbage. There's nothing left. It can't reignite. I'm sure you've all heard these stories about these electric vehicles. They go on fire, they quote "put the fire out". They take it to a tow yard, and it goes on fire a week, two weeks later, a month later. If the battery is fully consumed and there's no energy left in the battery, it's no longer a hazard. So, the training involves trying to get them to understand "protect the exposures, don't let it spread". But the affected container, that's a waste. It's counterproductive to try to put that out and that's the same with your cell phone, your car, your scooter. It's the same thing. The batteries are a different size. There's more of them in here, but it's the same idea. Most fire departments have adopted that stance.
- VICE-CHAIR CHICO I have a question. You said it's very difficult for them to be extinguished or obviously that nothing would do that. So how long would they burn? Or how long would they be...

BRIAN FINK

That's a great question. And I think if you look at past events and that's what I like to do, I don't like to speak from theorizing. I like to look at past events and get my knowledge from that, so if we look at past battery fire events, it ranges and I've heard ranges from 2 hours depending on how many batteries inside the container are going, up to 8 to 12 hours of active flaming. If it's a big container and the entire container is going. After that, and I know there was talk about, is it a class A fire, a class B, a Class C, that came up last night. It depends on what stage the fire is at. When the energy is all used up, there's no electrical light left in those batteries because it's all off. It's basically just the plastics and the insulation burning. So, you could have smoldering, which we've seen at some of these other events, right? For a period of time after that, but active flaming anywhere, from say 2 hours to, I would say the 8-to-12-hour mark.

COMMISSIONER
ACOSTA

Is it possible there could be smoldering as far as days?

BRIAN FINK

I've seen that happen, especially like that indoor facility where you had many, many racks of batteries. That went on fire in that facility, that smoldered for days, yes, because of the size of it and the way it was set up. That's why I'm not a big proponent of indoor facilities. You know, I don't like that concept. I know other places are still going to build that way. From what I understand, in California, they're not looking to do that out here and I think that's a smart move. When you have these containers outside, it's a far less risk than putting them inside of a building.

COMMISSIONER
ACOSTA

Would... would that smoke from the smoldering and the fire, would that be hazardous to humans?

BRIAN FINK

So, any smoke is hazardous to us, right? Anything that's on fire. Some of the main gases that come off these batteries, the three main gases that come off are carbon monoxide, carbon dioxide and hydrogen, right? Hydrogen is the one that's most concerning to the fire department because it's got a big... flammability range, 4% to 76, so that's always a concern to the fire department. But virtually every fire, no matter what is burning, you have hydrogen being created, right? The one gas that I was always concerned about as a firefighter, and I heard came off of batteries is hydrogen fluoride. Would I have found and since been proven, through testing at some of these fires is that dissipates very rapidly and is burnt off, in large part, if there is a fire. If we look at the testing, and I think you guys had gotten some reports from Otay, Mesa Fire. And there was three incidents in New York that I included the report from that as well. When they did air sampling at those facilities during the events, they were not picking it up once you got away from the containers. At the property line of those facilities, they were no longer picking up any of that. FRA does large scale

testing as well. We'll set entire containers on fire. We'll put probes right above it to capture the gases coming out of it. Because we're concerned about that too. We want to keep our firefighters safe. What we found, as soon as you move away from that container, it... we're no longer picking up HF, it's either dissipated, burning off, and it floats away. We have not seen it where it's drifting downwind. Now, any smoke, I don't care what's burning, a house fire, a car fire, if it's going into a neighborhood or one of these battery fires, we want to have people there doing monitoring to see what they're getting there. The fire department, I trained them about that, is what they should be keying in on, right? Carbon monoxide comes off these as well as almost every fire, Carbon Monoxide is developed. That's the IDLH. That's what creates an IDLH, something called Immediately Dangerous to Life and Health. And what we found is that their meters, they can pick up Carbon Monoxide. We instruct them to go to the neighborhoods and see if they've got that. We do not want that drifting into neighborhoods. It does not get very far. The reports that I've gotten, once you get about 5-6 feet away from the container, the carbon monoxide is no longer at the IDLH levels. It's far diminished. You get 50, 60 feet away from it, you're not even picking it up anymore. So, some of the gases that I was very concerned about for our firefighters, once you get away from the immediate vicinity of these containers, they're no longer a problem for us. Is smoke still a problem? Any smoke from any type of fire, in my opinion, is a problem.

COMMISSIONER
RODRIGUEZ

Regarding outdoor storage facilities, how often do these fires occur?

BRIAN FINK

That's a great question. There is a database. IPREE is the name of it. They track fires from around the globe. I can't tell you where the percentage is, but it's fairly low. And now with this new technology, it seems to be getting even lower, right? There seems to be less incidents with these new technology batteries. Hopefully that trend continues, right? Cause the older battery has been out there 5, 6, 7 years. Is it because they're aging? Or is it just because the technology is so much better now? And it's pretty amazing that battery technology is evolving so quickly, that by the time this project gets developed, there might even be a new generation of battery that is even better than the ones out there now.

COMMISSIONER
RODRIGUEZ

Can you repeat the organization that documents that?

BRIAN FINK IPREE, I believe it is, and... don't ask me. I'll try to look it up and I'll send it to you guys if I can get somebody's e-mail, I'll send you that information because it is a good way to kind of track what's going on out there. The bad thing is you don't know how many facilities there are around the world because this is tracking it globally. We don't know how many were out there. I know you've got quite a few in California. Texas is another big one. Yeah, we do hear about events occurring on occasion, but you know, anytime you store energy, I don't care what it is, gasoline, compressed natural gas, batteries, there's always a danger, right? There's always a danger, right? I can't imagine what it was like when we...we started having gas powered cars and they wanted to put a gas station in your neighborhood. What do you mean a gas station? Right next to my house? I don't want a gas station next to my house. And I don't blame people. I don't want a gas station next to my house either. But if we want to be able to drive our cars or power our neighborhoods, we have to do something to supply that power.

COMMISSIONER MIRANDA A question regarding transport. If you're familiar with that Long Beach fire, the bridge, that cell phone truck turned over?

BRIAN FINK Oh yeah, I saw that, yes.

COMMISSIONER MIRANDA They watched it burn up because they couldn't approach it as well. Let... let it go out. So, a similar situation we were dealing with. Is it possible transporting... once they get them built here, we're not going to be changing batteries out kind of thing.

BRIAN FINK It's pretty rare and, look, when a battery module starts to get old, they might want to switch one out, but typically when these things are delivered new, they bring them in at a 30% state of charge. Far less of an issue when it's a 30% state of charge than it is if it's at 100% state of charge. You're going to have a much more violent fire with 100% state of charge battery, especially the old technology, than you will with a 30% state of charge battery. So, in transportation, hopefully, now I don't know what the deal was with that one that overturned, but... if it was at a 30% state of charge, you should be a shorter duration event and a far less violent event. I think right now, fire departments are just so concerned about what the public thinks, that we're being over cautious with everything we do with batteries. And it's just like, we're not taking any chances. I think as time goes by; fire departments are starting to understand. We can manage the risks with these things. We can do that. We just need to have some more experience dealing with them to feel comfortable doing it.

COMMISSIONER MIRANDA In the containers, they are self-contained here, that fires in one area and it should stay there.

- BRIAN FINK They're designed to be self-contained and not get away. The only time I tell fire departments you may need to intervene, you get Santa Ana winds out here, right? So, you've got a 50-60 mile an hour wind and say you've got a flame coming out of a container and it's blowing it into another piece of equipment or a structure or a transformer. That would be the only time I think the fire department should intervene and perhaps put cooling water on the exposure, right? The other piece of equipment, not the burning piece of equipment, and pretty much every place I've taught around the country and couple of other countries, they're buying into that, they understand it.
- COMMISSIONER
MIRANDA Also curious about the science. You mentioned, you know, put them in water, they're not going to go out. Oxygen... fire needs oxygen. Can we suck the air out of these things and... and is it...
- BRIAN FINK Wouldn't it be great something like that would work? Believe me, everybody's trying to come up with a product that works to put these things out. Unfortunately, and there's a lot of claims out there by a lot of different product manufacturers. "They have the answer." I haven't seen it yet. We've tested some of the products that they say work and they work on the little batteries, the little, tiny ones. They don't work on these larger cells. Part of the problem was when a battery goes in the thermal runaway, it produces a lot of pressure. The gasses coming out of there are coming out at over 100 psi. You can't get a cooling agent into the battery to cool the battery to stop it. That's the problem.
- COMMISSIONER
MIRANDA These gases that are emitted, they said they dissipate. There's no harm... isn't an area...
- BRIAN FINK Okay, if you're standing right over the top of it, I wouldn't want you there breathing that. You know, firefighters, if they're anywhere around that smoke, I want them to have their full PPE, their masks on as it drifts downwind. And I think the comment was made last night that it's no different than a house fire. I hate to tell you, when a house is on fire, it's not a good thing to be breathing that smoke either, right? There's a awful lot of contaminants in that, and for years, you know, when I first came on the fire department, most of the guys didn't even put their masks on. We call them masks in New York. They're SCBA's. They don't even put them on, they would go into these things. We have a lot of dead firefighters as a result of cancer as a result of that, right? All fires produce hazardous gases, including these. Are they much more dangerous... these than a house fire? From what I've seen from these reports, no.
- COMMISSIONER
MIRANDA Well, a house fire, a Fire Department can go and approach and put it out. And this is one we're not putting out. It's different.
- BRIAN FINK Correct, but they shouldn't be even approaching these things...

COMMISSIONER MIRANDA	'Cause the gases...
BRIAN FINK	They shouldn't take that risk because there's nothing to save there.
COMMISSIONER MIRANDA	Nothing can do, yeah.
BRIAN FINK	Exactly.
COMMISSIONER MIRANDA	Just the outside area...
BRIAN FINK	You know, we have to go in and save people in a house. We have to go in and try to protect people's, you know where they live. We don't have to do that here. Their best option is "let that affect the container, burn itself up." That is their best option.
COMMISSIONER MIRANDA	And replacing that... do you have idea how quick that would be?
BRIAN FINK	Placed in a container? I couldn't tell you. You know, some of these projects I worked in... on, the insurance companies get involved. If you've ever had a car or your house... a fire in your house, they won't let you touch anything until the claim is adjusted, so it can take a while to get rid of that damaged property. So, I don't have a good estimate on that. I know the one indoor facility on Long Island that had a fire, it was almost a year before they had that back up and running again. I don't think it's going to be anywhere near that for just one container, but it would be months, I would say, for that one container. It wouldn't mean the whole site is down for that amount of time. That container would be down, right? And typically, the way they bring these in now, they bring them in on a truck, they lift them off with a crane, and they put them in place. It's not like they build them out there. They come in ready to go, stick them in place and they're done.
COMMISSIONER RODRIGUEZ	And then if you could just clarify: so, if a cell is on fire and then it... it moves over to another cell...
BRIAN FINK	Correct, propagating is what they call that.
COMMISSIONER RODRIGUEZ	There's... and those are in a module...
BRIAN FINK	Correct.
COMMISSIONER RODRIGUEZ	So, then the module will shut it down? Does that normally occur, or will it continue on to another module?

BRIAN FINK

They're designed to self-isolate at the module level. Some of these containers, it does it at the cell level. Now, when it says it isolates it, it doesn't de-energize it. And that's some of the hazards for the firefighters and that's why I always tell them, don't get near these things. There's no reason to get near them. All other electrical equipment out there, you can de energize. Batteries, you cannot, right? You... they're always, you always have to treat them as they're live. The fact that they are isolated... once it starts into thermal runaway, depending on the technology, the chemistry, it could still continue to propagate. I'm not going to tell you that that's going to stop that. Any batteries that go into these, they need to be tested to a standard called 9540 A. It's a UL standard. Excuse me. I sit on that committee, and we write testing procedures that have to be done for batteries to go into these containers. It's not a pass/fail. Believe me, if I had my way, it would be a pass/fail. They wouldn't be able to put certain batteries in these containers. But they want to see how they fail. They want to see; do they blow apart and go on fire? Would they just off gas? Do they spread to the entire module or to other modules or they just spread to maybe a few cells next to each other? The equipment that I've worked with AYPa on, their test results on the batteries they've been using, it stays within the module. It's usually just a few cells. So, if the batteries perform as they did in that 9548 testing, the events would be two or three cells off gassing and that would be the event. The fire department might get there and just an hour later leave. What I find disappointing is developers don't report what I would call almost like "near misses" when they have these events, because I think it would make people feel better. "Yeah, we had a thermal runaway event, but it didn't turn into a big deal. It didn't spread into fire. It stayed as the testing showed, two or three cells when in thermal runaway. They ran, they off-gassed, the systems, the safety systems built into these containers handled it, and it was a non-event. That was it. They switch out that module to put in a new module in and it's over."

CHAIR FRYMARK

How often do we see these cells going into thermal runaway?

BRIAN FINK

It's a great question. Since they don't report the ones that don't go on fire, I don't know the answer to that. I don't think it's very prevalent. It's not like a high number, a high percentage. Everything I've heard, it's less than 1%, like a fraction of 1%, that ever go into thermal runaway. But you have to remember that some of these sites, these bigger sites, they could have a million cells in one of these sites. When you can take all the containers put together.

CHAIR FRYMARK

Of the responders that have been a part of putting out these fires, has there been any adverse like health effects reported?

BRIAN FINK Not... not health effects that I have heard of yet. To my knowledge, there was an event in Arizona in 2019. Surprise, Arizona, the problem there is it was brand new technology. The fire department didn't even know what was in this building. It was a structure. They didn't have any training and to me that's the biggest component now, is the training aspect, and you hit right on that that, the fire department needs to be trained how to deal with these things. They had no training. They had five, four firefighters critically injured at that because it exploded when they opened the door. To my knowledge, since then, new regulations were put into place that they have to have explosion controls put in place and training needs to be done. Since then, to my knowledge in this country, no firefighters have been injured or civilians at one of these events.

COMMISSIONER MIRANDA The runoff... is there's no cancer studies at all regarding these batteries?

BRIAN FINK Know what? If there was, if you think about it, these haven't been out there that long, right? So, I don't know if that would be showing up. We're dealing with a lot in New York. You know, everybody I know has cancer now because of 9/11. All of us that were there, you're just waiting for the next guy to go. Who's the next one, right? I don't know what the long-term effects are going to be due to batteries. There's not many of these fires. I'm more concerned of what we're doing in house fires and car fires and these scooter fires than I am with these battery fires. To me, we should never have firefighters anywhere near these things where it would affect them like that.

CHAIR FRYMARK Have any other questions? So, they did see some questions, hands go up in the audience for Mr. Fink. Mr. Barbosa, do you want to come up?

FRED BARBOSA Fred Barbosa. 16164 Calle de Paseo.

CHAIR FRYMARK Sorry, Mr. Barbosa, if I can interrupt you for just one second. I see eyes over here.

CITY ATTORNEY GUERRA Madam Chair, I would suggest that we have any questions heard during public comment rather than right now.

CHAIR FRYMARK Wait.

CITY ATTORNEY GUERRA Yes.

CHAIR FRYMARK And then all of them...

CITY ATTORNEY GUERRA Correct and then we can respond to them after.

CHAIR FRYMARK I apologize Mr. Barbosa

FRED BARBOSA Okay, so you do wanna specialize, talk now and get it out of the way? You want to roll it all into one then.

CITY ATTORNEY GUERRA For the record, yes.

FRED BARBOSA Ok, thank you

CHAIR FRYMARK Keep writing those questions down. Thank you. I apologize. Okay ummm so, any other questions from the Commission for Mr. Fink? Before we move on? Okay. Was that all for staff presentations? So then, at this time, we open up the floor, right? So now, I'd like to open up the floor for any questions from the audience? Mr. Barbosa would you like to come up now? Yes, please.

OPEN PUBLIC HEARING At 7:44 p.m., Chair Frymark opened the Public Hearing.

ROBERT DIAZ Robert Diaz. 2408 S. Mountain Avenue here in... in Irwindale. Have a number of concerns. One: when talking about the EIR. Oh, shoot wasn't... yes. The indicate that there is an unavoidable, insignificant... an unavoidable and significant environmental impact. By simply saying there is an overriding statement saying the benefits outweigh, huh, the negative impacts could be doing us a big disfavor. Irwindale has been declared a umm... what do you call those things? Justice... social justice area, for the whole city. Meaning we have, as I see it, the ability to say no to developers that just don't go along with the... the impacts that are unavoidable. So, in other words, you have a reason to say no. Another thing, a letter written by the DA to Irwindale regarding the Vincent Avenue project indicated that the city was in the 98th percentile in terms of air quality. In other words, 98% of the air... other census tracts had less environmental impact from air quality than Irwindale. In other words, Irwindale has a lot of impact on based on environmental, I mean air quality. So, I think those are justifications to say we have to be careful about these things that are brought before us in industrial areas. So, to merely say that the benefit outweighs the risk, I think you had to have them prove the benefit. You hear a figure of \$1,000,000 possible benefit. Well, that might be the... part that goes to the government, including LA County, because only Irwindale will only get a percent of the property taxes generated from a building that goes up. So were they really willing to say, "we promise to pay that \$1.1 million, whether it comes to us or not from property taxes", then that would be more of a positive benefit. Now you're asked to approve a General Plan amendment? Why? The General Plan is supposed to be our blueprint of how we want our city to look in the future. If when a project comes up, we say, "well, we're going to amend the General Plan", well, that can have long range impact. So, if, as an example, it's

come up that the city needs to consider having additional commercial property, and I thought the Planning Commission was going to discuss that, and I'm imagining at some point you will, (timber buzzes) well, if I may continue. Another concern I have is a Specific Plan.

CHAIR FRYMARK

Sorry if just for the minutes. Are you donating your... your time? Is that... is that accurate?

CITY ATTORNEY
GUERRA

That would be up to the Chair and the Commission if you're agreeable to extend additional time.

ROBERT DIAZ

Thank you. With a General Plan amendment, you're asked to change the General Plan. I don't think that should be done so lightly. If anything, I think we need to look at the General Plan and consider revisions to it. Because the need is... the need for Irwindale is to have future revenue and the day that we lose revenue from the rock and sand industry and this supposed project, don't know if it's going to do it. If, for example, they can say "OK, we guarantee that 1.1 million for the battery storage", and then you can put commercial next to it that's going to bring more revenue or any kind of revenue generating project, then I think that can be considered and that could be considered, I think, a benefit of overriding concern. But otherwise. I think you have to look to change the zoning to commercial. At the very least, keep regional commercial, but they're recommending a change to make it all industrial. And we're going the wrong way if we do something like that. You're asked to make... approve a Specific Plan. Well, everything they're asking for can be done by the general zoning process we have for the city. So, there's no need for a Specific Plan, and in fact, when the initiative was approved allowing that, it says Specific Plans may be approved. It's not a right. So as far as I can see, whatever they're asking can be done. So, the city has some oversight. The usual CUP (indiscernible) can apply. And if at the future, and this is what I would hope, that if push comes to shove and this is approved, you have an overlay zone to say it's going to be commercial at some point in the future, so that that land is reserved for commercial development or income producing. And as far as comments about the fire safety, I would hope the city could look at the... I call it a manifesto, but some kind of document that the fire department will have so that in the event there was a fire at a site like this, they already have in front of them a list of what the hazards are, whether it's explosives or anything that injures the health, firemen included, and that it'll be in there and it'll give a picture of what the hazards are for each of those communities where they have those facilities, particularly the kind they're requesting. And... also... gosh, you're asked to have a tentative parcel map. I feel as a matter of policy, like industry, if you have property in one big piece that can be developed commercially, it has more potential than if you have industrial land divided into small parts and later you find "gee, I need commercial, that's a good location right there by the freeway, but gee, it's all in small pieces. How are we going to get the money to buy or

consolidate that land?" If you plan it now, keep the parcel large and not break it up, you have greater potential for development.

CHAIR FRYMARK

Thank you, Mr. Diaz.

ROBERT DIAZ

And I hope you don't vote and decide tonight the whole thing. So, I really question the benefits. Well, thank you.

CHAIR FRYMARK

Thank you. Is there any other members of the public? Could you please state your name for the record when you're ready?

CHRIS ROSALES

My name is Chris Rosales. I'm here on behalf of International Brotherhood of Electrical Workers, IBEW local 11. I would like to express our strong support for the proposed battery energy storage project, which is not only a key investment in our clean energy future, but also a strong economic driver for the community. Together with the joining warehouse development, this project will create well over 200 good paying union jobs, providing opportunities for skilled electricians and other tradespeople. These jobs offer competitive wages, benefits and safety standards that ensure the highest quality of work. I'm also proud to note that this project is backed by a PLA agreement, project labor agreement, which means that our workforce will be local, highly trained and committed to delivering with the excellence that union work is known for. The agreement also ensures fair wages and conditions for all workers involved. I'll be on construction. This project will enhance energy reliability and support California's clean energy goals, benefiting the community long term. Local 11 urges your full support, knowing it will provide immediate economic benefits and position Irwindale as a leader in our state's clean energy future. Thank you.

CHAIR FRYMARK

Sorry, Mr. Rosales. For the record, I didn't catch your... the name of the Union. It's local 11?

CHRIS ROSALES

Yes, ma'am. IBEW Local, 11. International Brotherhood of Electrical Workers.

CHAIR FRYMARK

Thank you.

ERNESTO MEDRANO

Good evening, Madam Chair, members of the Commission, executive staff. My name is Ernesto Medrano, I'm the Executive Secretary of the Los Angeles and Orange County Building and Construction Trades Council, represented 160,000 hard working men and women in the construction sector, 14 trades and 48 affiliates. And I'm here to urge support for the AYPAs battery energy storage project. It is very clear that we're moving away from... from fossil fuels and into electrification. We're seeing mandates of electric vehicles in the State of California. We're seeing even in some households where their cities are mandating... more electrical items, stoves, etc. So, it's very clear that, as expansion goes, projects like these are going to meet the challenge

of the future. Irwindale has an opportunity to be at the tip of the spear when it comes to these types of projects. Our members build projects that are iconic, such as the Intuit Stadium, the Sofi Stadium, skyscrapers in downtown Los Angeles, the airport of Los Angeles, but also we're very good at building power plants, whether it's the Huntington Beach or the Long Beach Power plant that's being built or the small storage facility that we built a few years ago in Stanton that also provides for battery storage for peaker plants. We see climate change increasing in our society and it's extremely important to have a battery storage so that when things get very hot and folks start to point up the switches on the air conditioning, we have an ability to not have any more blackouts, to diminish those blackouts. It helps expand our capacity in terms of electricity. As you heard from our brother, from the Electrical Workers Union, we have a project labor agreement that also has community benefit components. Number one, it provides for efficiency, it provides for no strike, no lockout clause. There will be continuity of work to build this facility. It also further provides for the highest wages to be paid to the workers in the construction sector, as well as the pension plans and Cadillac healthcare plans. So, with that said, it's extremely important to understand that these 200 jobs that you're going to have here, we have a local hire component within our agreement. We dispatch the local residents in the community to come to work here, but we also open up opportunities for young men and women to enter our apprenticeship programs. We have a, an apprenticeship readiness program, and the reason we did that is to prepare men and women to come into the union apprenticeship programs and come into the construction sector. We need to demystify the construction sector. A lot of people have seen it, and they want to push their young men and women in the school system to high education, to degrees, to colleges, but not all of them are going to go there, and this is another opportunity for them to provide. This is the other four-year degree apprenticeship programs and apprenticeship readiness programs; the reason we have those is to expand diversity and inclusion and retention into the industry. We have a track record where we have had 98% of the graduates have been placed in union apprenticeship or people of color. 58% are Latino, 34% are African American and 22% are women. And so, we're doing, I think a good service out here, developing young men and women, preparing them for the industry to come in and build projects such as these. Because these are career pathways. You have to understand construction is a good career, but it's nomadic. Our members purposefully work themselves out of a job efficiently to move on to the next one. So, with that, again, I want to urge your vote and support of the five Resolutions you have here, that is the staff recommendation for the battery energy storage plan for the AYPa battery energy storage plan, so thank you.

FRED BARBOSA

Good evening. Fred Barbosa. They were talking about the county assessors assesses value on tilt ups at a certain level. I'd like to know how is this type of project assessed for tax purposes. Is this project totally self-funded or are they asking... requesting any kind of funds from the city for the street and structural improvements as... as far as the easement and the dedication of that road. Are they picking up all the cost? I'm just asking. Mr. Lewis explained how the project is run from a Control Center monitoring the systems with redundancy to shut off for safety and efficiently, greatly reducing a thermal runaway situation. I remember years ago I was working, and we had a Long Beach earthquake. And I could see coming from the ocean, Long Beach, coming this way, all the electrical grid was just taking a dump, you could see all these explosions. It was, I almost thought it was the end of the world. So, my question is, if we have a total shutdown of electrical grid, will this system keep functioning? Does the battery system have a battery backup? And as far as being unmanned, I should like to see it, manned, to give an Irwindale resident a job. And it looks like the LFP system that they're using is safer and cheaper than the MNMC system. The technology for what we want to do is appropriate for this, and I apologize the other day for... I misspoke and I... Okay. And I would like to see this go forward because we've got to turn green and if we can say this generates more money than a tilt up. And another point that I have is, they didn't say anything about the fires. There's also smothering and encapsulation. I don't know why those are not options. Maybe I'm ill-informed and if you want to call... how would you say? Smother with sand. You got a rock plant about 100 yards away where you could bury that whole place in a hot second. If you have a contingency plan and work it with them. Okay. Thank you very much and I hope you approve this.

CHAIR FRYMARK

Thank you, Mr. Barbosa.

CARMEN ROMAN

Good evening. Carmen Roman. Irwindale resident. I'm just going to throw this all out there. On... when Brandi was putting up Plan 1... there... you showed the space provided and you talked about warehouse and office space. But we did not see any parking... to see if that was included in the footage. Then during this planning process, are all the potential buyers aware of the city limits under Gateway? How tall we will accept our buildings? And what kind of things can go in there? Then battery option #2. What guarantees do residents get? That any potential safety issues in the future will be addressed up in the beginning, so... 'because it was heard... something the gentleman said, I don't like to look at the... the future. I like to look at the past. Now I'd like to look at the future. And our future has to do with our residents. Battery checks amount of order because everything was all up there, and I was just making notes. Battery checks every two to three months. That can be 4 times a year, 6 times a year. If that plan came to be, I would want more of a specific timing for, say, 18 months, every 18 months, that site would be visited and checked, not every two to three

months, whenever. I'd like a specific time so that you have an actual record. Also, the zoning, I believe that area was commercial. I could be wrong, but now I'm not sure if this would have to be... the zone would have to be changed to M-2 or industrial. Let me see. And 400... up to 400 units, 12 feet high lockers. Is there any gating? This is going to be enclosed, or you can see it when you... when you drive through that area. I'm not sure. I can't tell from right there. Let me see the air, how this was... it was mentioned about air quality and greenhouse gas emissions. They are all adverse to our community, to our residents, our animals. When the chili trucks go by that we have our season here, a lot of dogs get rashes, people have to take them in. So, going... going back to this where the gentleman made a statement, something like... sorry... the money outweighs people's health. Not here in Irwindale. Because here in Irwindale we have a little over 1400 residents and people are always trying to bring... bring industry in here and try to throw the word money out like we're just going to fold and take the money. We're not, we... we care about our residents, our community, our dogs. And our pets. We have a very clean, safe community. And we do have the surrounding mountains and beauty, and if industry had it their way, we would be enclosed. And all the big buildings because you can't go to Pasadena or LA. You want to come? People find Irwindale. I'm not saying we are anything big, but we are special and we're special to ourselves, so I don't like when anyone comes here and says that money is more important and outweighs any health issues. We are in the 90th percentile of bad air quality and we live here. So... here you can bring all the unions and people you want, but we're important and we are a progressive city and our industry, and we are quite progressive. But we don't take anything that just comes by. So, I hope this Commission will look into this further and get more information about, you know, fires potential, what does happen and how long. You know we don't want something burning for weeks because it's just plastic. So, before you make your decisions, keep us all in mind and maybe you can table it. Thank you.

CHAIR FRYMARK Thank you, Miss Roman. Do we have anyone else in the audience?

FRED BARBOSA We are all talking about air quality, and this is the best way to get it. Your not going to have truck traffic, that was our biggest complaint. That's why we shut down Five Points on air quality. If you want better air, this is the kind of thing you want. To turn green, and things will get better. Ignoring it is not going to work.

CHAIR FRYMARK Is there anyone else who has not spoken yet that would like to come forward and speak? Do you want to speak under public comment? Or public hearing? Sorry...

- JEFF DRITLEY Yeah, I... I just quickly answer some of the things that, that we are asking for no public funds on the road. We're paying for Live Oak Avenue; we're deeding it to the city free of charge. The... the project is parked over what is required, we just didn't put that in, in the materials. We meet the height limits. We're under the height limits. And then the further safety issues, you know, remember this, this is just a general approval. AYPa and I... we have to come back to the city for a building. AYPa has to come back to the city for a building permit on the battery storage and that all goes through LA County Fire Department. So, this is certainly not the last issue where safety... and relative to the batteries I mean, the city's dealt with enough warehouses relative to the batteries. That's... that's really the purview of LA County Fire department at this point. The... there was a question about will the batteries be visible. The tops of the batteries might be visible from Live Oak Avenue. Once you get on Live Oak Lane, that it will be gated. It might not be a masonry wall, it'll... it'll be a fence, but it'll be... it'll be gated, as will our warehouses.
- VICE-CHAIR CHICO Mr. Dritley, I have a question. Shifting gears a little bit here, talking about the proposed or the projected income to the city. I noticed on the worktable here we had that that was based on the battery system construction costing \$550,000. Where does that number come from and how do we know it'll hold? That's... that's how our income's going to be calculated.
- JEFF DRITLEY Yeah, yeah. I mean I... I would have to ask DTA the... the... the financial group that prepared that.
- VICE-CHAIR CHICO And the... the value that's used to calculate the property taxes for your buildings is 500,000. I'm sorry, \$500 a square foot. Is that a real number?
- JEFF DRITLEY It certainly has been, yeah.
- VICE-CHAIR CHICO It has. Okay. All right. I think for now that's all I have.
- COMMISSIONER RODRIGUEZ I do have a question as well. Regarding the parcels, we're being asked to look at 7 parcels. Can you explain the reason for seven parcels?
- JEFF DRITLEY Yeah, as a... as a master plan developer, we like to have as many parcels as possible because you can easily combine parcels. For example, if we built what we show you there, which is 16 acres, which has already been partialized for what AYPa is buying, and then two buildings, we would combine parcels to create probably just three. It's... it's... it's an administrative process to combine parcels. To add more parcels is very difficult. We won't be done; we should finish the remedial grading for the AYPa 16 acres... around year end. We won't be done with the remainder 35 acres for another two years. The market might change in two years. We might have another user that comes to us and

says, you know, "we want instead of a 600,000-foot building, we want a 400,000-foot building". You know, we're just projecting in the future what we might build. It... it will probably change. We'll have to come back to you if it does. So that's why we generally ask for more parcels than we think we'll ultimately need.

COMMISSIONER
RODRIGUEZ

So, in the event that you want less parcels, it would come back to the Commission?

JEFF DRITLEY

If we have it, well, any building will come back. But if... if there's a different building that, you know, we'll come back through, I guess that's precise plan of design, is that... is it... Okay? I... any other questions for me?

VICE-CHAIR CHICO

Yes, I do. I had to find a section and maybe I won't. Of the allowed uses, I noticed some of them require a permit and some of them are given uses for... for the development, for the... for the tenants, whatever the uses that the tenants will have. Anyway, there is listed there an asphalt plant or asphalt plants. Why is that? Is that really necessary?

JEFF DRITLEY

That's probably just came out of your existing zoning.

VICE-CHAIR CHICO

Can we delete that?

JEFF DRITLEY

If you say you'll approve the project, I will delete it.

VICE-CHAIR CHICO

No, we're not... we're not negotiating. But I just wanted to let you know where I'm coming from.

JEFF DRITLEY

It is.

VICE-CHAIR CHICO

It's not consistent with...

JEFF DRITLEY

We... we will delete...

VICE-CHAIR CHICO

Yeah, it's not consistent with the rest of the project.

JEFF DRITLEY

Yeah. No, we, we... we will delete...

VICE-CHAIR CHICO

You try and sneak that in there?

JEFF DRITLEY

I did not try to sneak that in. No. We will delete asphalt plant.

CHAIR FRYMARK

I actually have a question. Mr. Dritley, well, thank you for answering all of these questions. I listened to the last Planning Commission meeting that I unfortunately wasn't able to attend due to illness, so I was privy to your initial presentation and...

- JEFF DRITLEY Which I apologize for.
- CHAIR FRYMARK It is what it is. But my question is, instead of the idea in option 2 to do a BESS and the M-2 zoning, which, I mean we haven't even finished completing the zoning of that area in general, why... are we... why not consider commercial in that area instead of...
- JEFF DRITLEY Yeah, we... we had lengthy discussions with staff when we first bought the property. Commercial's not viable. We got a... we paid for a third-party report to look at commercial, retail, hotels. The 605 quarter is not where retailers want to be. Retailers...
- CHAIR FRYMARK Can be, if they're drawn there.
- JEFF DRITLEY Well, I'm... I'm not a retail developer, but what the consultant said is the retailers want to be on the 210, the 10, or the 60. They do not want to be on the 605. They specifically don't want to be at that Live Oak corner because across from us is the Rio Hondo substation. We have the Robertson batch plant. I mean it's a... it's a difficult industrial, heavy industrial area. So, there's a... there's a challenge with the location, and then there's also a greater challenge with what the general economy is doing. We... I buy things on Amazon. You know the... the Internet has... has basically... I won't say killed but significantly diminished the demand for retail. I mean, if you look at the IDS project Kitty Corner to us, I mean I think that's a perfect example. You did have a developer that was willing to at least look at improvements or bring through you entitlements for a retail center, but they couldn't find any tenants, so the market, and that specific location, led us to the conclusion, and we shared all that with staff. Trust me, staff did a nice job of telling us that, we understand every community the way California's set up. Every community would like more retail and that's part of the problem. California encouraged everybody to build retail, and we have too much retail. But we shared our findings, and we have zero confidence it would be a successful retail site. Brandi, I'll let you answer that.
- VICE-CHAIR CHICO Had some questions of Staff.
- CHAIR FRYMARK For Staff... Staff, if you can please come up. We have a couple of questions.
- VICE-CHAIR CHICO The Specific Plan. Okay. On the Specific Plan, page 17, it says: "In the event that any provision of the Specific Plan conflicts with the zoning code, the provisions set forth within this Specific Plan shall prevail". Why can't that be the other way around?
- SENIOR PLANNER JONES Which page?
- VICE-CHAIR CHICO 17.

SENIOR PLANNER JONES	"In the event that the Specific Plan is silent regarding any zoning provision... applicable to the development area, the Zoning Code shall prevail."
VICE-CHAIR CHICO	Right. The Zoning Code shall prevail. This says the Specific Plan shall prevail.
SENIOR PLANNER JONES	Okay. Okay. So "in the event that any provision in the Specific Plan conflicts with the Zoning Code, the provision set forth in the Specific Plan shall prevail." Okay, so you want to know why it's the Specific Plan?
VICE-CHAIR CHICO	I'd like it changed. I don't need to know why. I'd like it changed to Zoning Code. We've been working on the Zoning Code like gangbusters here. We think we got a good product and when we do get finalize it, so any conflict should come out of our Zoning Code.
SENIOR PLANNER JONES	I'll ask the developer about that.
VICE-CHAIR CHICO	Go ahead, ask him.
SENIOR PLANNER JONES	So basically, if something conflicts with the Zoning Code and the Specific Plan, they want the wording, to change it, instead of the Specific Plan prevailing at the Zoning Code prevails.
JEFF DRITLEY	Okay. We have our one of our CEQA consultants that's in the zoom world. You know, a Specific Plan gets a lot more focus than a Zoning Code. A Zoning Code is... we got the whole city, so a Specific Plan is very specific to a piece of property.
VICE-CHAIR CHICO	But we're talking in generalities there. I'd rather... if there's something specific, I need to know what it is.
JEFF DRITLEY	That's... that's. Okay. The Specific Plan, we would be very reluctant and maybe David, you can comment. A Specific Plan, generally, I think you know trumps zoning because zoning is very broad. It... it goes over the whole city. And then a Specific Plan is drafted to be specific. So, we know what we're getting in our Specific Plan. We wouldn't know what we were getting... we know what we're getting and we're willing to invest hundreds of millions of dollars because we know what's in the Specific Plan. If there were a conflict with zoning, which we've studied the Specific Plan in detail, zoning is a much broader, we would be reluctant to make a big investment in the property. David are are... are you on? He could probably articulate our concerns better. Is that okay?
VICE-CHAIR CHICO	Well, you're... it's not convincing me because we're talking about a hypothetical situation. We don't really even know what we're talking about. We're talking about a conflict that might occur.

- JEFF DRITLEY Right, I understand.
- VICE-CHAIR CHICO And I'm saying, in such case, we know our specific Zoning Code. It has specifics in it. Your example doesn't have any specifics.
- JEFF DRITLEY Our Specific Plan does have.
- VICE-CHAIR CHICO That's... you're using words. We're talking about situation. What's the situation where this is going to occur?
- JEFF DRITLEY Okay, David. You're probably better at articulating a response than I am. Is... is that okay?
- VICE-CHAIR CHICO Sure.
- JEFF DRITLEY Okay.
- DAVID BLUMENTHAL Thank you, Madam Chair, members of the Commission. My name is David Blumenthal, I'm with Sage Crest Planning. 27128 Paseo Espada, in San Juan Capistrano. The... the way that the Specific Plan is written, in particular that paragraph, is to clarify that the provisions of the Specific Plan override the zoning. You... to do the opposite would basically make the Specific Plan moot. The... the example would be like setbacks. The setbacks of the Specific Plan would conflict with your Zoning Code. We want the setbacks of that Specific Plan to actually be the applicable standard. Same thing with height and parking standards. Now where this Specific Plan is silent, if we don't address something actually in the SP, and keep in mind the Specific Plan itself is a Zoning Ordinance. It's just very much designed to zone this specific property. It does not apply to any other property. But where it is silent then we would default back to the City's Zoning Code.
- CHAIR FRYMARK What I think is giving us some pause is that we've been working for months on trying to figure out the zoning... the update to the Zoning Code, and we've been walk... walking element by element looking at maximum building height and setbacks, and in the Specific Plan that we're seeing tonight, we're seeing height requirements or maximum building height at 60 feet. And so, we're just seeing some inconsistencies to what we have been working on for some time. So, I think that is maybe where we're getting a little bit of a rub or a pause is because we've... separately from this particular project, we've been working for months on trying to update the Zoning Code. And so, this Specific Plan, although is intended to regulate a specific land use, regardless of what's on it, it is in direct conflict with what we've been working on for the Zoning update. Does that make sense?

- DAVID BLUMENTHAL Yeah, I wouldn't call it "in conflict". It does... it is different than your Zoning Code that you've been working on. And again, it's designed to accommodate this property and only this property. The... the... it basically becomes that zoning for just this parcel or these parcels.
- CHAIR FRYMARK Right.
- VICE-CHAIR CHICO Another question. I want to make sure... this is a statement, that our building height according to this... this Specific Plan is defined on page... I'm just reiterating, there's no question; the height is defined as the vertical distance as measured from the highest finish grade adjacent to a building or structure, to the highest point of the same building or structure, including any building, parapet, or equipment screening walls. I just want to make a point because we do have a building limitation of 60 feet, so it includes all that. Okay, my next question: page 43, regarding the design guidelines again. Apparently, a Specific Plan is... reinvents the wheel, and in this case, it adopts a separate standard for the design guidelines applicable to this Specific Plan. My question would be the city has enforced a design... design guidelines. Why couldn't that have been superimposed into this Specific Plan? This is... very loosely worded, if you will.
- CHAIR FRYMARK For the Design Guidelines that are currently in place, where those incorporated into this plan?
- SENIOR PLANNER JONES There may be some elements that have been incorporated, but they did create a... a new set of standards with regard to design. Just like the other Specific Plans that the City has approved.
- VICE-CHAIR CHICO Well, I can't find it. And I will look for it. But the verbiage being used in this design... in the Specific Plan is that these elements that we have in our specific... in our design guidelines, I'm sorry, the elements we have in our Design Guidelines are encouraged or requested. They're not required. They're not... they don't necessarily have to be in force in this project, in this Specific Plan. That's my concern.
- CHAIR FRYMARK The suggested colors. I don't know if that's what you're referring to...
- VICE-CHAIR CHICO No, there's another one that says the building designs and so forth are encouraged. I'm trying to think of the word. I would like to... I would like to put the word "required" in there to make sure that we have the same elements as the design guidelines. Because the way it's worded, the way I read it, it's not mandatory. It is suggested. I wish I could find that page.
- SENIOR PLANNER JONES I think in the... current Commercial and Industrial Design Guidelines, it also uses the word "encouraged".
- VICE-CHAIR CHICO Yeah. Well, in any case, I would like to see the word... wish I'd find the

word "required" in its place. Anyway. I'll keep looking. Let's... let's... so we can move on.

CHAIR FRYMARK Do you have any other questions for Staff on either the Specific Plan or any of the members that presented.

COMMISSIONER MIRANDA I've got two questions.

ADMINISTRATIVE SECRETARY HERNANDEZ I do have some members in zoom that would like to speak.

CHAIR FRYMARK Do... does the Commission want to get to those questions first, or do you want to listen to those that are on Zoom? The questions that we have on Zoom.

COMMISSIONER MIRANDA Well, I have Brandi here. I can ask her. Is that okay?

CHAIR FRYMARK Okay. Yeah.

COMMISSIONER MIRANDA Okay. Hi Brandi. Regarding this document, have you seen this document? Presentation with the proposed property taxes in our proposed income increasing 604,000 possibility (Inaudible). Are these real numbers and then we can count on?

SENIOR PLANNER: JONES I'll defer to the developer.

COMMISSIONER MIRANDA Do we have finance here? No? Okay.

SENIOR PLANNER JONES I said I would defer to the developer, yeah.

COMMISSIONER MIRANDA Okay.

JEFF DRITLEY I guess this is a layman's explanation, but the Specific Plan is zoning. That's... like the park across the street that John Edwards developed. It has a Specific Plan. It is an element of your zoning, so... am I... well, relative to the numbers, I mean, I asked Marilyn and Brandi "would it be helpful to do a fiscal analysis, so the city has some understanding that was done by a third party?" I didn't do it. I'm... I'm not sure you'd believe me if I did one, but that was done by a third party. And we presented it to the staff, you know, a while ago.

CHAIR FRYMARK Using actual city figures, I'm assuming.

JEFF DRITLEY	I'm sorry?
CHAIR FRYMARK	Using actual city figures, I'm assuming, when this was developed.
JEFF DRITLEY	Actual city figures?
CHAIR FRYMARK	Yeah, like the numbers that are represented here are representative to the City's budget, because what? We're looking at, right?
JEFF DRITLEY	Yeah, it was their estimate of expenses you would have and revenues you would get, yes.
CHAIR FRYMARK	Not just arbitrary numbers is what I'm asking.
JEFF DRITLEY	No, no, no, no.
COMMISSIONER MIRANDA	Well, one other question for Staff... thank you so much. Staff, if you can talk about a little bit back to significant unavoidable impacts over in considerations. Such found that they are unavoidable and are related to air quality and greenhouse gas emissions. You found that the economic benefits outweighed some of the health concerns that was... I'm a little more curious about what exactly, what were the numbers of... of possibilities of sickness or things as well? Do we have numbers in that, in the air?
SENIOR PLANNER JONES	I'm going to have the environmental consultant Joanne Hadfield, address the question regarding. Okay.
JOANNE HADFIELD	(Inaudible)
SENIOR PLANNER JONES	Okay.
CHAIR FRYMARK	Is he being brought up?
ADMINISTRATIVE SECRETARY HERNANDEZ	He's a panelist, but he hasn't unmuted himself. I asked him to unmute, so... oh, there we go.
JOHN VANG	Good evening commissioners. So, to answer your question, we... for our analysis, as you mentioned, we did determine that there would be a significant and unavoidable operation related impact, air quality impact. In terms of... in terms of the, the numbers, that... that is something that we did not include in the analysis and, you know, our analysis is based on significant thresholds established by the South Coast Air Quality Management District, and their thresholds, the regional threshold is that they establish or develop were established to... you know, were determined to be numbers that would maintain a certain level of public health and safety. I... in terms of translating, and those numbers are

based on a region wide for an entire South Coast basin and in terms of... how those thresholds... other thresholds... may... those thresholds, they do not... they do not, can determine or specify, or are indicative of how many people may be impacted or how... how people need might be impacted in terms of you know, whether they might develop asthma or my cat is or cancer. In terms of doing those types of analysis, and there are models out there, but those test models they're... they're called photochemical models and typically... excuse me, typically those models, you know, they're fairly... they're... they're fairly robust models to... to... to use and to operate and typically... typically for that type of modeling, region wide modeling, they're left to more say, regional agencies rather than individual CEQA consultants, just because of just the robustness of the model you use. Systemically, that, that, that type of modeling is not... is not done for individual land use development projects.

CHAIR FRYMARK

Essentially, no actual real numbers.

COMMISSIONER
MIRANDA

So, we don't have real numbers in our area, what affects our neighbors and ourselves.

JOHN VANG

I'm sorry. Can you repeat that?

COMMISSIONER
MIRANDA

So, we don't have actual numbers how it would affect our neighbors and ourselves.

JOHN VANG

Correct. And even... even the models that these regional models, and there is still like a very large margin of error in them as well, just because of the... the variability of... of just how air quality and air pollution works.

COMMISSIONER
MIRANDA

Yeah.

JOHN VANG

So, it's just so difficult to... it's just difficult to, you know, quantify the number of people that may be impacted and how they may be impacted because, you know, a single land use development project may exceed the Air District's significant threshold by 1 pound. There is just... again, it's just very difficult to... to quantify how exceeding the thresholds relates to the number of incidences of the number of people that may be affected and how they may be affected.

COMMISSIONER
MIRANDA

And this recommendation that you have here, we have here, is based with the BESS... with or without the three buildings or with the BESS and the two buildings?

JOHN VANG

Is that a question for me Commissioner?

COMMISSIONER
MIRANDA

Sorry. Yeah, I'm sorry. Yes.

JOHN VANG

Which recommendation are you referring to, exactly?

COMMISSIONER
MIRANDA

Well, Staff is recommending us to adopt the attached Resolutions. And so, with the BESS in mind or the three buildings recommending. Either or.

JOHN VANG

I'll leave that up to Staff.

COMMISSIONER
MIRANDA

Oh yeah. Thank you. Thank you.

SENIOR PLANNER
JONES

It's for both.

COMMISSIONER
MIRANDA
SENIOR PLANNER
JONES

For both.

Yeah. So, both options have been completely analyzed.

COMMISSIONER
MIRANDA

We think that the BESS would be better suited cause less track traffic so... possibly.

SENIOR PLANNER
JONES

So, if you, for example, if you approved the entitlements, the Specific Plan itself has development standards for the three-building option and the BESS and two building option.

COMMISSIONER
MIRANDA

Correct. Okay, thank you.

VICE-CHAIR CHICO

Brandi, before you sit down, I found that section. Page 44 of the... of the plan, Building Architecture. The paragraph after... after the second paragraph under 7.4.

SENIOR PLANNER
JONES

Mhmm.

VICE-CHAIR CHICO

"A Spanish contemporary influence is desired throughout the development area". I'd like to see that word "required". The pictures they have... or the sketches they have a very pleasing; I'd like to make sure that that's going to be followed. So, if we put "required" that would kind of force them to... come close to that, at least.

SENIOR PLANNER
JONES

I also want to note that, in the current guidelines, it does not say "required". So, for building design and signage it's all "encouraged".

VICE-CHAIR CHICO	This has its own plan and its own zoning. So, let's put it in this Specific Plan. Can we do that? Thank you.
JEFF DRITLEY	(Inaudible)
CITY ATTORNEY GUERRA	Actually, would you mind coming and stating that on the record, please?
JEFF DRITLEY	Relative to the question in 7.41 second paragraph, "a Spanish contemporary influence is desired". We are Okay with a change to "is required".
COMMISSIONER MIRANDA	Thank you.
CITY ATTORNEY GUERRA	Thank you.
CHAIR FRYMARK	Any other questions? I know we still have some questions in the zoom audience. Ok. So, we're going to go ahead and move into Tier 2 for our teleconference attendees.
ADMINISTRATIVE SECRETARY HERNANDEZ	I'm going to go ahead and unmute Suzanne Gomez.
SUZANNE GOMEZ	Good evening, Madam Chair, commissioners. Really a couple quick points. First of all, I... I hope that we can recall that we're in the... last night we put over this special meeting to discuss this in depth. This presentation has been awesome. And actually, the firemen who made the presentation did a great job in answering some of my questions, but we're right in the middle... of not only the Council, but also the Commission at a special meeting and I think that... that that's a good regard for all this information. This is a lot of information. It's great information coming forth, but we continue this matter and table this and continue it. But also, we're in the middle of a zoning change and I think that... one of the Commissioners indicated that in the revised revision of the zoning code, we speak to Specific Plans because the issue of Specific Plans has come up in the last meeting as indicative of them going off the grid in terms of the vision of the city, and the city forefathers and what we plan to do and that has to be round in and that we do need to superimpose to make sure they not go off on some tangent outside of the vision of Irwindale. And that's what's most important to the residents, because I concur with Miss Roman and Mr. Diaz about some of the concerns that we have that really do the recommendation seems a little presumptuous in itself that the economic benefits outweigh the health benefits. That is a conclusion that may come forth, but we have a lot of information to process here, and so I value this information and I think that we have more to come

and I think that we should put it over for the workshop that was put over yesterday though there was not a defined definition because we're also in the middle of redefining our zoning progressively and also the city represents... as long as I've been in the city and worked with the city, we've always been pro developer, pro-business, pro union, but mostly, as Miss Roman said, we're pro resident. This is our home. This is our vision and our future. And we do appreciate all those that come in and aid and help us and to do the right thing, but I would like the Commission to really contemplate digesting all this information, allowing the residents to digest it and also then seek another date where we can meet again and finish the workshop that we started yesterday. Thank you.

CHAIR FRYMARK

Who else is on Zoom?

ADMINISTRATIVE
SECRETARY
HERNANDEZ

I'm going to go ahead and unmute Dena.

DENA ZEPEDA

Thank you, Chair and Commissioners. I really appreciate you guys for asking all those right questions and keeping us residents in mind and always. First of all, I heard on this and no solid answers for any of the questions that were asked. They were all maybes, ifs and it could and that then maybe, you know or things like this. As far as numbers or, you know, the rates of the... safety and environment and everything. They have no numbers. So, there's nothing there that we can really say "oh, yes, let's do this. It's safe for us." My... my concerns and our residents' concerns are our health first. You know, we have been going through a lot. I say this every time because it's hitting home. We have many more that are coming, you know? And... and it has to do with a lot of this 5G, these electrical, Edison, all these companies we have around us, you know, and there's not enough money, there's not enough money. No money in the world. Yes, people will benefit to get jobs. You can go get it, put the plants somewhere else and you'll have the same jobs, you know, but you put that plant in here and... and we don't have the same health. We don't have the same air quality. We don't have the same breathing. This is like jumping; to me it's going in... you're jumping in the fire too fast. Slow down. Put some (indiscernible). Let's see what... let's look into this. I want to hear from the LA Fire Department. I don't want to hear from... from somewhere else. I want to hear from our resources. I want to hear from our neighbor companies. Is it going to harm them? Are... are Baldwin Park, Duarte, all of these people, I want to hear from everybody. I don't want to just say, "oh, let's do it, because this guy's going to make some money". Uh-uh. It's not about money. Money, no. It's a root to all evil and it's harming all of us. Because that's all we thought: "no, \$1 million isn't enough for me a year. Five million dollars, \$10 million, maybe \$1 million per household maybe". See, this is what I'm thinking because there's no price on anybody here in Irwindale, not even our employees.

They're worth a lot to us. So 9:00 to 5:00 that they're going to be affected too. We have to consider all this. And there's no, no, no solid answers. None at all. I didn't hear any. I don't know what you guys... I heard a lot of, you know, big words about what they could be and how it's performed and how this is going to be and how many going to make it, how many jobs we get and how many this. But I didn't hear any solid answers on what it's going to do to us. So, I'm advising and asking my Commissioners to please, as Miss... Mr. Diaz, Miss Roman, you know, Miss Gomez, put this aside. Let's look into this. Finish what you're doing now. How dare somebody come in and say, "well, we want it this way and that way and this way" and staff agree. We have things that we have down there. Follow 'em. And then you come and ask us, "what can we adjust?" Don't tell us you're going, going to or all these mistakes. Thank you. Thank you, Mr. Chico. Thank you for keeping your eyes open. Thank you, Mr. Miranda. Thank you guys. Thank you, chair. Thank you all, Mr. Rodriguez. Thank you guys. For considering all this, that's why we have the best, the finest. His money is not. In comparable to us residents and our employees. Thank you.

CHAIR FRYMARK

Thank you. Do we have anyone else on zoom?

ADMINISTRATIVE
SECRETARY
HERNANDEZ

Does not look like we have anybody else.

CHAIR FRYMARK

Great. So, we're going to move on from Tier 2, seeing that we have no one else at teleconference. Do we have any members in the audience or teleconference that have not previously spoken on this matter? What was that? Is it related to the topics that we're discussing now? One minute. One minute, please. Please.

CARMEN ROMAN

Just briefly. Our zoning is being updated. I had this on my other notes and forgot it and it's not a good time to be changing our general zone. It is specific to our city and should always be to our City Ordinances, not specific to the plan. That gives the developers and business people, all the power. Once you change that little wording, they can do whatever they want, and it is not only for this project. It's not only for this property, it becomes law. It sets precedent so that everyone else can point to this and say it was adopted and then we cannot say anything. So, it is not that, and I think with that air quality thing, we were bamboozled. We didn't get any numbers about asthma, cancer, the things that we live with every day. Thank you.

CHAIR FRYMARK

Thank you. So, with that, we're going to go ahead and close the public hearing at this time.

JOANN HATFIELD

I think the response regarding the health hazards of that air quality emissions was...

CITY ATTORNEY
GUERRA

Can you state your name? For the record.

JOANN HATFIELD

I'm sorry, I'm sorry, Joann Hatfield with PlaceWorks, we prepared the EIR. I was just thinking that we got a little bit into the weeds when John answered the question about the health concerns of the air quality emissions, so I just wanted to clarify. We did all the required modeling for the South Coast Air Quality District for criteria pollutants, which is the main focus of the air quality analysis and volatile organic compounds, VOC's and NOC's were determined to be significant and unavoidable. But your question, Commissioner, was more related to the health hazards. And it's a big controversy in the CEQA world and in a lot of court cases on the health hazards and how detailed you have to analyze those. Do want to make it really clear that we did a health risk assessment that quantified toxic emissions and contaminants and that's Appendix D of the EIR, and what John was summarizing is that the... the quantified analysis of toxic emissions came under the screening threshold of the South Coast Air Quality Management District. So that impact is less than significant. But what it is not tied to because of the complexity and is that there is not a requirement under CEQA to tie that specifically to the percentage... cancer risk and other, asthma, et cetera. But it comes under their screening threshold that enables us to conclude that it's a less than significant impact for this project. It's just so confusing and I didn't want that to get by because we did a ton of analysis and if you look at Appendix D, that's the health risk assessment.

COMMISSIONER
MIRANDA

Thank you.

CHAIR FRYMARK

We will then now officially close the Public Hearing portion. Brandi, do you have a comment?

CLOSE PUBLIC
HEARING

There being no speakers, Chair Frymark closed the Public Hearing at 8:47 p.m.

SENIOR PLANNER
JONES

Yeah, I actually wanted to answer some of the questions that have been posed.

CHAIR FRYMARK

Sure.

SENIOR PLANNER
JONES

So, Mr. Diaz indicated that Inwindale is a disadvantaged community and per the DOJ, that is correct. This document was sent to the DOJ for review, and they offered no comment. And also, just because a community is within a disadvantaged community does not mean that the city can reject a project. Let's see... the General Plan document itself is not changing. The map will be modified to show a General Plan designation of Specific Plan for the property at 13621 Live Oak Lane. And as far as regional commercial, that General Plan designation does

not have a compatible zoning designation. So, in order for someone to be able to develop as regional commercial, a brand-new zoning designation would have to be created. So, we've never used the general, the regional commercial General Plan designation.

CHAIR FRYMARK

It'd be commercial? Without it being a regional commercial? Like there's no...

SENIOR PLANNER
JONES

We would have to do a change. It would have to go to General Plan designation of commercial versus regional commercial. Let's see. As far as the discussion regarding that this project could be done with just regular M-2 zoning, that's not true, because some of the uses that are being proposed, for example battery storage, is currently not a use that is permitted in the M-2. Let's see. Like the Specific Plan is the oversight document for this site, and... ok, so that's... And I believe that Mr. Barbosa's comments regarding the funding for... um, that there will be no funding from the city for the improvements for the site, I'm not sure if the smothering versus encapsulation was answered. So, I don't know if maybe if somebody wants to answer that later, I don't know. Let's see. For Miss Roman, so I believe the site plan, again, it's just a conceptual site plan. I believe it may have showed parking, but for example, when the development comes in, we have a minimum requirement checklist for plans. And on that checklist, it indicates everything that needs to be included, you know, like scale, north arrow, contours, which would include parking and a parking calculation. Let's see. As far as what did the residents get... it seems like reduced air quality impacts and potentially some money in the budget. And see... the battery checks... I know that in our report, it said that they're done every few months. She indicated she would want something more along the lines of every 18 months. But I think that what's proposed would have more... more inspections throughout the year. Let's see. And again, the zoning is M-2. We don't have a regional commercial or compatible zone, and there is a perimeter wall, a combination of a perimeter wall, solid wall, and I believe wrought iron on the Live Oak Lane side. OK. Let's see. I also wanted to answer the question regarding Commissioner Rodriguez about the lot line adjustment. The... the seven lots. So, like the applicant was saying, it takes longer to subdivide versus to re... to go down. So, the way we do it, if you're going, if you're going to increase the number of lots, you have to do a Tentative Map which has to go to Planning Commission. If you're going to reduce lots, we do a lot line adjustment which is an administrative process, so. So then, Commissioner, Vice Chair Chico, remove asphalt plant.

COMMISSIONER
MIRANDA

Brandi, I'm sorry. Can you clarify again by the lots... being... being in staff? So, if there was, you're going down?

SENIOR PLANNER JONES	Yes. So, say... they... so they have for example 7 lots, and they wanted to go down to five lots. There's a process, an administrative process called a lot line adjustment, and it's just done administratively.
COMMISSIONER MIRANDA	It'll be much easier.
CHAIR FRYMARK	When I see it, it has to come back.
SENIOR PLANNER JONES	Hmm?
CHAIR FRYMARK	But if they wanted that... if the applicant wanted to exceed the seven parcels, it would have to come back.
SENIOR PLANNER JONES	Yeah. If they wanted to increase, it would.
COMMISSIONER MIRANDA	Thank you.
SENIOR PLANNER JONES	Mm-hmm.
COMMISSIONER RODRIGUEZ	And if you could just clarify, what causes the greenhouse gas emissions?
SENIOR PLANNER JONES	I'll have the consultant answer that question, but if I could just finish these first and then we can go back, Okay. Let's see. Let's see. I just wanted to comment on Ms. Gomez's question regarding the amount of information that we would need more time. This project was originally scheduled to go to the Planning Commission before the proposed workshop, so we would have already been underway with the review and discussion of this. And the information has been available for several months, you know, it's sort... you know, when we discuss the... the public notification requirements and a dedicated website, so it has been available to the public for months. And also, she was discussing for example like the height limits and some of the perform... the development standards and the Specific Plan. And we understand because there's been a lot of discussions regarding the zoning code update and... and building height. But I know one of the discussions also, the primary... the primary height issue is around the residential areas. So, you know, when the... the buffer discussion was coming up, but I believe there was also discussion with the Planning Commission that areas that are away from the residential pockets could have higher limits so, just also wanted just to bring that up.
VICE-CHAIR CHICO	However, in this case it's 60 feet, correct?

CHAIR FRYMARK In the plan, it's designated as 60 feet.

SENIOR PLANNER JONES Right. Okay. And as far as Dena... let's see. She spoke about health. I don't know... she didn't mention it, but just to reiterate, there was, you know, there's often talk about like Irwindale is a cancer cluster, but there was a study done that showed that that wasn't true. And as far as LA County Fire... this project was sent to them as part of our interdepartmental routing and they basically said, you know, when you're ready to submit for this, it just has to go through them for their plan check process. Let's see...

CHAIR FRYMARK Brandi, and correct me if I'm wrong, I believe I saw it in the report... in the EIR report. Where talked about responses that we received. Baldwin Park was one of those agencies that the city reached out to, and in their response, it just said to let... it really was insignificant, the response. I think we needed to send a notice to their residents of 1000 feet from the parcel... from the project, if I'm not mistaken.

SENIOR PLANNER JONES I have to look at...

MEMBER OF THE PUBLIC (Inaudible)

JOANN HATFIELD I think Baldwin Park had two comments and you're right, Chairperson: one of them was, they wanted to be noticed and there was a question... and the response of Brandi, so 500 foot notice that the city gave, and the other one was... what they wanted to be noticed about was, they've provided a list of somewhat heavy industrial uses that really aren't in the site project anyway.

CHAIR FRYMARK Thank you.

COMMISSIONER MIRANDA Brandi, we have a question for you back on section 15 mentioning the proposed BESS would be designed to be in operation for 25 years. So, it's obsolescence of what's going to be in place of that? What is a plan for that? Dismantling, I guess. Or what's the change?

SENIOR PLANNER JONES After the 25 years as far as like battery recycling and like after the 25 years either, I believe the site could be developed with a non-BESS use... so is that what you're asking?

COMMISSIONER MIRANDA Yeah. What's the plan going forward? And 25 years? That's it. It's going to be used in something... new technologies coming or what... is there an idea regarding that?

SENIOR PLANNER JONES Yeah. Let me have the applicant come...

COMMISSIONER
MIRANDA Sure.

CHAIR FRYMARK I think what the question is, like, what is the long term after the 25 years.

COMMISSIONER
MIRANDA Correct.

CHAIR FRYMARK Will it be repurposed?

COMMISSIONER
MIRANDA Yeah. Repurposed. Yeah.

SAM LITTLEFIELD Madam Chair, Commissioners, my name is Sam Littlefield, I'm executive Vice President of Development for AYPa Power. I really appreciate your consideration of this project and the Specific Plan. I believe the question was: what's the plan at the end of useful life, and what we've characterized the useful life as, which is backed by manufacturer warranties, is 25 years. When we think about power plants, we think about 100-year facilities. And we anticipate technological advancements over the next 25 years and it's quite likely at the end of the useful life that this project would be repowered, which means that we would bring in the latest and greatest technology, subject to future approvals for consideration in order to continue serving California's energy needs. Battery storage technology is advancing with step changes every several years. Craig yesterday referenced that there are alternative technologies out there being considered: flow batteries, liquid batteries. But those are still nascent and aren't yet a point to be deployed at commercial scale. So, it is certainly conceivable that at the end of the useful life of this facility that it would be another battery subject to future approvals, with probably some type of new technology. Lithium ion has been around for a very long time. It has only been more recently established at this scale. But it is expected to be continually deployed. If you look at utilities integrated resource plans, which are the documents that they lay out there, go forward plans for new generating technologies and capacity technologies, storage technologies, they're still deploying battery storage technology of some kind but expected to be lithium ion through the 2040's. So, I would certainly expect this to be a continued use here directly across from a very important substation in Southern California, Rio Hondo. We would certainly enjoy the opportunity as AYPa or our successors in the future to be able to continue serving California's energy needs in some capacity.

COMMISSIONER
MIRANDA Another quick question, since you're there, regarding... Mr. Barbosa had a question regarding what happens if the power grid goes down... a major... will it... to sustain and keep powering us up?

SAM LITTLEFIELD	Yep. So, we do have backup power that serves the batteries in order to continue running our SCADA system. I think one of the comments that was raised was around the supervisory control and data acquisition system, or SCADA system that manages the plant and reports back to our remote operated Control Center. We're required to have multiple redundant fiber paths, disparate paths that are serving the station that allow breakers to be tripped that allow the batteries to be turned off and stop dispatching. So, they are prepared for that eventuality in Southern California. We also build these things to an extremely high standard with significant geotechnical investigation done to ensure that the batteries can sustain earthquakes that we would expect in this region.
COMMISSIONER MIRANDA	Very much appreciated.
COMMISSIONER ACOSTA	I've got a quick question for you, if you don't mind. So, for this project, the current batteries, are they expected to have a life, a battery life of 25 years in?
SAM LITTLEFIELD	That's correct. Yep. So, batteries degrade, just like you may notice your cell phone doesn't last as long as it did when you first got it. So, we plan for space in order to add containers, what we call augmentation, that allows us to continue serving our minimum contractual requirements. So, the aggregation of what we call power purchase agreements, which are long term revenue agreements, similar to what you might have with a long-term lease for a commercial building. We have to maintain a certain level of reliability. We have to be able to continue to dispatch in aggregate 400 megawatts and so, as the power capacity drops over time, we will augment the systems on the direct current side, so behind the inverters of the system, in order to maintain that capacity.
COMMISSIONER ACOSTA	Thank you.
SAM LITTLEFIELD	Thank you.
COMMISSIONER MIRANDA	Thank you.
SENIOR PLANNER JONES	I think there was another question regarding... approving a Specific Plan would set a precedent.
COMMISSIONER MIRANDA	Yes.

SENIOR PLANNER
JONES

Yeah, so, each one is reviewed on an individual basis, so we've had the City of Hope, Park at Live Oak, Reliance II, that was initiative, so it actually bypassed us. Most of the properties in the city won't be applying for a Specific Plan because they're just... there are very few parcels of this size remaining, so most of the development in the city is going to be infill, so it's going to be an existing building that's going to get demoed, and then a new one, like one single building, will be constructed. So, we don't do Specific Plans that often. And as far as setting the precedent, I mean each one has its own set of standards, development standards, performance standards, definitions, everything. So, it, like we said, it is specific to this. So, somebody can't say that "you can't apply anything in this Specific Plan outside of its boundaries", so. And... and also as far as the uses: so, if there's a use that in the Specific Plan says it needs a CUP, or a DA, it still has to come to the appropriate approval body. And that's it.

CHAIR FRYMARK

So, we had a lot of discussion. I think that we've had a lot of questions answered tonight, which has been really great to hear. Do you have another comment?

CRAIG LEWIS

Yeah. My name is Craig Lewis. I'm a consultant to the City of Irwindale, specifically on the battery energy storage system, and I... as part of my engagement, I reviewed the entire Planning Commission staff report and I have a few observations based on the questions and commentary that came up that I'd like to share, if that's appropriate. Ok. First of all, the report was really well done, very comprehensive so, I applaud Brandi for that. Secondly, it's really long and a lot of details in it, so, I have sympathy for anybody who tried to get through the whole report and especially the people who didn't get all the way through it. A couple of key observations: the economic report is in there. It starts on page 146. It's about 20 pages long and it's very comprehensive and very reasonable. So, when I saw that, I've seen lots of those types of reports, it's a really well-done report. I trust those numbers. It's on... starts on page 146 of the... of the Planning Commission staff report. Secondly, the... the EIR, the Environmental Impact Report information. It's... that is also very well done and I just wanted to be real clear that the... the battery energy storage system actually reduces the environmental impacts that, you know, are called out in that report, in the EIR. So, having the battery system there instead of the extra warehouse reduces the truck traffic. The truck traffic was... was the entire source of the pollutants. And then the last thing I want to mention is that the humidor project that was part of my presentation... was featured in my presentation last night, that project is in Los Angeles County. It's in north Los Angeles County. It's fully entitled. It's about the same size as the project that is being discussed tonight. And it's, you know, part of that entitlement process was to get through LA County Fire... the Fire Marshall. So, you know, that's already been done in LA County. That project is a little bit ahead of this one, but not that far, so I

can't imagine that the Fire Marshall would have a different opinion about the Gateway project compared to the humidor project.

CHAIR FRYMARK

One of the 8...

CRAIG LEWIS

I don't... I didn't... I didn't see the 8... I didn't see them itemized, so I'm not sure if it was on that list or not. I did see that there... it said that there were 8 and I don't think it would have been included in the eight because I did see that the total energy capacity of the 8 was about the same size as humidor so... humidor... humidor is a good-sized project. Sure.

CHAIR FRYMARK

One minute. We're...

SAM LITTLEFIELD

Sam Littlefield, AYPa Power. Madam Chair, I think perhaps, and I don't want to assume, but where you're going, your question, has LA County Fire actually been through this with battery storage facility that is now operating before, and I just wanted to highlight that AYPa Power constructed in 2023 and energized in 2024, a hundred MW, 400 MW hour battery storage system in the unincorporated Florence Firestone Community District near Watts. We're currently operating that. LA County Fire is the responsible agency providing fire services to that project. FRA and Brian here, Mr. Fink, supported that and participated in and led the training of the LA County Fire Department with respect to that facility. We've grown a fabulous relationship with LA County Fire. Our head of governmental affairs was brought in to speak at their annual gala to represent AYPa Power as a leader in working with fire departments directly in order to ensure firefighter and life and property safety of the general community. So, we do believe that we would have their support on this project and would look forward to working with them again in order to ensure safety of the Community and the firefighters that might respond to a potential incident at this facility. Thank you.

CHAIR FRYMARK

So, we're going to go ahead and close the public hearing on this item. Just trying to get myself together. So, we've heard a lot, and I think learned a lot collectively. I do want to just take a moment to thank staff and recognize their efforts because their efforts were pretty impressive. I think that there was a lot of the report was comprehensive. Although lengthy, I think it's important for a project of this nature. There is a lot of things to consider. In this particular project, I think that there is a lot of... alternating and competing priorities as well that we're having to consider. Mean it's not something that can be considered lightly. We are a progressive city who looks forward to growing. Not only in development and working in good partnership with developers. We just want to, of course, do that in a way that is mindful of our residents and the future residents of the community. So, I want to just make note of that. I'm not sure how our fellow Commissioners are leaning at this time. We had an amazing workshop yesterday that I think was really

insightful and understand that there's still more to come. At least that's what was said, as we're trying to continue to unpack a BESS and come to terms with the idea of having one here in the city. As previously mentioned, this is new technology. It's not something that we see in a lot of different places and so there's a lot of different items that we're trying to consider. Yes, it's important to go green, and I do recognize that it's not at the cost of the city or its residents. That has been explained in... in length, which is reassuring. I don't know personally how everyone else is currently feeling, but I would like to hear from our fellow Commissioners. I do have some hesitancy to move forward currently tonight, but I'd like to hear from the Commissioners.

COMMISSIONER
MIRANDA

Well, I can start, I guess. Well, obviously this report is very comprehensive, and the BESS... Mr. Lewis, was a great workshop yesterday. Got a good rate information and today AYPa was fantastic. I think this is the future. It's outstanding project. We should be looking at, obviously we are looking at it, but there are some risks of course, that went to the IPA... I mean IER, rather, EIR, rather, sorry. I don't know, it's... we are big business, but of course we always focus on our residents first and their health and I'm curious about, and even though the report, thank you for that information, it kind of lessened my fears a little bit about... that helped a lot actually, and I hope the people listening, they realize how much we care about their health and... and hope they heard her as well, that I... I think, our situation, they explain themselves, now this is a very safe energy. And if they're trained properly with a fire and don't go in there, the... this... I guess... the other... the vapors rather... it dissipates. And there's a place over here last night talked about being over there in Santa Barbara, Montecito area. They're very conservative people over there and consider their health very much so, and it's been now three years going on now, I believe. And it's something we... we need moves... not quickly. We've been going on this for a while, I think. Quite a bit. I think the only concern is, I think when hearing from my fellow Commissioners, is maybe the Specific Plan. What is their intention, what do they want to build, how high they really want to go, is it going to go against our... what we're leaning towards for our General Plan. Is that the main concern we're having here, besides the safety factors?

CHAIR FRYMARK

I can only speak for myself. In looking at the Specific Plan that was presented tonight, I looked at the heights and the setbacks and the height doesn't concern me for the building that's being proposed. It's at 60 feet and we talked about, as long as it's not within 500 feet of residents, that we are comfortable with the idea of going all the way up to maybe even 80. And we toyed with even 85. We didn't land somewhere specifically, but we were comfortable with that because we do want to attract businesses. We do want to make Irwindale a place where developers can come and grow and thrive and be successful. And so.... it's not so much the design, or even the Specific Plan. It is the idea of the health... I think we're learning about the BESS in a way

that is... comprehensive and also in a way for residents to understand as well, because we have the future generation that we also have to consider.

COMMISSIONER
MIRANDA

Absolutely.

CHAIR FRYMARK

I'm curious to know and we don't have to have the answer today, but I am curious to know how close the proposed BESS is to the residential area over there by Alice Rodriguez Circle. I don't know if that's been studied, but I am curious to know that at some point, because we do have a residential community over there and although we did speak to, or put Baldwin Park on notice, we're going to comply with notifying them, but it is a residential area over there, although I was reassured tonight by Mr. Fink, that... that there is significant training and that these fires are not common and that the gases that are released are... do not permeate, it's in the immediate vicinity. And so that did give me a sense of comfort. So, thank you.

COMMISSIONER
RODRIGUEZ

I want to thank everybody that came here today and spoke to us. The report was... was perfectly laid out for us. Thank you staff for that. And with all of our speakers who spoke with us today, I think you guys provided us with a lot of great information. Yes, it is a lot, but I think that we do have everything that we need in this report. And we've heard from our residents and we... we love our residents. We're always looking out for them, definitely. But this is a project that has been presented, and the information is there.

CHAIR FRYMARK

Are you going to make a motion?

COMMISSIONER
RODRIGUEZ

So, I would make that motion to adopt Resolution Number 834, Subsection 24. As well as adopt Resolution... do we go one by one?

CHAIR FRYMARK

I believe we would have to... if that is what's being considered, then we would go line by line and make the motion for each individual Resolution. Is that correct?

CITY ATTORNEY
GUERRA

Yes.

COMMISSIONER
RODRIGUEZ

A quick question: in the future workshop, what new information will we gain other we haven't gotten already without regard?

CHAIR FRYMARK

I don't know. Does staff have... can staff answer that? Like, if we were to go through a second workshop or continue the workshop, as I believe discussed by Mayor last night, what would we gain from that?

MEMBER OF THE
PUBLIC

(Inaudible)

CRAIG LEWIS	You know, having given the main presentation for the workshop last night, I don't think there's a lot of additional information that would be introduced. It would basically be a rehash of what we've already discussed.
CHAIR FRYMARK	Commissioner Rodriguez, I apologize as we were, you were in the middle of a motion...
COMMISSIONER MIRANDA	Sorry about that.
CHAIR FRYMARK	But there was a question asked that I... I wanted to make sure that we at least entertained, that we... we know we have all the information. So, did you want to continue?
COMMISSIONER RODRIGUEZ	Should I repeat the motion?
CITY ATTORNEY GUERRA	So, I... I could actually, if you wish, I could go ahead and state the motion, if you'd like.
COMMISSIONER RODRIGUEZ	Yes, please.
CITY ATTORNEY GUERRA	So the first motion would be to adopt Resolution Number 834(24): A Resolution of the Planning Commission of the City of Irwindale recommending that the City Council: 1) consider and certify the environmental impact report, state clearing house SCH Number 2023020290; 2) adopt the findings required by CEQA Guidelines Section 15091; 3) adopt the proposed mitigation, monitoring and reporting program and 4) adopt a statement of overriding considerations pursuant to the California Environmental Quality Act, CEQA for the Irwindale Gateway Specific Plan. Is that your motion?
COMMISSIONER RODRIGUEZ	Yes, it is.
CITY ATTORNEY GUERRA	Is there a second?
CHAIR FRYMARK	Roll call?
CITY ATTORNEY GUERRA	Is there a second?
CHAIR FRYMARK	Do we... I'm sorry. Do we have a second?

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COMMISSIONER
MIRANDA I second.

CHAIR FRYMARK So, we have a 1st, and we have a 2nd, and we move on to Roll Call.

ADMINISTRATIVE
SECRETARY
HERNANDEZ So, we have a motion by Commissioner Rodriguez and a second by Commissioner Miranda. Yes, ok. 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 No.

ADMINISTRATIVE
SECRETARY
HERNANDEZ Thank you.

CITY ATTORNEY
GUERRA The second motion would be to adopt Resolution Number 835(24): "A Resolution of the Planning Commission of the City of Irwindale, recommending that the City Council of Irwindale amend the Community Development Element and Land Use Plan Map of the City's General Plan GPA Number 02-2022 from general... from Regional Commercial to Specific Plan for property located at 13620 Live Oak Lane, Irwindale,

CA, APNs 8532-002-046 and 8532-002-047, as set forth herein and making findings in support thereof. Is that your motion?

COMMISSIONER
RODRIGUEZ

Yes.

CITY ATTORNEY
GUERRA

Is there a second?

COMMISSIONER
MIRANDA

Second.

CHAIR FRYMARK

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

No.

ADMINISTRATIVE SECRETARY HERNANDEZ	Thank you.
CITY ATTORNEY GUERRA	The next motion would be to adopt Resolution Number 836(24): A Resolution of the Planning Commission recommending to the City Council of the City of Irwindale adopt Zone Ordinance Amendment No. 02-2023 to add Irwindale Gateway Specific Plan to Title 17 of the Irwindale Municipal Code, IMC defining permitted uses, regulating the sizes and locations of buildings, specifying design guidelines and development standards, addressing mobility and connectivity topics, identifying project infrastructure and services, and providing administrative and implementation language for property located at 1... 13620 Live Oak Lane, Irwindale, CA, APN's 8532-002-046 and 8532-002-047, with the revision to the Specific Plan regarding the requirement of the design guidelines, as acknowledged by the applicant. Is that... is that your motion?
VICE-CHAIR CHICO	Is this the removal of asphalt?
COMMISSIONER MIRANDA	Required.
CITY ATTORNEY GUERRA	Go ahead, sorry. Can you please state that...
VICE-CHAIR CHICO	Removal of the asphalt plants...
SENIOR PLANNER JONES	Yeah, that too.
VICE-CHAIR CHICO	That too. Okay.
CITY ATTORNEY GUERRA	With that revision as well, regarding the asphalt.
CHAIR FRYMARK	The design and then the... the asphalt.
CITY ATTORNEY GUERRA	That's correct. Yeah, set the motion. Great. There a second?
COMMISSIONER ACOSTA	Second.
CHAIR FRYMARK	Roll Call, please.
ADMINISTRATIVE SECRETARY HERNANDEZ	Second was Commissioner Acosta, correct?

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CITY ATTORNEY
GUERRA Correct.

ADMINISTRATIVE
SECRETARY
HERNANDEZ Thank you. 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.

CITY ATTORNEY
GUERRA The next Resolution is to adopt Resolution Number 837(24): A Resolution of the Planning Commission of the City of Irwindale, recommending that Zoning Map... I think there's a correction here, so... recommending... it says recommending that Zoning Map. Think there's just a grammatical change there. Okay, so, I'm going to change the title, so it'll be adopt Resolution Number 837(24): "A Resolution of the Planning Commission of the City of Irwindale recommending a Zoning Map change from M-2 (Heavy Manufacturing) to Irwindale Gateway Specific Plan for property... well, there's something wrong on

the agenda here. Yeah, it's missing something. Give me one second to look at this and... and let me see if this works, Staff: A Resolution of the Planning Commission of the City of Irwindale recommending... a Zoning Map change from M-2 (Heavy Manufacturing) to Irwindale Gateway Specific Plan for property located at 13620 Live Oak Lane, Irwindale, CA, APNs 8532-002-046 and 8532-002-047. Close enough.

SENIOR PLANNER
JONES

It's correct on the Resolution. It was just an error on the Agenda.

CITY ATTORNEY
GUERRA

Okay, so why don't you go ahead and state it then.

SENIOR PLANNER
JONES

Okay. Oh, wait... is it 836 or 837?

CITY ATTORNEY
GUERRA

37.

SENIOR PLANNER
JONES

Okay. A Resolution of the Planning Commission of the City of Irwindale recommending that the City Council of the City of Irwindale adopt a Zone Change... Zone Change No. 02-2022 to modify the City of Irwindale Zoning Map from M-2 (Heavy Manufacturing) to Irwindale Gateway Specific Plan for property located at 13620 Live Oak Lane, Irwindale, CA, APNs 8532-002-046 and 8532-002-047.

CITY ATTORNEY
GUERRA

So moved.

COMMISSIONER
RODRIGUEZ

That's my motion.

CITY ATTORNEY
GUERRA

Second?

COMMISSIONER
MIRANDA

Second.

CHAIR FRYMARK

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.

CITY ATTORNEY
GUERRA And the last Resolution is to adopt Resolution Number 838(24): A Resolution of the Planning Commission of the City of Irwindale recommending City Council approval of tentative parcel map number 83854 to create 7 parcel maps... or seven parcels for property located at 13620 Live Oak Lane, Irwindale, CA, APNs 8532-002-046 and 8532-002-04 in the M-2 Heavy Manufacturing zone, subject to conditions as set forth herein, making findings and support thereof. So moved?

COMMISSIONER
RODRIGUEZ Yes.

CITY ATTORNEY
GUERRA Second?

COMMISSIONER
MIRANDA Second.

CHAIR FRYMARK Roll Call, please.

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.

CITY ATTORNEY
GUERRA That is it.

CHAIR FRYMARK That is it. Thank you. Moving on to Item Number 5, Discussion Items or Presentations.

**DISCUSSION ITEMS/
PRESENTATIONS**

CHAIR FRYMARK I see nothing else on the agenda, so we're going to continue.
Community Development Director Report. Do we have a report?

**COMMUNITY
DEVELOPMENT
DIRECTOR REPORT**

COMMUNITY
DEVELOPMENT
DIRECTOR
SIMPSON

Thank you, Chair and Commission. Finally, I get a chance to speak. I've never been silent so long. Anyway. So. Okay, I've been given instructions by Administration to give you some information, so hear ye, hear ye. The annual... wasn't by the City Manager but... but I got the message loud and clear.

VICE-CHAIR CHICO

Okay, that's long enough.

COMMUNITY
DEVELOPMENT
DIRECTOR
SIMPSON

So, the annual employee holiday luncheon and service awards presentation, it's being held on Thursday, December 5th. So, they want you to RSVP if you haven't, you can RSVP to Berlyn at admin so. And you guys know where it's at... over at?

CHAIR FRYMARK

Mountain Meadows.

COMMISSIONER
MIRANDA

Mountain Meadows.

COMMUNITY
DEVELOPMENT
DIRECTOR
SIMPSON

Mountain Meadows. Okay. That's good. So, thank you. And then the next thing that I want to bring up is, at the September meeting, we had... we had continued an item to go... the Comprehensive Zoning Code Update. We had continued it to the November 20th meeting. November 20th is being cancelled because we have this Special Meeting tonight. So, I just want to make the record that we will be re-noticing for that, and it will be brought to you on December 18th, Okay? And then the last thing is Happy Thanksgiving.

COMMISSIONER
MIRANDA

Thank you.

COMMUNITY
DEVELOPMENT
DIRECTOR
SIMPSON

Thank you.

CHAIR FRYMARK

Thank you. You as well. Do we have any comments from legal Legal Counsel?

**LEGAL COUNSEL
COMMENTS**

CITY ATTORNEY
GUERRA

Well, happy to be back. Jamie let me come back and say hi. So... but Happy Thanksgiving to everybody.

CHAIR FRYMARK

Thank you. Any Commissioner Comments?

**COMMISSIONER
COMMENTS**

CHAIR FRYMARK

No. I just want to wish everyone a Happy Thanksgiving. I actually went down to the Gateway. I should have said this before... with some boots on and a hard hat, which was pretty cool to go down there into the pits. You guys have quite the sophisticated process going on over there, quite impressive. And then I also visited the Athens site not too long ago. I don't know if the fellow Commissioners had an opportunity to go out there as well, but it was pretty cool to see and walk that facility as well. But those are all my comments for tonight. Thank you Staff for everything you are doing. And... with that, if there are no further comments, we're going to go ahead and... very fast, please, I'm sorry. I know this is unorthodox. I just...

FRED BARBOSA

Just, you know, we've always been having trouble with that... with the code. So, what we have to do... I've been there for over 2 years trying to get it. What you have to do is you have to have a workshop and go page by page by page. That's the only way we're going to get it straightened away, so I would appreciate if we would do it once and do it right. It's been 2...2.5 years, even before you guys were there and all it is we hot pot, we patch it. Thank you.

CHAIR FRYMARK

Thank you. We're getting closer. We've been really unpacking that as a Commission and I am really proud of the work that we're doing, so... I think we're getting very, very close. With that we're adjourning this meeting at 9:31. Thank you everybody.

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 9:31 p.m.

Attest:



Jesus Hernandez, Administrative Secretary



Maricela Frymark, Planning Commission Chair

Approved as presented at the meeting held April 30, 2025