

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

February 03, 2021
Wednesday
6:31 P.M.

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

CHAIR TAPIA

This meeting of February the 3rd, is now called to order. It is traditional that we give our respects to our loved ones, friends, and other people's loved ones that have passed. Tonight, I am going to be adjourning this meeting to Anita Torres, my son's mother-in-law, and my wife's longtime friend from kindergarten through high school. She was our maid of honor and then she was one of my boy's nina. We are going to miss her. She did not have enough resistance to fight off COVID. We will be honoring her tonight, thank you. This meeting has been call to order and we will be standing for the Pledge of Allegiance and remain standing for the invocation.

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
COMMISSIONER
CORPIS

Lord we thank you and we praise you for the opportunity to serve. We pray that you guide us in our decisions knowing that we are accountable and we just thank you for all things in his name we pray, amen.

Roll call.

ROLL CALL:

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

Also present: William Tam, City Manager; Adrian Guerra, City Attorney; Marilyn Simpson, Community Development Manager/City Planner; Brandi Jones, Senior Planner; Berlyn Aguila, Administrative Secretary.

CHAIR TAPIA

Item E, announcements.

ANNOUNCEMENTS

ADMINISTRATIVE
SECRETARY AGUILA

One second, I apologize.
Per Executive Order N-25-20, Californians are directed to follow Public Health directives including canceling large gatherings. The Executive Order also allows local legislative bodies to hold meetings via conference call while still meeting state transparency requirements. The City has made tonight's meeting available in a virtual setting and by phone. Public comments and participation are welcomed through the following means. Pre-registering for the Planning Commission meeting on Go To Webinar and email submission of public comments to the Planning Commission Department at Baguila@irwindaleca.gov.

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

SPONTANEOUS COMMUNICATIONS

CHAIR TAPIA

Thank you. Now we move on to spontaneous communications. This is the time set aside for members of the audience to speak on items not on this agenda. If there is anyone in the audience wishing to speak on items not on this agenda, please raise your hand to be recognized.

ADMINISTRATIVE
SECRETARY AGUILA

Chair Tapia, no hands have been raised.

CONSENT CALENDAR

CHAIR TAPIA

Since no hands have been raised, we will continue consent calendar. Consent calendar contains matters of routine business and it is approved with one motion unless a member of the Commission request separate action on a specific item. This is the time members of the audience may ask to be heard regarding an item on the consent calendar. If there is anyone in the audience wishing to speak on this matter, which there is no minutes today. I have already made a statement, but if there's anyone wishing to speak on anything on the minutes, please raise your hand.

Item No. 1A

MINUTES

ADMINISTRATIVE
SECRETARY AGUILA

No minutes to be approved.

CHAIR TAPIA

No minutes to be approved. We will move on to New Business. Number A is Alpha Street Update.

NEW BUSINESS

ITEM NO. 2A

ALPHA STREET UPDATE

COMMUNITY
DEVELOPMENT
MANAGER/CITY
PLANNER SIMPSON

Thank you Chair, Commissioners, and members of the audience. The current automobile dismantling operations within Irwindale are located on Alpha Street. This area was established in the 1980's on a 30 plus acre former landfill, also known as the Alpha Pit. On May 14, 2014, after many years of research, public outreach and workshops, the City Council approved Ordinance No. 676, which created an Automobile Dismantling Plan Development Overlay Zoning Designation. Ordinance 677 amended the Irwindale Municipal Code pertaining to automobile dismantling to clarify existing standards and establish new standards for automobile dismantling. It restricted all auto dismantling operations to be performed on Alpha Street. The General Plan for this area is Industrial Business Park and the base zone is M-2 (Heavy Manufacturing). There is an Automobile Dismantling Planned Development Overlay there. In 2017, the Planning Commission approved Conditional Use Permits for all of the automobile dismantling operations at the site and part of the Conditions of Approval were to provide updated reports to the Planning Commission. This is the first report that we have done and it is the 2020 yearly update report. The Irwindale Code Enforcement Department is the department that actually goes out and monitors for compliance with the Conditions of Approval and with the Irwindale Municipal Code. During the 2020 period, there were 37 businesses that were operating on Alpha Street; 35 of which were auto dismantlers, one tow yard, and one contractor storage yard. Of these businesses, 25 had active Business Licenses and 12 are in the process of getting their Business License. In 2020, due to the COVID-19 pandemic, the normal routine site inspections that Code Enforcement performs were put on hold and Code Enforcement instituted new processes in relation to Health and Safety regulations. Primarily, it was complaint driven to Code Enforcement or to the City and they would respond to any complaints or violations. The Code Enforcement Department had created the Alpha Street checklist, which was used to determine compliance with the CUP Conditions of Approval and the Irwindale Municipal Code. The far side of Alpha Street the dismantling operations; they are subject to additional regulations because they affect the residential properties. Inspections in 2020 that were conducted on 15 businesses, 5 of the businesses were issued notices for noncompliance and the notices were also sent

to the property owners. Courtesy notices were sent to 12 related businesses that were responsible for the ongoing maintenance of the landscape. One of the issues in this area, and in other areas of the City, is an ongoing issue with graffiti abatement. Code Enforcement sends notices and the operators have a certain amount of time to remedy the situation and they have been very good about that. The City also uses a monitoring company to inspect the businesses for NPDES, The National Pollutant Discharge Elimination System requirements. Irwindale Police Department provides parking and traffic enforcement on Alpha Street. In 2020, 21 parking tickets were issued and two moving violations. The LA County Fire Department continues to perform ongoing fire inspections, as necessary. This concludes my update. I am available for any questions, thank you.

CHAIR TAPIA

Are there any questions for Staff? I have a couple of questions here. When there is anything going on over there on Alpha Street, they respond. Most of them come to meetings and that really impresses me because I wish our residents would respond the same as they do. How many establishments were there when we met the last time and approved and amended their time by adding more time to the limitation process? Is there any new salvage yards over there since that time?

COMMUNITY
DEVELOPMENT
MANAGER/CITY
PLANNER SIMPSON

Thank you, Chair. There have been, I don't have the exact numbers, but there has been some new businesses that have purchased the business operations. Those new businesses are subject to the same Conditions of Approval and we get them to sign an affidavit that they acknowledge all Conditions of Approval, and the time limit still applies to them.

CHAIR TAPIA

I think that we've been more than kind and lenient toward approving their needs. As they say, they have a family and have needs. That's their bread and butter, but they tend to forget that they have to comply with the regulations. The last question I have is when is the date of limitations due?

COMMUNITY
DEVELOPMENT
MANAGER/CITY
PLANNER SIMPSON

The CUPs for Alpha Street were limited to a 15-year approval with a single five year automatic extension after that 15 years. The clock started ticking in 2017. They have some time.

CHAIR TAPIA

So, we have some time to have them comply?

COMMUNITY
DEVELOPMENT
MANAGER/CITY
PLANNER SIMPSON

Yes.

CHAIR TAPIA

Thank you. Any other questions?

VICE-CHAIR
BURROLA

I have a question, Chair and Staff. I wanted to know if there is a Condition that states if they were to violate the CUP multiple times? Is there something where the CUP could be voided and they would have to leave? If they do violate the CUP or the NPDES or any of that stuff, is there any repercussions or are they just going to keep violating their CUP? Code Enforcement and residents complaining and nothing happens because they know nothing is going to happen to them. Is there something in the CUP that we have more control of it not ever happening again, as far as violations?

COMMUNITY
DEVELOPMENT
MANAGER/CITY
PLANNER SIMPSON

Thank you, Vice-Chair Burrola. I'm looking through one of the resolutions because this issue did come up and I believe that if there was a certain number of violations within a year, we would return back to the Planning Commission.

VICE-CHAIR
BURROLA

Okay, thank you. I just want to make sure that we have more authority over these businesses. If they violate, then they get a slap on the wrist and they continue to get a slap on the wrist every time they violate the CUP and there's no repercussion. I just want to make sure that we have more authority over them, per say.

COMMUNITY
DEVELOPMENT
MANAGER/CITY
PLANNER SIMPSON

Thank you, Vice-Chair Burrola, Senior Planner Jones can respond.

SENIOR PLANNER
JONES

Good evening. There was a requirement, as far as violations were concerned, and I believe it was three or four substantiated violations within a specific period. I don't remember the exact period, but there is a Condition in there about a certain number of substantiated violations and claims that can result in the revocation.

VICE-CHAIR
BURROLA

Is Code Enforcement keeping track of that?

SENIOR PLANNER
JONES

Yes.

CHAIR TAPIA

I have a suggestion. In a doctor's office, they have diplomas of what they represent and regulations they follow from the City, State and Federal or whatever it might be. Why can't we have a condition that they have to have the codes posted in a place similar to the earthquake plan and have it visible so that they don't have any excuses? Have everything that they need to comply with in writing and be visible. I think that may help them remember because that was about four years ago and some people can't remember what they were told last week. That is just a suggestion. Can we do something like that?

COMMUNITY
DEVELOPMENT
MANAGER/CITY
PLANNER SIMPSON

If were to add an additional Condition of Approval, it would require bringing it back to the Planning Commission in a public hearing.

CHAIR TAPIA

Is there any administrative type of action that we can take that would not because they are breaking and violating the code? This way it is on paper and we could ask them to please put it up where it is visible just for your sake and that type of thing.

COMMUNITY
DEVELOPMENT
MANAGER/CITY
PLANNER SIMPSON

When Code Enforcement visits the site, they always bring the Conditions of Approval and the Resolution that has been signed by the operator and they do give them a copy of it. That is something that we have them bring out as a courtesy to let them know and as a suggestion, we can offer that.

CHAIR TAPIA

If they run around with dirty hands and they don't clean them until they put some soap on it, we have to have something substantial to remind them that they have an obligation to the City as well as we have an obligation to them.

COMMUNITY
DEVELOPMENT
MANAGER/CITY
PLANNER SIMPSON

Code Enforcement starts with a courtesy notice, they not only send it to the operator but as well as the property owner, which several times are not the same.

CHAIR TAPIA

Thank you very much. We will move on to Item number 3. An Amendment No. 1 to Development Agreement No. 02-06 and Conditional Use Permit Modification No. 01-2021 to Conditional Use permit No. 7-06 (CalMat Company DBA Vulcan Materials).

PUBLIC HEARINGS

ITEM NO. 3A

AMENDMENT NO. 1 TO DEVELOPMENT AGREEMENT NO. 02-06 AND CONDITIONAL USE PERMIT MODIFICATION NO. 01-2021 TO CONDITIONAL USE PERMIT NO. 7-06 (CALMAT COMPANY, DBA AS VULCAN MATERIALS).

COMMUNITY
DEVELOPMENT
MANAGER/CITY
PLANNER SIMPSON

Thank you, Chair and Commissioners. Michael Linton on behalf of Vulcan Materials Company is requesting Amendment No. 1 to Development Agreement No. 02-06 to remove the Reliance II site located at 15990 Foothill Boulevard from the approved Reclamation Plan and Development Agreement for the Reliance I and Reliance II. The Reclamation Plan for the Reliance II landfill and the Reliance I quarry was approved on June 11, 2018 with the CUP and a Development Agreement, Ordinance 627. The California Division of Mine Reclamation considers Reliance I and Reliance II to be a single

mine, although they are divided by Foothill Boulevard. Since Conditional Use Permits and Development Agreements remain with the property, certain entitlements do that. In order to remove those entitlements, they need to be modified, amended or vacated. On November 8, 2017, the City Council approved the Reliance II Specific Plan, which serves as the guiding zoning document for the site and provides for all the specific development standards in uses permitted for Reliance II. Reliance II has now completed their filling operations and they are preparing for construction. The Modification to the Conditional Use Permit and the Amendment to the Development Agreement is necessary to remove it from the combined CUP and Development Agreement. The Reliance II site, the Zoning Designation is Reliance II Specific Plan and the General Plan Land Use Designation is Reliance II Specific Plan. This action is exempt from the provisions of CEQA, pursuant to section 15061(b)(3), which states of the activity is covered by the General Rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment. In this case, the request for the modification for the CUP and the Amendment to the Development Agreement or Reliance II, it terminates the applicants rights and obligations under their approved CUP and Development Agreement so, there is no potential for an effect on the environment. Little discussion about the Development Agreement; the Development Agreement is a contract between the City and the developer setting standards and conditions for the development of the property and in this case, Amendment No. 1, there are key provisions. One of the provisions is at the Agreement will be terminated regarding the Reliance landfill site and shall no longer have any force or effect to the original Development Agreement. The termination of the Agreement shall have no effect or invalidate any actions taken by the City and/or Vulcan in accordance with the Agreement prior to the effective date of this amendment and third, the Land Use and Development regulations for the Reliance II site will be governed by the Reliance II Specific Plan. These provisions for this Amendment to the Development Agreement, are consistent with the General Plan, Zoning and the Specific Plan. The modification of the Conditional Use Permit. How the Reclamation Plan gets approved is just via a Conditional Use Permit and the Specific Plan sets the regulations, permitted uses and the standards. Now the Conditional Use Permit Modification is removing Reliance II from the existing CUP and all of the Conditions of Approval that were specific to the Reliance II site. The Reclamation Plan, Development Agreement and the CUP that was originally approved in 2006, remain in place for the Reliance I pit. That concludes Staff's report, but we recommend adopting the attached Resolutions which are making a recommendation to the City Council to approve Ordinance No. 755, approving Amendment No. 1 to the Development Agreement No. 02-06 and Resolution No. 797(21) recommending to the City Council to approve the CUP Modification No. 01-2021. That concludes my report. I am available for questions.

CHAIR TAPIA

Questions by Commissioners?

COMMUNITY
DEVELOPMENT
MANAGER/CITY
PLANNER SIMPSON

That does not conclude my report, I have one more thing. I placed on the dais for those here and we emailed the Commissioners who are attending virtually, that there was a proposed revision to the draft Amendment No. 1 to the Development Agreement and it just added some language that was specified in the Recitals Number A. Recorded on December 2, 2009, it added as instrument No. 2008-2118284 of official records and this is called the Agreement. On terms 1A, adding a statement that says which is more particularly legally described in Exhibit A hereto and depicted in Exhibit B, which is attached to Amendment No. 1. Exhibit A gives the legal description for all the parcels and Exhibit B is a map showing all the parcels on the Reliance II site. That concludes Staff's presentation.

CHAIR TAPIA

Any questions?

VICE-CHAIR
BURROLA

I got a few questions.

CHAIR TAPIA

Go ahead.

VICE-CHAIR
BURROLA

I am nervous to remove Reliance II from the Reclamation Plan and Development Agreement. I know we just got this packet yesterday and I was looking through the Development Agreement and I wanted to see the 2017 Development Agreement that we approved. Is it kind of replacing the Development Agreement in a way because there is a lot of obligations they have to meet in the Development Agreement and I wasn't sure if those were stated in the Specific Plan. I was going through some that were offsite improvements around the perimeter of the area such as underground utilities and other infrastructure requirement. I just want to make sure that we are removing them from this Agreement and that we looked at everything and made sure that they fulfilled their obligations on the Development Agreement. I know the Specific Plan is a specific plan that changes the zone for that area. They have to abide to that Specific Plan for development but more than likely Vulcan is going to sell their property to a developer. Is the developer bound by that Specific Plan or is there some document in their certified standing that you have to follow this? That would be my question because I'm nervous of leaving this reclamation Development Agreement. I just want to make sure the City is covered and they have fulfilled their obligations to the CUP and the Development Agreement. If we can touch on that just a little bit.

CITY ATTORNEY
GUERRA

First of all, great question and I will tell you that when I was approached by this item, I also had the same observation. I fully understand where you are coming from. The way I would address it is the Development Agreement contemplated three issues: mining,

reclamation of the site, and development of the site so let's take them one by one. Mining, at this point there is no ability to mine. If they did want to come back and mine, they would have to get a Mining Permit. Any mining activity going forward would be subject to SMARA and they would have to get a permit so we would be able to regulate that going forward. Let's assume mining is out of play. It all also governed reclamation of the site. Well, the site is reclaimed so all the issues regarding reclamation has been addressed. The third aspect is development. The Development Agreement did provide some guidance and structure as to the proposed development of the site. However, like we came about in 2017, a plan was adopted for the site via the initiative process in the City Council approved it. The Specific Plan is now the governing zoning document for the site. So, it is effectively the Zoning Code for the site. Any development whatsoever on the site is going to have to comply with the Specific Plan. So whatever the Development Agreement provided, to some extent, is now irrelevant because the developer and the property owner is going to have to comply with the terms of the Specific Plan in terms of the uses, any restrictions on the site, what is prohibited, what is permitted. It's going to be governed by the Specific Plan. The other point you raised, which is an excellent point, which is the offsite improvements. The offsite improvements were incorporated into the CUP and as it was mentioned in the Staff Report, there are some outstanding improvements that have yet to be completed. They have completed some, but there are others that will be completed.

VICE-CHAIR
BURROLA

We don't receive the CUP, did we?

CITY ATTORNEY
GUERRA

I believe it was an attachment in the package. What is proposed is that the developers and our Staff have come to a conclusion that for the outstanding improvements that have not yet been completed, the City and developer are going to enter into the Offsite Improvement Agreement where they're going to basically pay the full cost of those reimbursements. I think there's been an itemization of all the outstanding issues and cost allocated to that. That Agreement will be taken to the City Council assuming the Planning Commission makes a recommendation tonight. They will go at the same time.

VICE-CHAIR
BURROLA

Okay. Is this part of the Specific Plan documentations for the offsite improvements?

CITY ATTORNEY
GUERRA

No, that will be a separate agreement.

VICE-CHAIR
BURROLA

The developer is not able to develop unless they fulfill these obligations?

CITY ATTORNEY GUERRA	The developer is going to have to comply with the Specific Plan and the owner of the site is going to have to comply with the Offsite Improvement Agreement.
VICE-CHAIR BURROLA	Vulcan being the owner, is still required to do the offsite improvements but when they sell their property to a developer, then he's going to take ownership of this Specific Plan and it's going out of the hands of Vulcan and into the new owners as like a transfer, correct?
CITY ATTORNEY GUERRA	Whoever is going to develop the site is going to be subject to the Specific Plan.
VICE-CHAIR BURROLA	Okay, I don't have it in front of me. I remember it was 2-3 years ago, but that is documented in the Specific Plan.
CITY ATTORNEY GUERRA	Yes. All of the land use restrictions or requirements are laid out in the Specific Plan so whoever is going to develop the site has to comply with that document. With respect to the Offsite Improvement Agreement, that is going to be with the owner and that obligation is going to remove the order. My understanding is that are just going to pay us the estimated cost of the improvements.
VICE-CHAIR BURROLA	If we do an amendment to the Development Agreement, do we still have something holding them to whatever payment you are saying for the offsite improvements?
CITY ATTORNEY GUERRA	That is going to be a separate agreement.
VICE-CHAIR BURROLA	That's not part of what we are doing here?
CITY ATTORNEY GUERRA	That is correct.
VICE-CHAIR BURROLA	We might have to see that again and it is going to go together to the City Council?
CITY ATTORNEY GUERRA	Yes, that is going to be a separate agreement that will not be coming before the Planning Commission. Those improvements that were identified were included in the CUP and rather than continue to keep the CUP on record, we will go ahead and terminate the CUP but the owner is going to agree to complete the offsite improvements by entering to a separate binding agreement and pay for the estimated cost of those improvements.
VICE-CHAIR BURROLA	Okay, perfect. I just wanted to clarify things.

CITY ATTORNEY GUERRA	Like I said, excellent questions and those were the same questions that we had to go through and make sure this was the appropriate recommendation.
VICE-CHAIR BURROLA	Yes, because these agreements are SMARA compliant and the State has our back, per se, if they violate that anyway. Once we take him off these agreements, we have to have something in place to hold him to it. So, that's good.
CITY ATTORNEY GUERRA	My recollection is that the CUP and the Reclamation Plan governed the Reclamation. Now that it is complete, there is really not a need for it to continue. The site is basically ready for development.
COMMISSIONER BURROLA	Okay. My question is, I guess, the easement at Reliance II landfill for drainage purposes. It was said that Kincaid pit, which is east of the site they, right? They were going to use some sort of drainage into the Reliance II site. So there was supposed to be an easement. Do you guys recall or what happened with that?
CITY ATTORNEY GUERRA	Things changed with the Specific Plan, I believe. Daniel can maybe answer that question.
COMMUNITY DEVELOPMENT MANAGER/CITY PLANNER SIMPSON	Thank you, Vice-Chair Burrola. We have the City Engineer that can answer that question.
CITY ENGINEER HANNA	Good evening Chair, Burrola and honorable Commissioners. Kincaid has North and South Kincaid. North Kincaid will be developed but we are using South Kincaid that will divert all the water to the south side, not to the Reliance II. Hopefully this answers your questions Mr. Burrola.
COMMISSIONER BURROLA	Yes, because it is part of the Development Agreement. There is an easement that was supposed to be in Reliance II landfill. I just want to make sure that you guys looked at it and if it's needed, that it is part of this agreement. Once this agreement is over with and we take it out, we can't go back. I just want to make sure.
CITY ENGINEER HANNA	There is an easement on the Reliance II side. There is an area for drainage and it's between 10 acres. That area will be a drainage area to collect the water and then divert the water to a storm drain. A new pipe will be go under the 210 freeway. Reliance II has nothing to do with the North Kincaid site.
COMMISSIONER BURROLA	Okay, I guess. Since you are online, I have another question. We had recently approved some easements for the billboards and I didn't see it

in the documentation that you guys sent. Online, it shows the property boundary done by Johnson and Frank. The survey that shows the parcels, does not show the easement for those billboards. Is that something you guys looked at?

CITY ENGINEER
HANNA I believe Planning and Legal is looking into this.

COMMISSIONER
BURROLA Okay, because I believe she has mentioned that the easement should be on a plan that shows all parcels. There should be some sort of map or something showing that easement for those billboards.

CITY ENGINEER
HANNA I haven't received it on my desk yet, but I believe we were talking about this, but we are still working with Legal, Vulcan, and Planning.

COMMISSIONER
BURROLA I'm sure when they bring it in the plans for the Specific Plan, then they will have to change it, but I also want to make sure we have access to that easement, as well.

CITY ENGINEER
HANNA Yes, we do.

COMMISSIONER
BURROLA Will you look into that when we have a developer come in? He is going to have to take ownership. Thank you.

CHAIR TAPIA Sir William is going to give you some more information on that.

CITY MANAGER
TAM Thank you Mr. Chair and members of the Commission. Let me provide more information to clarify the answer that was provided by our City Engineer. There was a Certificate of Compliance prepared and finalized that outlines the easement access to all the billboards and it has been approved and recorded. It was already done a few years ago, prior to this action being taken by the Commission tonight.

COMMISSIONER
BURROLA Thank you.

CHAIR TAPIA I would just like to get on the tail end of you said Mr. Burrola, which is excellent. I just have something real simple that I didn't read in our packets, but maybe it was there. Have our engineers approved the filling, grade, and compaction to also make the statement that it is complete?

COMMUNITY
DEVELOPMENT
MANAGER/CITY
PLANNER SIMPSON Thank you, Chair. I will have our City Engineer respond to that.

CITY ENGINEER HANNA	Yes, Mr. Chair Tapia. All of the reports for the reclamation and the fill was reviewed and approved by our ITAC team. It has been reported to SMARA and we sent the closure reports to the State's Department of Conservation. We received a letter from them confirming the report and closure of the site as a mining site. The reclamation was completed, approved and it's ready to be developed.
CHAIR TAPIA	There should be no more transporting of dirt or spreading our grading over there, is that correct?
CITY ENGINEER HANNA	During development and construction, I am positive that they are going to be some removing to develop the site.
CHAIR TAPIA	At this point of the development, should there be anybody, equipment, or moving over there? Is there anything else? It should be still, right?
COMMUNITY DEVELOPMENT MANAGER/CITY PLANNER SIMPSON	Thank you, Chair. The reclamation has been finished, but when it comes time for construction, the typical construction activities will take place with grading. So, you might see some dirt moving at that time and maybe some coming in as they're making the building pads. The reclamation portion of it, like the trucks coming in or the conveyor belts is complete.
CHAIR TAPIA	Okay, that was my question. Thank you. Anyone else wishing to make a comment or ask a question? Any other Commissioners? Mr. Burrola, do you have anything else?
COMMISSIONER BURROLA	No, thank you Chair. That is it for me.
OPEN PUBLIC HEARING	At 7:18 p.m., Chair Tapia opened the public hearing.
CHAIR TAPIA	Okay, then we will open up the Public Hearing if anyone in the audience is wishing to speak on behalf or against the resolutions that are being asked to consider tonight. Can you raise your hand out there to be recognized?
ADMINISTRATIVE SECRETARY AGUILA	We have no hands raised.
CLOSE PUBLIC HEARING	There being no speakers, Chair Tapia closed the public hearing at 7:18 p.m.
CHAIR TAPIA	At this time we will close the public hearing and we will she will ask the Commissioners if they have any further questions or if they would like to make a motion on the recommendation of staff. This would be both concurrent, right. We're going to vote each together or separate?

CITY ATTORNEY GUERRA	We can do it separately.
CHAIR TAPIA	Okay.
CITY ATTORNEY GUERRA	Just to make it easier, we will do it all at once. The appropriate motion would be to read by title only waive reading of and adopt the following two Resolutions. Resolution of the Planning Commission of the City of Irwindale recommending approval to the City Council of Ordinance No. 755 approving Amendment No. 1 to Development Agreement No. 02-06 for property located at 15990 Foothill Boulevard (APNs: 8604-019-001, 8604-019-003, and 8604-019-010) with the revisions to the Amendment's Development Agreement as stated by Ms. Simpson. The second Resolution is a Resolution of the Planning Commission of the City of Irwindale recommending approval to the City Council of the Conditional Use Permit Modification No. 01-2021 to Conditional Use Permit No. 7-06 for property located 15990 Foothill Boulevard (APNs: 8604-019-001, 8604-019-003 and 8604-019-010. Is there a motion and a second?
CHAIR TAPIA	I would like to ask the Commissioners if they have any more questions or discussions before we adopt a motion. Anything else? Okay, then it is still open for discussion but open for a motion.
COMMISSIONER HARTMAN	Motion.
COMMISSIONER CHICO	Seconded.
CHAIR TAPIA	Roll call.
ADMINISTRATIVE SECRETARY AGUILA	Commissioner Hartman.
COMMISSIONER HARTMAN	Yes.
ADMINISTRATIVE SECRETARY AGUILA	Commissioner Corpis
COMMISSIONER CORPIS	Yes.
ADMINISTRATIVE SECRETARY AGUILA	Commissioner Chico.
COMMISSIONER CHICO	Yes.

ADMINISTRATIVE
SECRETARY AGUILA Vice-Chair Burrola.

VICE-CHAIR
BURROLA Yes.

ADMINISTRATIVE
SECRETARY AGUILA Chair Tapia.

CHAIR TAPIA Yes, but I would like to commend Vice-Chair Burrola for looking into the fine points of view. I would like to thank you for that. You did a great job. Thank you, sir.

VICE-CHAIR
BURROLA You are welcome.

**DISCUSSION ITEMS/
PRESENTATIONS**

COMMUNITY
DEVELOPMENT
MANAGER/CITY
PLANNER SIMPSON There are no presentations tonight.

**COMMISSIONER
COMMENTS**

VICE-CHAIR
BURROLA I got a request, Chair

CHAIR TAPIA Go ahead.

VICE-CHAIR
BURROLA This is a property at my backyard. I am not sure if they are able to do this or not, per their CUP or their agreement, but they are storing a large amount of, it looks like junk like old rusted pipes and an equipment that it doesn't look like they're using. It's just being piled up. At first it was I was a little pile but now they have RV's and a bunch of stuff going on. I just wanted to see if Code Enforcement could go out there and take a look and see if what they're doing is legal and that way it doesn't get out of hand.

COMMUNITY
DEVELOPMENT
MANAGER/CITY
PLANNER SIMPSON Thank you Vice-Chair Burrola. We will have Code Enforcement follow up on that.

VICE-CHAIR
BURROLA Thank you.

CHAIR TAPIA This is something that I'm going to pose to Commissioner Burrola and also to Staff. I know that I'm the Chair right now and Mr. Burrola is the Vice-Chair, but I'd like to know if periodically he could run the meeting. Would that be okay with you, if it's okay with you Vice-Chair Burrola?

VICE-CHAIR
BURROLA Yes, that is okay, if it is okay with all of the Commissioners.

CITY ATTORNEY
GUERRA Do you mind if I give that some thought? That is a new one.

CHAIR TAPIA We have a Commissioner here that is going to be the future of our City. I'm sure he is capable of doing it but I would like to see him get his feet wet, if possible.

CITY ATTORNEY
GUERRA I will take a look and get back to you at the next meeting. I don't see why not, but like I said, I've never seen that before.

CHAIR TAPIA Any other comments?

LEGAL COUNCIL

CITY ATTORNEY
GUERRA No comments tonight, thank you.

CHAIR TAPIA Commander in Chief, do you have any comments?

CITY MANAGER
TAM Mr. Chair, I do not have any comments, thank you.

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

COMMUNITY
DEVELOPMENT
MANAGER/CITY
PLANNER SIMPSON Thank you Chair and Commission. The only thing I have is that the City is partnering with Transient Health to offer a no cost and noninvasive COVID-19 testing that is to take place on February 15th from 9:00 AM to 3:00 PM. It will take place right in front of City Hall here. You do have to register for it, so we will send the email information out to everyone and we do have a flyer that's available here at City Hall. I'll make sure you get this Chair Tapia.

CHAIR TAPIA What happens to the people that do not get email?

COMMUNITY
DEVELOPMENT
MANAGER/CITY
PLANNER SIMPSON It has been mailed out to all residents already.

PLANNING COMMISSION MINUTES
SPECIAL MEETING

February 03, 2021
PAGE 17

CHAIR TAPIA Okay, I see.

COMMUNITY DEVELOPMENT
MANAGER/CITY
PLANNER SIMPSON This is for all residents and employees.

CHAIR TAPIA Thank you.

COMMUNITY DEVELOPMENT
MANAGER/CITY
PLANNER SIMPSON With that, I just want to remind you that we have a bit of a bigger break here. Our next meeting is March 17th.

CHAIR TAPIA March 17?

COMMUNITY DEVELOPMENT
MANAGER/CITY
PLANNER SIMPSON Yes.

CHAIR TAPIA Thank you very much. It was a good meeting and again, I will adjourn this meeting in memory of Anita Torres. Is there a motion to adjourn?

COMMISSIONER
CHICO So moved.

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 7:27 p.m.


Arthur R. Tapia, Planning Commission Chair

Attest:


Berlyn Aguila, Administrative Secretary

Approved as presented at the meeting held September 15, 2021

