

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

September 15, 2021
Wednesday
6:31 P.M.

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

CHAIR TAPIA This meeting of September 15th is now called to order. Stacy Gonzalez and that was David Barbosa's step daughter, Margaret Tapia my first cousin's wife, and Oliva Grijalva, I need to say a little bit about her.

ADMINISTRATIVE Excuse me I believe your mic is muted.
SECRETARY AGUILA

CHAIR TAPIA Oliva Grijalva and my first cousin Sammy Grijalva, they were instrumental in giving us, my generation as teenagers, we were the first generation when this City started as far as summer youth programs and going to various places, entertainment places, and stuff. At the time there was no seatbelt rules. We used to pile up on the back of a big truck and there we go, wherever we want Pacific Ocean Park, Long Beach, you name it. We were all in the back. We also had a girl's baseball team and a boy's baseball team, and they were instrumental in taking us, supervising us, taking the responsibility for all that, and they helped us be teenagers. You Know? And so that was Oliva and her husband Sammy. Margaret Tapia is also my first cousin's wife, Mario Tapia, who worked here in the City for many years, he retired already but he worked here all his life. Obviously we were close. My Dad, Arthur F. Tapia, was his uncle so obviously his dad was my uncle. So we have a close relationship and his wife was in dialysis, and you know, she lost the battle to dialysis. Stacy Gonzalez unfortunately was a victim of the COVID and did not make it. May their souls rest in peace and we will adjourn this meeting in their name. As we proceed with this meeting could you please raise for the pledge of allegiance and stay on your feet for innovation please.

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

INVOCATION God we pray for our land, for our nation, for our state, for our city.
COMMISSIONER We ask for protection and healing for our residents, and all those in
CORPIS service. We pray this. Amen.

CHAIR TAPIA Roll call.

ROLL CALL: Present: Commissioners Robert E. Hartman; Susan Gomez; Richard Chico; Vice-Chair Enoch Burrola; Chair Arthur R. Tapia

Also present: Adrian Guerra, City Attorney; Marilyn Simpson, Community Development Director; Brandi Jones, Senior Planner; Lisa Chou, Associate Planner; Berlyn Aguila, Administrative Secretary; Jesus Hernandez, Office Specialist.

ANNOUNCEMENTS

CHAIR TAPIA Do we have any announcements?

ADMINISTRATIVE SECRETARY AGUILA There are no announcements for tonight, thank you.

SPONTANEOUS COMMUNICATIONS

CHAIR TAPIA Now we go to Spontaneous Communication. This is the time set aside for members of the audience to speak on items not on this agenda. State law prohibits any Commission discussion or action as such communications unless 1, the Commission by majority finds that a catastrophe or emergency exists. Number 2, the Commission by at least four votes, finds the matter in need for action thereon arose within the last five days. Since Commission cannot accept as stated, it is requested that such communication can be made in writing, as to be included on the next agenda for full discussion and action. If a member of the audience feels he or she, must proceed tonight then each speaker will be limited to three minutes, unless such time limits are extended. So at this time Spontaneous Communications is open to the public, or any one in here so could you please raise your hand if you wish to participate in Spontaneous Communication. Thank you.

ADMINISTRATIVE SECRETARY AGUILA Chair, we do have one member of the public who has raised their hand. Their name is Bill Quisenberry. I will go ahead and unmute them.

CHAIR TAPIA Go ahead sir.

BILL QUISENBERRY Good evening Commissioners and staff. My name is Bill Quisenberry. I am a member of LIUNA, Laborers' International Union of North America, and I am in support of the 5175 Vincent Avenue Project. This Project will create many jobs for residents in the local community. The construction jobs will be good paying jobs and include

CHAIR TAPIA Excuse me sir, when we get to the Consent Calendar what is when this when this will be present, and that will be the time for you to give some input. Okay, because it is in the Consent Calendar and unless it is not on the Consent Calendar then that proteins to Spontaneous Communication. Since it is on the Consent Calendar it will be before you in a couple of minutes.

BILL QUISENBERRY Very well I thought maybe it would be on the

CHAIR TAPIA Thank you. Anyone else?

ADMINISTRATIVE SECRETARY AGUILA We have no other hands raised.

CHAIR TAPIA Okay. At this point in time we will close Spontaneous Communication and we will continue with Item Number, 1 Consent Calendar

CONSENT CALENDAR

CHAIR TAPIA The Consent Calendar contains matters of routine business and it is to be approved with one motion unless a member of the Commission request separate action on a specific item. At this time, members of the audience may asked to be heard regarding items on the Consent Calendar. Today the Consent Calendar includes approval of the Minutes of February 2nd and the Regular Meeting held May 19th, 2021. I thought this isn't on the Consent Calendar then.

CITY ATTORNEY
GUERRA Mr. Chair, there are two items on the Consent Calendar. One is the Minutes and the second one regards the 5175 Vincent Avenue. So both are on the Consent Calendar.

CHAIR TAPIA Okay so that is May the 19th? I thought it was.

CITY ATTORNEY
GUERRA Well there is two sets of Minutes.

CHAIR TAPIA I thought it was August the 9th.

ADMINISTRATIVE
SECRETARY AGUILA No August the 9th Minutes have not been prepared just yet. The only Minutes for tonight are for February 3rd and May 19th.

CHAIR TAPIA So what does May 19th portray to?

CITY ATTORNEY
GUERRA The Minutes of that meeting.

CHAIR TAPIA Cause we did not talk about the Vincent Project until the 9th.

CITY ATTORNEY
GUERRA That is separate from the Vincent Project.

CHAIR TAPIA What does May the 19th portray to?

ADMINISTRATIVE
SECRETARY AGUILA The Minutes were included in your packet.

CHAIR TAPIA Pardon?

ADMINISTRATIVE
SECRETARY AGUILA The Minutes for May 19th were included in your packet.

CHAIR TAPIA Okay, could you enlighten me on what it is?

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ADMINISTRATIVE
SECRETARY AGUILA

Give me one minute please.

COMMUNITY
DEVELOPMENT
DIRECTOR
SIMPSON

The May 19th, 2021 Minutes, the item that was before you was the Conditional Use Permit Number 03-2021 and a Zone Variance Number 01-2021 for Hidden Strength Gym. That was the item that was on that

CHAIR TAPIA

What is that?

COMMUNITY
DEVELOPMENT
DIRECTOR
SIMPSON

That was the item that was on the May 19th Agenda. So these are the Minutes from

CHAIR TAPIA

But what was that again? Please, I did not hear you.

COMMUNITY
DEVELOPMENT
DIRECTOR
SIMPSON

It was Conditional Use Permit Number 03-2021 and Zone Variance Number 01-2021 Hidden Strength Gym.

CHAIR TAPIA

Oh the Gym.

COMMUNITY
DEVELOPMENT
DIRECTOR
SIMPSON

Yes.

CHAIR TAPIA

Oh okay. So I am going to have to back up here. I am sorry sir, I thought that the Vincent Project was on this Agenda.

CITY ATTORNEY
GUERRA

Mr. Chair?

CHAIR TAPIA

Yes?

ADMINISTRATIVE
SECRETARY AGUILA

It actually is under Item A under the Consent Calendar those are the Minutes of the Meeting of February and May, I believe. But Item B relates to the Vincent Project.

CHAIR TAPIA

Oh, I see what you are saying. Okay.

CITY ATTORNEY
GUERRA

So what I would recommend to the Commission, because we had some conflicts of interest on the Vincent Project, is we address both Consent Calendar Items separately. First we all vote on the Minutes and then after that we have the two Commissioners that had a public conflict step out, then we can vote on the Vincent project.

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CHAIR TAPIA	Oh, okay. I kind of got mix up here because I thought it would have been 3, instead of Item B. Minutes A and if it is in the Minutes on recommendation of approval, it is not identifying something that we have done before. That is what through me off. Now I will be careful to make sure that I understand it next time. Anyway, if there is any one in the audience that wishes to have any input on the approval of the Minutes or anything that was on the Minutes on February 3 rd , 2021 or May 19 th , 2021, please raise your hand to be recognized. If no hands are showing we will move on to approval or disapproval. If anyone in the Commission has anything they like to add or delete from the Minutes, otherwise.
COMMISSIONER CHICO	Motion to approve the Minutes of February 3 rd , 2021 as presented.
COMMISSIONER HARTMAN	Second.
CHAIR TAPIA	Roll Call.
ADMINISTRATIVE SECRETARY AGUILA	Thank you, Commissioner Hartman.
COMMISSIONER HARTMAN	Yes.
ADMINISTRATIVE SECRETARY AGUILA	Commissioner Gomez.
COMMISSIONER GOMEZ	I will be abstaining I wasn't on the Commission at that time.
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.

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ADMINISTRATIVE
SECRETARY AGUILA

Thank you.

CHAIR TAPIA

Okay, I need an explanation here because usually on the Consent Calendar it is one motion, and today it is not one motion. Could you please explain that to me, on Item B?

CITY ATTORNEY
GUERRA

We have conflicts of interest where the Commissioners are required to recuse themselves from the decision. In the abundance of caution I am recommending that they leave the room for the discussion, because we are going to have a speaker and I understand that there is an email included. In the abundance of caution I am recommending that they leave the room for the item.

CHAIR TAPIA

So whoever got the short end of the stick needs to leave for now. That would be Commissioner Gomez and Commissioner Chico.

COMMISSIONER
CHICO

We haven't approved the Minutes of May 19th.

CHAIR TAPIA

Well we approved both of them.

VICE-CHAIR
BURROLA

No, we approved one.

CHAIR TAPIA

Wait a minute, isn't it one motion whether it is approved or disapproved? That's the way it was always done.

VICE-CHAIR
BURROLA

It could have been.

ADMINISTRATIVE
SECRETARY AGUILA

Yes, the way the way that it was motion by Commissioner Chico and second by Commissioner Hartman were to approve both Minutes.

COMMISSIONER
CHICO

No they weren't. I clearly said February the third.

VICE-CHAIR
BURROLA

We need a second motion for the other Minutes.

ADMINISTRATIVE
SECRETARY AGUILA
VICE-CHAIR
BURROLA

Okay.

So I motion to approve the Regular Meeting held on May 19th, 2021.

COMMISSIONER
CHICO

Second.

CHAIR TAPIA

Role call.

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ADMINISTRATIVE SECRETARY AGUILA Commissioner Hartman.

COMMISSIONER HARTMAN Yes.

ADMINISTRATIVE SECRETARY AGUILA Commissioner Gomez.

COMMISSIONER GOMEZ Abstain.

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. Okay counselor, can you?

CITY ATTORNEY GUERRA I think the two Commissioners have heard and they are going to be leaving the room. Then we will have a few speakers and then a vote.

Commissioner Gomez and Commissioner Chico recused themselves and left the room at 6:48 p.m.

CHAIR TAPIA Okay moving on to Item B on the Consent Calendar and now the audience can participate. The General Plan Amendment Number 02-2017; Site Plan and Design Review (DA) Number 04-2017 Mark Gabay, Five Points. Well does that include the EIR? General Plan Amendment, I don't see anything here about the EIR that we negated. That was the whole issue.

CITY ATTORNEY GUERRA Mr. Chair on page five on the Agenda, on the very top paragraph, there is the resolution for recommendation of denial of the CEQA doctrine.

CHAIR TAPIA	Right but this statement on Item B does not state that. It says General Plan Amendment. What does that mean? General Plan Amendment Site Plan and Design Review that does not have anything to do with the EIR? That is what we did not approve, the EIR. The General Plan Amendment was just like the domino effect of us not approving the EIR. I do not know why the EIR is not on here.
CITY ATTORNEY GUERRA	It is, that is just the heading of the entitlements that are being presented to the Council, but if you look on page five each of the resolutions that are to be active upon include a recommendation of denial of the CEQA document, which required before any action on the entitlements then you have the General Plan and Site Plan and Design Review.
CHAIR TAPIA	Okay, so this statement is attached to A, B, and C then.
CITY ATTORNEY GUERRA	That is correct.
CHAIR TAPIA	I understand now. Okay, so Item B General Plan Amendment Number 02-2017; Site Plan and Design Review (DA) Number 04-2017. Okay, so staff.
CITY ATTORNEY GUERRA	There is no Staff Report, it is on Consent Calendar so the only thing we are going to have is communications from the public before we take a vote.
CHAIR TAPIA	Oh okay, first of all we are going to open it up to the public. If you have any input now is the time to raise your hand and give us your input.
ADMINISTRATIVE SECRETARY AGUILA	Thank you Chair. I will begin with reading the two emails received tonight, and then I will open to those who have raised their hands. The first email received tonight is from Richard Leserio, he states, "Good evening Chair, Commissioners, and Staff thank you for the work you do to support the community. I would like to express my support for the concrete tilt-up building and associated parking for the property located on 5175 Vincent Avenue, Irwindale California 91706. This project will bring will paid jobs with benefits that will assist our community during the COVID-19 Pandemic. I am thanking you in advance for your support for this project. Thank you Richard Leserio." The second email received tonight was from Alex Zamora, "Good Evening Honorable Chair, Vice Chair, Commissioners, and Staff my name is Alex Zamora and I am a very proud member of LIUNA, the Labor's Internarional Union of North America. I am in full support of this project moving forward. Projects just like the one proposed have been the lifeblood of the construction trade unions throughout this pandemic. Giving many of our existing members more opportunities to catch up in jobs that have been sheltered or shut down. Giving new and potential members the opportunity for a new lifeline to provide for their families. Also I truly

believe that good responsible developers like five points, partnered with responsible and highly trade workers is a win, win for the great City of Irwindale. Again, I am in full support of this project and I hope we can go to work in building something beautiful for the City of Irwindale very soon. Thank you so much for your time. God Bless, Alex Zamora."

ADMINISTRATIVE
SECRETARY AGUILA

Now I will be opening it to the members of the public who have raised their hands. I will now be unmuting Bill Quisenberry.

BILL QUISENBERRY

Good evening Commissioners and staff, as I stated a little earlier my name is Bill Quisenberry member of LIUNA, Labor's International Union of North America. I too am in support of the 5175 North Vincent Avenue Project. The project will create many jobs for residents in the local community. The construction jobs will be good paying jobs that include fringe benefits like full cover family medical, a deifying benefit pension, and even a vacation check. The project if approved also means that the paychecks earn constructing the project will be spent here locally, rather than be spent elsewhere for a not having a contractor with their outside labor brought in. Also the contractors that employee local union members and who have partnered with responsible developers like Mark Gabay, Five Points, they understand that a skill trained workforce means productivity and safety are optimize. That will likely happen if this project gets approved. This project will also met another opportunity for some of our twenty-seven hundred active apprentices, to accumulate on the job training hours that is required of them to complete the program and become full flesh journey workers. In construction much like many other industry sectors, training a workforce for tomorrow is a constant undertaking. Any worthwhile project proposal that is approved means more experience gain for our construction professionals, who will be tasked to build our future surrounding infrastructure as well. Lastly, it has been reported the air quality in the region will be compromised if this project is built. I believe that after reading between the lines that the social and economic benefits outweigh these cumulative regional environmental effects, so that both our membership and the residents of Irwindale would overall benefit from the approval of this project. So these reasons and many others why this is a good project and I ask that you approve the project tonight. Thank you for letting me speak.

CHAIR TAPIA

Thank you sir.

ADMINISTRATIVE
SECRETARY AGUILA

The next individual that I will be unmuting is Ernesto Pantoja. You have now been unmuted.

ERNESTO PANTOJA

Good evening honorable chair and commissioners, my name is Ernesto Pantoja I am here on behalf of Sergio Rascon, Business Manager for Laborers Local 300. We are the local for LIUNA that covers this area. I have spoken before this body many times before,

and I am interested to know why this estimable body had chosen not to make this an actionable item before the Planning Commission. I grew up in the City of San Fernando, which is not too different from the City of Irwindale. The Planning Commission plays such a vital role in a community, especially such a small community as Irwindale. As ours did in the City of San Fernando, with trying to educate residents as to pretty much life altering projects that are going to be going on in their cities. It just confuses us why this project was automatically put on contest straight to Council and not brought forward, not brought before the public for questions and answers, and you know obviously the ability to kind of change the project based on normal protocols. The projects normally go through the Planning Commission, as they play such a vital role in developing in cities, especially the City of Irwindale. We are in support of this project it is going to create a lot of jobs, a lot of jobs for veterans, a lot of jobs for formally incarcerated, a lot of jobs for your local residents that would be coming into our craft that would be building a lifelong career. I was just a little confuse as to why the Planning Commission shows to forgo the typical process but we do support this project. Thank you.

ADMINISTRATIVE
SECRETARY AGUILA

The next member of the project that I will be unmuting is Jose Garcia.

JOSE GARCIA

Good evening chair and Planning Commission, can you hear me?

ADMINISTRATIVE
SECRETARY AGUILA

Yes, we can hear you.

JOSE GARCIA

My name is Jose Garcia and a proud member of LIUNA for the past thirty three years. For those years my family and thousands of other families have depended on boards such as the planning commission, to pass projects that are brought before them and get them approve so that jobs in our community are available for our citizens. I am in full support of the project at 5175 Vincent Avenue and believe you should be as well. Due to this economic blow COVID brought to our community and has brought so much devastation to many families in our community, we are in no position in turning down any project at this time of recovery in our community. We have a great developer that is willing to pay good wages with benefits, and provide hundreds of jobs for our community that are very needed. Please reconsider and support and pass the project at 5175 Vincent Avenue and keep our community thriving. Thank you for allowing me the time to speak, good night.

ADMINISTRATIVE
SECRETARY AGUILA

We have no more speakers.

CHAIR TAPIA

Commissioners wish to speak? I have a few questions here. Number one I would like to kind of direct maybe staff to begin with the reason the R1 zone and that type of thing was not identify, could not be identify. I did not know why, it just slip my mind for a while there. The Manning brothers, which I was maybe twelve or eleven years old. I used to go to the Manning brothers with my little wagon and pick up sand, sweep the scales, and whatever a ten, eleven, twelve year old would do. I would not get no money for it and I really did not care, because it was fun and I enjoyed it. I brought the rock and sand home. The older brother, his name was Dutch Manning. I cannot remember the brother in between because it was three brothers, because he was more less the liaison. He was out there hustling. Then other brother was Dewy Manning. Dutch Manning, he had a house off of Vincent Street right where the pit is. Right where the road way is. He had a house there. It was a fun house. I had the privilege of going over there and having breakfast with him, with Dutch Manning and his wife. It was a house that had you know the farm and the whole bit horse, cow, chickens, whatever. At that time it was not a city. It was county. I do not know if we looked into the county to see what there was. To see if it reflected anything but for sure Dutch Manning lived there, in the house. Big two story house, Victorian type house with a farm on it. Me personally, I believed that is why it was zoned R1 and A1 because that is basically that Irwindale was zoned A1. That is just a little tid bit there. "To change the General Plan designation a portion of the subject property to residential to industrial business and park for the construction of the new," okay so that is part of what I am saying. We as a City could not find why that was deemed R1 or A1 and I believe that is the reason why. The Manning brothers employed many employees plus maybe close to ten people here from Irwindale. Anyway I just thought that I would throw that in so maybe staff can look into it. This is on exhibit A item, I guess two it says, "The Subject Property is currently zoned M-2." The subject property, which to me includes twenty-six it does not refer to the part that has not been amended yet. I would like to know if that is what this means because that is not what I read. "The Subject Property is currently zoned M-2 (Heavy Manufacturing). Hereinafter in this Resolution, the subject Site Plan and Design Review shall be referred to as the Application," I want to know does this include the extra acres. I think it was

CITY ATTORNEY
GUERRA

This only applies to 5175 Vincent Avenue in that statement.

CHAIR TAPIA

So this does not apply to residence okay.

CITY ATTORNEY
GUERRA

It applies to that property.

- CHAIR TAPIA Okay thank you. On page six, the first paragraph it says, "These documents, along with any documents submitted to the decision-makers, including all documents specified under applicable State law shall comprise the entire record of proceedings for any claims under CEQA." I like to know specifically what that means, the decision-makers.
- CITY ATTORNEY
GUERRA That means any Commission and eventually the City Council, when it goes to the City Council.
- CHAIR TAPIA Okay, thank you. That is Item A, okay. August the 9th when we have this meeting there was also a report from the IPCC, Intergovernmental Panel on Climate Change. The IPCC experts say, "Strong and sustained reduction in emissions of carbon dioxide (CO2) and other greenhouse gases could quickly make the air, and in twenty to thirty years global temperature could stabilize. The report prepared by two hundred and thirty-four scientist from different countries say that the human influence, has warmed the climate at a rate that is unprecedented in at least the last two thousand years. Methane emissions, greenhouse gas emissions, aerosol pollutions. In 2019, atmospheric CO2 concentrations were higher than at any time in the last two million years. Concentration of methane and nitrous oxide were higher than any time in the last eight-hundred thousand years. Greenhouse gases, carbon dioxide, methane, nitrous oxide, fluorinated gasses, fossil fuel, combustion and industrial processes are out of control," and you can find this information on the internet.
- CITY ATTORNEY
GUERRA Mr. Chair I apologize for interrupting but I just want to remind the Commission procedurally where we are. The Commission heard staff's report, the presentation by the applicant, had a Public Hearing, closed the Public Hearing, deliberated on the matter, and voted on the matter to deny the project. The only thing that is before the Commission tonight is the Commission approving the resolutions that reflect that recommendation of denial. That is really all that is before us. If the Commission wants to get into further discussion then there would have to be a motion for reconsideration to bring it back. As far as staff is and I am understanding the Commission already directed us to present resolutions for a recommendation of denial.
- CHAIR TAPIA I understand but this is for understanding as to why we made that decision. The public has stated why they would like us to continue. They have stated that there is going to be many jobs that because of our decision we are basically taking jobs away. If they are able to express why they wish, even though we have denied it and we know that we have, why can't I as a Commissioner confirm why we made the decision that we made? I will stop there, I had more to say but I will stop my comments at this time. But you know, the public was allowed to express their opinions again. They were allowed the first time and

they are allowed again the second time, so that is the point that I would like to make. Anyway I already made the point that I wanted to make.

CITY ATTORNEY
GUERRA

Just so procedurally you understand, the reason people were allowed to speak tonight was because of the Brown Act. They are allowed to speak on any item that is on the agenda. But as a reminder the Public Hearing for the item has been closed. That will not be considered as part of the Public Hearing.

CHAIR TAPIA

So we might have to define what the public can say the second time also.

CITY ATTORNEY
GUERRA

We can never define that.

CHAIR TAPIA

Okay. Alright so seeing that there is, does anyone else in the Commission want to say anything? No? Okay, then we will move on to the next phase. I guess to vote to deny or approve, if we changed our mind. Can you lead us in that discussion?

CITY ATTORNEY
GUERRA

As this is a Consent Calendar item we usually don't read the titles but I will simply note, the motion would be to adopt the three resolutions identified on the agenda Resolution Number 808(21), Resolution Number 809(21), and Resolution Number 810(21).

VICE-CHAIR
BURROLA

Motion to approve adopt Resolution Number 808, adopt Resolution Number 809, and adopt Resolution Number 810.

COMMISSIONER
HARTMAN

Second.

CHAIR TAPIA

Role call.

ADMINISTRATIVE
SECRETARY AGUILA

Commissioner Hartman.

COMMISSIONER
HARTMAN

Yes.

ADMINISTRATIVE
SECRETARY AGUILA

Vice-Chair Burrola.

VICE-CHAIR
BURROLA

Yes.

ADMINISTRATIVE
SECRETARY AGUILA

Chair Tapia.

CHAIR TAPIA Yes. Okay moving on. New Business there is none.

NEW BUSINESS There were no items.

PUBLIC HEARINGS

ITEM NO. 3A **SITE PLAN AND DESIGN REVIEW (DA) NO. 04-2021 AND**
CONDITIONAL USE PERMIT NO. 05-2021 (PAUL GARRY, PSOMAS,
ON BEHALF OF IBY, LLC)

CHAIR TAPIA Item 3, Public Hearings Site Plan and Design Review (DA) No. 04-2021 and Conditional Use Permit No. 05-2021 (Paul Garry, Psomas, on behalf of IBY, LLC) Mr. Chico and um could you please come back in.

Commissioner Gomez and Commissioner Chico return to the dais at 7:14 p.m.

COMMISSIONER CHICO I thought you did not like us anymore.

CHAIR TAPIA Well that is to be debated. Okay staff the presentation.

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON Thank you, Chair and Commissioners. This item is to be presented by Lisa Chou, our Associate Planner.

ASSOCIATE PLANNER CHOU Good evening honorable chair and members of the Planning Commission, the next item on the agenda is Site Plan and Design Review (DA) No. 04-2021 and Conditional Use Permit No. 05-2021 for 15801 1st Street. The applicant is Paul Garry from PSOMAS, on behalf of the property owner, IBY, LLC. The Applicant is requesting a Site Plan and Design Review for the construction of a Filtration Building and a Conditional Use Permit to allow storage and use of cleaning chemicals for an existing brewery. Irwindale Brew Yard, or IBY, is an existing beverage manufacturing campus that was originally owned by Molson Coors. Miller Brewing Company first opened the Irwindale facility in 1980. After a series of acquisitions, the Irwindale facility ceased production in September 2020. The sale of Molson Coors's Irwindale brewery property to IBY, a subsidiary of Pabst Brewing Company, was completed November 2020. The site is zoned M-2 Heavy Manufacturing and designated in the General Plan as Industrial/Business Park. The project is categorically exempt from CEQA pursuant to Section 15301 (Class 1; Existing Facilities). The subject property is approximately two hundred twenty-six (226) acres, the proposed Filtration Building will abut the existing beverage manufacturing facility and be located within the interior of the existing campus. The proposed addition will house two independent four stage filtration systems as well as two eight thousand gallon tanks, two three hundred gallon tanks of cleaning chemicals, and their associated

equipments. The filtration system will filter malted beer in support of the existing beverage manufacturing facility. The proposed Filtration Building will consolidate accessory equipments and cleaning chemicals without reconfiguring existing equipment and improve the efficiency of facility operations. There is no limit to building height in the M-2 (Heavy Manufacturing) zone. The proposed height of the Filtration Building is approximately forty-four (44) feet, which is shorter than the existing building of approximately sixty-six (66) feet and nearby fermenting tanks measuring sixty-one (61) feet. The minimum required additional parking spaces needed is five (5) spaces and six (6) spaces will be provided. The landscaping requirement has been met through plant materials appropriate to the location, building type, and building scale. There will be twenty-eight thousand (28,000) square feet of drought-tolerant planting to replace the thirteen thousand (13,000) square foot reduction of lawn area due to the proposed addition. The IBY is an existing campus built in 1980 and consists of approximately 983,235 square feet of office, production, and warehouse uses, which have all been constructed in a utilitarian industrial style. Since the campus was built prior to the adoption of the Commercial and Industrial Design Guidelines, the campus was not designed in the desired Spanish mission style. However, all the buildings on campus were built according to development standards for M-2 (Heavy Manufacturing) in terms of height, setback, and landscaping. The IMC allows for an exemption from the Commercial and Industrial Design Guidelines for corporate campuses that are planned, organized, and managed to function as a unified whole with common driveways, common parking, and common landscaping area. Per IMC Subsection 17.70.010(B)(2), any new improvements or new buildings that are less than thirty percent (30%) of the total existing floor area within a corporate campus are exempt from design review, subject to the discretion of the Planning Commission or City Council. The proposed Filtration Building will be one (1%) percent of the total beverage manufacturer facility's floor area. In order for the existing campus to maintain its architectural character, the proposed Filtration building is designed to match the industrial style for consistency. The exemption, as allowed via IMC Subsection 17.070.010(B)(2) will prevent the design of the addition from appearing out of place and detracting from the existing IBY. The Filtration Building will house the cleaning chemicals to support the existing beverage manufacturing facility. Per IMC Subsection 17.80.030(27), the use, sale or storage of any materials classified as toxic or hazardous by either the federal or state government, as a substantial part of the total use shall require a CUP. The Hydrochloric Acid and Caustic Soda Liquid will be stored inside two (2) separate eight thousand (8,000) gallon steel tanks while the Poni Acid is stored in two (2) separate three hundred (300) gallon plastic tanks. All chemicals will be stored in a safe and secure manner that is compliant with Los Angeles County Fire Department regulations. The storage and use of the cleaning chemicals is not expected to generate additional traffic or freight vehicle trips and the Filtration Building will not be visible from off-site views as it is screened

by landscaping. Therefore, the impact of the facility on the surrounding properties is expected to be insignificant. In conclusion, it is recommended that the Planning Commission: Adopt Resolution No. 807(21) recommending that the City Council approve Site Plan and Design Review (DA) No. 04-2021 and Conditional Use Permit No. 05-2021, subject to the proposed Conditions of Approval. That concludes staff's report. Staff and applicants are available for any questions. Thank you.

CHAIR TAPIA

Any questions for staff? Any questions for staff? My questions are just clarifications. I would like to know, what year or how did this facility become a corporate campus. I don't remember, what is the process or procedure, and what entity and what part of our process titles this as a corporate campus? I would like to know when because I do not remember them, Miller, ever coming to us or anybody else. I do not remember them being called a corporate campus. I know that the City of Hope and that the other facilities had paperwork incorporating that. I like to know what the procedure is. Not that I am oppose to it but like I said I just want clarification.

ASSOCIATE
PLANNER
CHOU

Thank you chair, so the brewery facility was designed as a campus from the get-go, when it was first design and broke ground in 1977 and when it was completed in 1980. It is defined as a campus because they have shared driveways, parking, and landscaping.

CHAIR TAPIA

So that option was already there since 1980, you say? 77? The corporate because I never heard of it until City of Hope came around. Never ever had heard of it. I thought that was incorporated to be an exemption with our Design Guidelines but never before had I ever heard of that.

COMMUNITY
DEVELOPMENT
DIRECTOR
SIMPSON

Thank you Chair and Commission, so the designation of calling it a campus or a corporate campus, is when you have a large piece of property that has multiple buildings for multiple use. In this case there is offices, there is manufacturing, there is the warehouse, there is the distribution. The designation would be the same thing like the three M building that is off of Peck Road. You know we had that come to the Planning Commission a few years ago, that they were adding some awnings to it and extending some buildings. We considered that as a corporate campus that was exempt from the Design Guidelines. This would be similar to that.

CHAIR TAPIA

Does the Planning Department designate who is going to qualify to be a corporate campus?

COMMUNITY
DEVELOPMENT
DIRECTOR
SIMPSON

No, It is not necessarily that it has to have a specific designation because there is a corporate campus that is off of Rivergrade, that we do call the Corporate Campus. It was labeled that but this is a campus and it has their headquarters and their offices in there and that is typically what we would call a corporate campus.

CHAIR TAPIA

Okay, Yes.

COMMISSIONER
CHICO

Is that a legal term?

COMMUNITY
DEVELOPMENT
DIRECTOR
SIMPSON

That is a good question, and we have somebody that has some legal experience to answer that.

CITY ATTORNEY
GUERRA

The word campus? I do not recall that in our Zoning Code, myself. I would have to look but I do not recall that being a separate definition. I think something you would consider is like a specific plan that kind of governs the use of the site. But I have never heard of campus as a label, a description.

CHAIR TAPIA

Okay so you answered both of my questions here. I have another here. Number four on page twenty-one. No I am sorry hold up a second.

ADMINISTRATIVE
SECRETARY AGUILA

Excuse me Commissioner Chico, could you please turn on your mic.

COMMISSIONER
CHICO

My mic? I guess I am not close enough.

ADMINISTRATIVE
SECRETARY AGUILA

There we go, thank you.

COMMISSIONER
CHICO

I did not want you to hear me.

CHAIR TAPIA

Okay so my question is number four on twenty-one. I really don't agree with this paragraph or maybe I am not interrupting it right. But the way it reads it reads this, "the proposed development consistent with applicable City design guidelines and historic design themes, and provides for appropriate exterior building design and appearance consistent and complementary to present and proposed buildings and structures in the vicinity." Okay first of all what is the vicinity? Is it the vicinity within the campus or is it the vicinity around the campus? "Of the subject project while still providing for a variety of designs, forms and treatments." Well I cannot see how it is providing a variety of designs, forms, and treatments so I don't agree. As I read this, as I

interrupt it number four shouldn't be there or it should be worded differently.

CITY ATTORNEY
GUERRA

Mr. Chair at this time if you are seeking clarification on what the paragraph means we can definitely provide it. But as a reminder we should not be making any determinations until after the Public Hearing. So if you are asking for clarification I can provide that.

CHAIR TAPIA

Well it is a question. Like I stated in the first place, I am just seeking clarification.

CITY ATTORNEY
GUERRA

Okay, very good.

CHAIR TAPIA

I am just seeking clarification it is not a determination that I am opposed or for it. You know? I just want to be clear on what I am going to vote for. You know? That is my position.

ASSOCIATE
PLANNER
CHOU

Thank you Chair, so number four as you stated is a statement in which have to provide findings to justify the project. The paragraph immediately following number four is the finding that would support the statement.

CHAIR TAPIA

Can you read that please?

ASSOCIATE
PLANNER
CHOU

The finding?

CHAIR TAPIA

Yeah, can you read how it is supports it?

ASSOCIATE
PLANNER
CHOU

Yes, "Per IMC Subsection 17.70.010(B)(2), any new improvements or new buildings that are less than thirty percent (30%) of the total existing floor area within a corporate campus are exempt from design review, subject to the discretion of the Planning Commission or City Council. The proposed Filtration Building will be one (1%) percent of the total beverage manufacturer facility's floor area. The IBY is an existing campus built in 1980 and consists of approximately 983,235 square feet of office, production, and warehouse uses, which have all been constructed in a utilitarian industrial style. Since the campus was built prior to the adoption of the Commercial and Industrial Design Guidelines, the campus was not designed in the desired Spanish mission style. The IMC allows for an exemption from the Commercial and Industrial Design Guidelines for corporate campuses Page 21 of 38 that are planned, organized, and managed to function as a unified whole with common driveways, common parking, and common landscaping plan. In order for the existing campus to maintain its architectural character, the proposed Filtration building is designed to match the industrial style for consistency. The exemption, as allowed

via IMC Subsection 17.070.010(B)(2) will prevent the design of the addition from appearing out of place and detracting from the existing IBY."

CHAIR TAPIA

Okay, I still don't agree with it and I will tell you why. It says, to me I know that it might be redundant, but "the proposed development consistent with applicable design guidelines" that does not make sense because this is not consistent with the applicable City Design Guidelines unless it is exempt. The word exempt is not in there. When it is exempt now that would make a little more sense to me, because now you don't have to follow the guidelines, you just have to match what is already there depending on the design that was there to begin with before the Design Guidelines. It says "with applicable City Design Guidelines and historic design themes," it does not fall into that category. "And provides for appropriate exterior building design and appearance consistent and complementary to present and proposed buildings," that is not true. "And structures in the vicinity," again what is the vicinity because there is a structure on the other side of Irwindale Avenue that looks like the Whitehouse, and for sure that does not look anything like it. What is the vicinity? Is it the vicinity within the campus or is it the vicinity that is around here. "Of the subject project while still providing for a variety of designs," it is not providing a variety of designs it is being constructed to match the design that is already there. Again, I am not oppose but I don't agree with it and I can't. I don't agree with that statement. The statement that you read has nothing to do with this. The statement bellow explains to me why it is exempt and the footing and all that. This paragraph number four, I would still like clarification for it. I will wait to get more into it but it makes no sense.

ASSOCIATE
PLANNER
CHOU

Thank you Chair, the applicant is seeking an exemption from the Design Guidelines and B2 is an exemption that is allowed for campuses, as long as the addition is less than thirty percent.

CHAIR TAPIA

I understand that but what I am referring to is the paragraph that starts with number four, it has no bearing with what is after. What is after has bearing. I understand that it is exempt but the paragraph in front paints a different picture, period.

CITY ATTORNEY
GUERRA

Are you referencing where it says number four, that the proposed development is consistent lalala.

CHAIR TAPIA

Yes.

CITY ATTORNEY
GUERRA

Okay, that section is from the Municipal Code.

CHAIR TAPIA

Pardon.

CITY ATTORNEY GUERRA	That section is from the Municipal Code. That is the finding that is set fourth in the Municipal Code that the Commissioner is referring to.
CHAIR TAPIA	Then the Municipal Code needs to be changed.
CITY ATTORNEY GUERRA	I think we are all in agreement there. For now this is the code section that governs this decision.
CHAIR TAPIA	I don't know, the construction has nothing to do with this paragraph here. I know that it is exempt. I know that it does not have to match the Design Guidelines. I am aware of all that but what it says here it doesn't make no sense. Am I allow here? Commissioners, am I alone? Am I tripping or what.
VICE-CHAIR BURROLA	No, I see where you are going with it but can we make a suggestion for a change in how it is stated? The proposed development follows the applicable Design Guidelines and exempts or something in that sorts.
CITY ATTORNEY GUERRA	I think that can be a discussion for a future meeting in terms of what language is in the code. I will further note that the reason that it needs to be changed because we are actually in the process of doing a Zoning Code Update.
CHAIR TAPIA	I don't want to stop the process just because of that.
CITY ATTORNEY GUERRA	I understand, but technically we can't this is the Municipal Section that governs.
VICE-CHAIR BURROLA	What section is it? Is it 17.70.010(B)(2) because you guys did not state the section of the Municipal Code that you guys stated.
CITY ATTORNEY GUERRA	I am not sure.
VICE-CHAIR BURROLA	Maybe you can out that there just to clarify things.
CHAIR TAPIA	How could somebody write that paragraph on something that is exempt? It doesn't have to follow the Design Guidelines. It makes no sense to me. Anybody else have any suggestions, ideas, or.
COMMISSIONER CHICO	I kind of understand, I don't know if you call if confusion, conflict, misunderstanding that the proposed development is consistent and then the second paragraph says that it is exempt. It is because those two are incompatible with one another.
CHAIR TAPIA	As long as we all know that we understand what we are voting for. Like I said again, all I want is clarification. That is all I am asking for. I think you for putting up with me. Okay any other questions for staff?

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COMMISSIONER GOMEZ I have a couple of questions Mr. Chair, I don't know if they are for the staff or if the company should answer it. It is on page eighteen. I wanted to do some clarification on the cleaning of the chemicals. I am not sure if they are going to answer that or?

ASSOCIATE PLANNER CHOU Commissioner could you repeat your question.

COMMISSIONER GOMEZ I want to address the cleaning chemicals that they are going to be using at this facility. Is that something you would answer or the owner of the company?

ASSOCIATE PLANNER CHOU Thank you Commissioner I can answer the basics of it.

COMMISSIONER GOMEZ When we go to page eighteen, the start of the third paragraph it addresses the different cleaning chemicals. Are they standard? Is it standard? Did Miller Coors also used those as well?

ASSOCIATE PLANNER CHOU Yes Commissioner.

COMMISSIONER GOMEZ Also the other question is, I know that we are going to be in compliance with the Los Angeles County Fire Department regulations, how is the waste managed to dispose of excess chemicals after the cleaning process?

ASSOCIATE PLANNER CHOU I believe that would be better answered by the applicant.

COMMISSIONER GOMEZ Do you want to do that now or do you want to wait till?

CHAIR TAPIA I'll call the applicant after, if anybody has other questions for staff. No?

COMMISSIONER HARTMAN I can answer part of that.

COMMISSIONER GOMEZ Okay.

COMMISSIONER HARTMAN	I work in the food industry for many, many years and everything has to be neutralized before it is released into the water system. Most food processing companies and beverage companies have a, oh gosh I forgot what they call it, it is a series of separation tanks that get filtered, treated, neutralized, and then released down the drain.
COMMISSIONER GOMEZ	We need to clarify it. Would that be a similar process? And what guidelines is it? Is it standard to test the water before it is released?
COMMISSIONER HARTMAN	It is the LA County Waste Water Management.
COMMISSIONER GOMEZ	Okay and then under that process then, and this is just clarification because in the community even though they are really excited about the brewery they are also concern about pollution lately, under the guidelines when there is a natural disaster, do you have a process for a natural disaster? For safety? More than likely with LA County right and the fire department. Then it also speaks to road off.
CHAIR TAPIA	Could you please direct that to the applicant so they can gave us an answer?
COMMISSIONER GOMEZ	Sure, we can do that. So do you want me to wait until that process?
CHAIR TAPIA	Yes.
COMMISSIONER GOMEZ	Okay no problem.
CHAIR TAPIA	Thank you very much could the applicant step forward please.
VICE-CHAIR BURROLA	Chair, before the applicant goes up this is for staff. So what Susan was saying, I know for this proposed building it is exempt from CEQA but with this new building going in are they going to be following some sort of CEQA requirement that was already in place, for the actual brewing company when it first started? I guess what I am asking is who is going to be making sure all of this is taken care of? Is there going to be inspections? Code Enforcement going to do it? County going to do it? Who is going to be making sure that everything is safe and filtration is being done properly? Since it does not fall under CEQA it is exempt from CEQA.
ASSOCIATE PLANNER CHOU	Thank you Commissioner so the business will be operating according to City guidelines. For hazardous waste and other storage other agencies are responsible. LA County Health will also be, the Health Permit will also be required for the business as part of the Business License that has to be renewed every year. The businesses will stay on top of that.

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VICE-CHAIR BURROLA	Does Code Enforcement have any inspections done to these facilities?
ASSOCIATE PLANNER CHOU	Not regular inspections.
VICE-CHAIR BURROLA	Okay so we leave it up to County to do these inspections?
ASSOCIATE PLANNER CHOU	Or the Health Department, yes.
VICE-CHAIR BURROLA	Okay so they let us know what findings they have and they send it to you guys?
ASSOCIATE PLANNER CHOU	Should there be an issue, yes.
COMMISSIONER CHICO	I have a question.
CHAIR TAPIA	Yes sir.
COMMISSIONER CHICO	Question, the Health Department will make periodic inspections on this operation, will they report to the City each and every time there is an inspection? Will they also report to the City any violations that may be uncovered?
ASSOCIATE PLANNER CHOU	They will report to the City any violations and it is up to the business to follow up with the Health Department and the City, to provide the proper documentation.
COMMISSIONER CHICO	Okay, will we get that documentation of the conventional regular schedule inspections?
COMMUNITY DEVELOPMENT DIRECTOR SIMPSON	Thank you Chair and Commission, I think that the applicant can speak in detailed about that. Typically what will happen, is for any food or beverage type businesses, whether it is manufacturing or restaurant the Health Department makes their inspections. There are things that the businesses will have to post those and keep them on file with that. But the County agencies, whether it is State or County, if they find any violations they do notify the City. We get those.
COMMISSIONER CHICO	In the mean time we can go check those records in their office?

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COMMUNITY
DEVELOPMENT
DIRECTOR
SIMPSON

Absolutely, yes.

VICE-CHAIR
BURROLA

Real quick, is this part of our CUP? Is there some statement in our CUP that governs this requirement inspections and so forth?

ASSOCIATE
PLANNER
CHOU

It is required as part of their Business License that must be renewed every year, to provide their Health Permit.

VICE-CHAIR
BURROLA

Which is part of the CUP? Conditional Use Permit.

ASSOCIATE
PLANNER
CHOU

It is part of the Business Operation.

COMMISSIONER
CHICO

That didn't really answer the question. I understand, the Business License is one thing, the CUP is another.

VICE-CHAIR
BURROLA

Can we for that in the CUP? Is that something we can ask for? Or is it typically not put in the CUP as a requirement. I guess it would be under, what would it be under Building and Safety? Not Engineering but maybe Community Development Department.

ASSOCIATE
PLANNER
CHOU

So thank you Commissioner, within the Conditions of Approval A10 and A11 it states that, "A City Inspector shall have full access to the site to reasonably inspect the site during normal working hours to insure compliance with these conditions and any other codes and the facility and use thereof should be maintained in full compliance with all codes, standards, policies, and regulations impose by the City, County, State, or Federal agencies with jurisdiction over the facility." So that would include the Health Department, yes.

VICE-CHAIR
BURROLA

Okay, thank you.

CHAIR TAPIA

To the applicant, just in general, our questions of clarifications we were not the Commissioner that were back here when Millers open. These questions may be repetitive, they may be commonsense, but we have to ask them so that we can consciously and to the best of our ability give you our honest approval and decision. That is the thing, even though Millers is there and you are going to follow the same procedure, but we don't know what the procedure was at that particular time. That's why we need clarification so that we can make the proper decision. Any other questions? Okay then thank you. I would like to

ask counsel, if I can call the applicant now to answer questions or do I open up the Public Hearing.

COMMUNITY
DEVELOPMENT
DIRECTOR
SIMPSON

Thank you Chair, it would be appropriate to open the Public Hearing and we can have the applicant give a brief presentation.

CHAIR TAPIA

Okay and then once the applicant makes the presentation do I go to the public first or do the Commissioners ask questions first?

CITY ATTORNEY
GUERRA

The Commission would hear from the applicant ask them any questions that you have, and at the conclusion of that you can invite the rest of the public to provide comments.

CHAIR TAPIA

Okay, thank you. If there is no further questions, thank you very much for your report and bearing with us. Now we will open up the Public Hearing and we will call the applicant up to make the presentation. Thank you very much.

OPEN PUBLIC
HEARING

At 7:53 p.m., Chair Tapia opened the public hearing.

ANITA HERNANDEZ

Good Evening, my name is Anita Hernandez and I am the Corporate Communications Manager for City Brewery. I was also with Miller Coors for twenty-four years. I had a long history here with the City and the Chamber, IEF, and many of the other City functions here. This is definitely home so it is nice to be back. I wanted to just acknowledge in 2020 it wasn't just a horrible year for COVID, but it was also a horrible year for us with the announcement of the closure and all of the uncertainty that we went through. It is very exciting to have Irwindale Brew Yard back here and to start up production. We are hoping for a very long great relationship just like Miller Coors had with you and Molson Coors. I would like to introduce to you our President of Irwindale Brew Yard, and that is Adam Sher and he will be able to answer a lot of the questions that you might have. Thank you again for the opportunity to be here tonight. We really appreciate it.

CHAIR TAPIA

Thank you. State your name and address for the record please.

ADAM SHER

Adam Sher, Los Angeles, California. I want to thank the Commission for hearing this item tonight. We put some complicated stuff in front of you and I appreciate your patience. I specially want to thank the planning staff Marilyn, Brandie, Lisa they all done a lot of hard work and have been great to work with. We are here tonight to support the staff recommendation for approval of the new filtration building and respectfully ask for the Commission's yes vote this evening. As staff and Anita noted, when Miller Coors left they temporarily paused commercial production at the brewery. We want to be clear from the

moment we took over we were performing sustaining functions and gearing up, to make sure we can restart the plant as easily as possible. The handoff I think it was 3 p.m. November 4th and we were there 3:01 November 4th, starting to do our work. On that note, we have been lucky to have many of the Miller Coors employees that were there before come back to work with us. There is a lot of familiarity, comfort, and people that really have some pride in that facility. I want to thank all the men and women who have worked in the brewery, day in and day out to get us here. Returning to tonight's applications, as the staff detailed the filtration building represents just a small, its less than ten thousand square foot in closure next to the existing building. It is in a concrete courtyard. Lisa pointed out it is less than one percent of the existing campus. It will contain equipment that performs the same type of functions that already exists in the brewery today. I understand your concern, when someone here's the word chemicals that's scary. Those chemicals are all in the brewery today cleaning the facility and have been for decades. All we are asking is that we have a tank next to the new filtration system that we want to install. The filtration system is effectively a high efficiency filter removing solids from freshly brew beer that allows us to produce some of the beverage innovations that you are seeing on your supermarket shelves today, the hard seltzers, the hard ice teas. These is where modern consumer tastes are and we want to be able to make them. We can do that in the existing facility but we would have to reconfigure a lot of the equipment that is there now in order to add a proprietary system, which is what this is. City Brewery, which is operating the brewery, does unlike Miller Coors, who produces Miller lite and MGD, they own their beer. City while they will of course be producing PBR as Pabst is an owner of the property, City's model is to produce beer or beverages for other suppliers. Being able to be nibble and accommodate customers that have proprietary formulas that they do not want to share is hugely important. By setting it in a standalone building we can accommodate them. It is also much more efficient, we would not have to uninstall what is there today. As staff explained well, this is a small structure. It will likely be invisible to the public and to some of the Design Guidelines concerns. It is house in such a way that unless you are in the brewery you will not see this building. It is shielded by other existing utilitarian buildings or by landscaping and we intend to put in some additional landscaping on top of what is there today. This represents a kind of investment in Irwindale that

CHAIR TAPIA

Sir you can take your mask off, if you are more comfortable.

ADAM SHER

You are all wearing them, so I do not know the protocols. I guess none of us do, it changes daily. This represents an internal milestone, we have been working towards with some engineers that have been working very hard to figure out how to do this. It represents an investment in Irwindale that we look forward in making in years to come. Miller Coors has been there for decades and there is some

upgrades we need to do to get it to where it is a viable business. I want to thank you for your consideration of our application. My team is here to answer any questions, if you still have. We are asking for your yes on the staff's recommendation. I would like to reserve some rebuttal time in case necessary but I think that covers it.

CHAIR TAPIA

Questions?

COMMISSIONER
GOMEZ

I think that my questions had to do with the whole process and also the safety element, giving if there is a natural disaster and also the upgrade. I think that the discussion shared with my other Commissioners was that it will be reviewed yearly, annually by the Health Department. I think that my questions have been sufficiently answered. We want you to be successful and it seem like you want to put the most progressive system into place to produce what you have. I think that, Mr. Chair, my questions have been answered. I just want to say that I am pleased to see Ms. Hernandez, she has been an advocate for the City in many functions and very supportive. I am sure we are all looking forward to working with you.

ADAM SHER

We are pleased she chose to stay with us.

COMMISSIONER
GOMEZ

Thank you. I have nothing else Mr. Chair.

CHAIR TAPIA

I just have one for clarification. That's on page seventeen the last paragraph towards the end, project description. I think I know what it means but I like clarification instead of just you know using my imagination. "The filtration system will filter malted beer in support of the existing beverage manufacturing facility," so I am thinking that the filtration system will filter the tanks of the malted beer because I don't think it will be filtering the beer itself. I would like clarification on that statement.

ADAM SHER

I am going to try to approach this at a high level. Of course we can get more technical as you need and we have some engineers, who know this a lot better than me, if we really want to go that route. The filter process itself, which can be done in the existing brewery just not as efficiently as if we were to install this, effectively removes solids, favors, and orders from our freshly brewed beer. That creates what in our industry we would call a neutral malt base, we can then use that to add flavors, juices, something that would make it palatable but not what you would think of probably as a traditional beer.

CHAIR TAPIA

So the filtration system is going to be used as the beer is being made, the malted beer? The filtration system?

- ADAM SHER So with the caveat that there is some trade secrets in how some of these beverages are produced, no it would be after fresh beer is brewed. It would run through the filter and create the neutral malt base then that would be blended.
- CHAIR TAPIA So I liked that clarified. I like to clarify it because as it reads, "The filtration system will filter malted beer," now I got a tank full of malted beer. Now the filtration system is going to kick in and filter the malted beer, while the beer is in there knowing that you are going to use these chemicals. That is what is confusing me.
- ADAM SHER Just to clarify the chemicals, in addition to Ms. Gomez's concerns, are regulated. The brewing industry is heavily regulated. As a food and beverage facility and as an alcohol facility, we have both Code Guidelines and inspections that we have to follow from the FDA, from the TTB, which is effectively the Federal Alcohol Agency from California, ABC, from the County Sanitation Department and Health Department, and I can go on but it would be a long time. The chemicals themselves are simply use to clean the equipment
- CHAIR TAPIA Not while the beer is in there?
- ADAM SHER It is the exact same process that has been going on there for decades.
- CHAIR TAPIA Sir, not while the beer is in there?
- ADAM SHER No sir.
- CHAIR TAPIA Okay.
- COMMISSIONER
HARTMAN I think I can explain it fairly easy. They do all their processing, they do all their filtration, once that batch is done that is when they run the hydrochloric acid through all the pipelines to clean it, then they run a sanitizer through it, then they run a rinse through it. Then they can start the process all over again.
- CHAIR TAPIA I understand that but that is not what this sentence says. I liked that sentence changed somehow to reflect to what you have said and what the Commissioner has said. I understand that but that is not what this statement is saying.
- COMMUNITY
DEVELOPMENT
DIRECTOR
SIMPSON Thank you Chair and Commission, I appreciate your comments and we will clarify that. This item will go to the City Council and we will make that clarification in that report.
- CHAIR TAPIA But I want it to be clarified today, not for the City Council.

COMMUNITY
DEVELOPMENT
DIRECTOR
SIMPSON

It will be clarified in the Minutes as well.

CHAIR TAPIA

Today I want our counsel to choose the wording that needs to be changed so that we can again make a consciences decision, because the way it reads right there it says, "The filtration system will filter malted beer."

ADAM SHER

That is a true statement Commissioner.

CHAIR TAPIA

It doesn't say that it is going to clean the tank after the beer is empty. That is my point.

ADAM SHER

I think there is some confusion, there is a filter housing this building. For certain type of beverages we will run freshly brew beer through the filter to create a neutral malt base. On occasion we will need to clean the equipment. The chemical tanks are simply there to reduce having to transport chemicals for cleaning. The cleaning chemicals have nothing to do with the brewing process.

CHAIR TAPIA

That is making more sense to me know. You know I am getting a better picture of just what it is says here, because that is not what it says here. What you just explained is not what it says here and again it is just clarification. I don't know am I just confused or do you guys read it another way?

COMMISSIONER
HARTMAN

I understand it.

CHAIR TAPIA

No you understand it that's good because you understand that process, but what does it say there in English. You know?

COMMISSIONER
HARTMAN

That is what the filtration system is going to do. It is going to filter the beer.

CHAIR TAPIA

Okay it is going to filter the beer. That is what I've been asking. Is the beer going to be in the hopper or is it not going to be in the hopper? That is what I've been trying to get an answer on. So could somebody please explain it?

ADAM SHER

This is Ben Gibson.

BEN SALTSMAN

Good evening Chair and members of the Commission, just to clarify.

CHAIR TAPIA

Could you state your name and address for the record.

BEN SALTSMAN Ben Saltsman, Los Angeles, California 333 South Grand Avenue, I just want to try to make sure we are being very clear about the statement you had a question on. This is on page seventeen, this is the statement, "The filtration system will filter malted beer in support of the existing beverage manufacturing facility." We agree with how staff categorized it because the filtration system will filter beer. We agree with how staff categorized it, we think that is correct.

CHAIR TAPIA While the beer is in there?

BEN SALTSMAN Correct.

CHAIR TAPIA That is all I wanted to know. While the beer was in there or while it was not. That was confusing to me because what is going to be in the filtration system. It is not going to be filter by the chemicals that clean it right?

BEN SALTSMAN That is correct.

CHAIR TAPIA So see I didn't understand that. Now you have another chemical that is incorporated in the filtration system that is going to do whatever it needs to do to the beer. Now I get it thank you.

BEN SALTSMAN Thank you Mr. Chairman.

CHAIR TAPIA Any other questions? You can go ahead and take a seat, no we are going to open it up to the public they are going to have questions for you. Okay at this time we are going to open up the Public Hearing to the public. Raise your hands if you have any questions now and you will be addressed. Thank you.

ADMINISTRATIVE SECRETARY AGUILA Okay, so the first individual that I will now be unmuting will be Dena.

CHAIR TAPIA Go ahead.

DENA ZEPEDA Thank you chair, I am going to have to agree with Chair Tapia, this whole write up with what you guys have been reading and stuff is so confusing. It is so not right, Shame on staff again. You bring something to the table it should be directly how it is supposed to be. Existing is a big word in there. With a company coming in and taking over, if they are going to be the same kind of company, for instance like Michael's Hamburgers Stand was just bought over by another owner and the same thing ran. Okay. They sold Millers and it was sold to another brewery, but it is not the same kind of company or they are gonna add more. Existing is using what you have existing. Description is you have a right to say yes or no to this. For bring in a new company, a new business, I feel they should start from the beginning and apply and do all this, because they are not existing with Millers Computation. They

are not doing exactly was Millers was doing. They are changing over. They are changing something else. All these little ins and outs and different sentences and words that they are using is not going with me either. I am understanding were you are coming from Chair Tapia. I understand, Mr. Hartman, the procedure I did work there too. The writing and the way it is written, we gotta protect ourselves because we are always getting step on. All because the writing wasn't right and all because it wasn't brought to you guys right. It should come to my Commissioners before it goes to my Council, right. I am going to ask my Commissioners to bring it back to the table when they have it done right. I am sorry if the company has to go through this but we need to get it done right. We can't come back in two years and say well you said we can do it because of this or that or exempt. No they are not exempt. Discretion is up to you guys okay. I agree with Tapia, one hundred percent because there is a lot of discrepancy there. I mean I am not understanding. You are saying one thing then you say okay we will change it. Change it and then bring it back. That is my thing. Thank you Chair.

CHAIR TAPIA

Thank you.

ADMINISTRATIVE
SECRETARY AGUILA

The next individual that I will be unmuting is Pearl Virgin.

PEARL VIRGIN

Good evening Chair Tapia and members of the Planning Commission, my name is Pearl Virgin and I am currently the HR Manger for Irwindale Brew Yard, but I am also excited to introduce myself as a new homeowner of Irwindale, as I just became a resident early August. The only reason why I wanted to introduce myself is because I hope that you approve this as the filtration building will be very beneficial. We are going to be able to bring in new customers. As we get this phase growing, if approved, it will give us the opportunity of also being able to hire additional employees. As you heard earlier, 2020 was a year of many changes including the plant closing, and it is exciting to be able to be a part of this now and be a part of it reopening and bring this to the City of Irwindale. Thank you for your time.

ADMINISTRATIVE
SECRETARY AGUILA

So once again I will be unmuting Dena, she did have one minute left of the three minutes allow to speak. So Dena you have now been unmuted.

DENA ZEPEDA

Thank you Chair, well that says a lot. Today we had to shut down that new home because they refused to get permits. They were told three times by our City's inspectors and they refused to get permits on that house that was just bought. I can just imagine what we are going to be going through with this company. Again Chair and Commissioners, I am asking you to please table it, have them write it right and bring it back to do it right the way it is supposed to be, because it is not been done right thank you.

ADMINISTRATIVE
SECRETARY AGUILA

So Pearl Virgin has also raised her hand once again. She has a minute and a half remaining out of her three minutes to speak. I will now be unmuting her.

PEARL VIRGIN

As mentioned previously and when I introduced myself, yes I am a new resident here. In clarification of Ms. Dena's comment, we did hire an architect so that we can actually make sure that the plans and everything were in place. We did put it in the hands of a professional to make sure. The fact that we received this, my husband and I, is something that we are going back to, to make sure that this doesn't occur because we are trying to avoid anything that would have caused. We realized that it is a home that we purchased but the goal is to do any remodelization to bring it up and also add beatification to the City of Irwindale. As there are many homes, as we look at the City, are trying to improve and make better. That is what our goal is. In no way, though I am a resident of Irwindale and an employee of a company that is in the City of Irwindale is there any intention to not follow. That is why we are here today, both as a resident and as an employee of IBY to go through the process, so that we can have a smooth transition and build a partnership between all of us. Thank you so much again for your time.

ADMINISTRATIVE
SECRETARY AGUILA

We have no more speakers.

CHAIR TAPIA

Do we have anymore comments from Commission? Okay. At this time we will close the Public Hearing.

CLOSE PUBLIC
HEARING

There being no speakers, Chair Tapia closed the public hearing at 8:19 p.m.

CHAIR TAPIA

We will open it up for Commissioners Comments. Do we have any comments or requests? If not we will open for a motion.

VICE-CHAIR
BURROLA

I have a comment, just to clarify things because of the back and fourth. We are approving the resolution, correct? We are not approving a report by planning, is that correct?

CHAIR TAPIA

I don't know maybe you can ask our attorney.

CITY ATTORNEY
GUERRA

Yes the Staff Report is there just to give you information, background, and it is supplemented by staff's verbal Staff Report. But yes, the only action you would be doing is to adopt the resolution. If that is the desire of the Commission.

VICE-CHAIR
BURROLA

I have a comment just real quick. In the Conditional Use Permit that we are going to approve in the Resolution 807 page 29 of 38 subparagraph A it states, there is two eight thousand gallon tanks, correct? And then on C it talks about the two separate eight thousand gallon tanks, plus a Poni Acid is stored in two separate three hundred gallon tanks. This is just for clarification okay. Going into the CUP, which we are going to be holding them it's a Conditional Use Permit, on page 36 of 38 paragraph 19 it talks about 8,000 Hydrochloric Acid, 8,000 gallons of Caustic Soda Liquid, and then it says 600 gallons of Poni Acid. Did you guys combine? There is two tanks right? So you combine it into, I know three hundred and three hundred is six hundred but it should be two tanks correct? It is not just one tank of six hundred. That is a little confusing because it states everywhere it is two tanks three hundred, two tanks eight thousand, but over here in the Conditional Use Permit it states six hundred gallons.

ASSOCIATE
PLANNER
CHOU

Yes Commissioner it was combined to six hundred gallons total.

VICE-CHAIR
BURROLA

See the confusion there, in the future though? Just for clarification can we state that there is two tanks at three hundred for the CUP to match the resolution? Or is that something petty? But I feel that in the future it might be confusing, if we hold them to certain things, you know inspections and stuff like that.

ASSOCIATE
PLANNER
CHOU

Yes Commissioner the six hundred is not to exceed limit. We could change the language to reflex the two separate tanks of three hundred gallons.

VICE-CHAIR
BURROLA

No to exceed three hundred for each tank?

ASSOCIATE
PLANNER
CHOU

There is two tanks each three hundred so the not to exceed six hundred. If you liked for the language to be changed we can.

VICE-CHAIR
BURROLA

Yeah if you can because we are talking about two tanks at three hundred, not to exceed three hundred for each tank not six hundred gallons.

COMMUNITY
DEVELOPMENT
DIRECTOR
SIMPSON

Thank you Commissioner, what we can do for clarification on the Condition of Approval on page 36 where it says, and 600 gallons of Poni Acid to be stored in two three hundred gallons tanks.

VICE-CHAIR
BURROLA

That would be good. Just for the future so we can hold them to two tanks not just one six hundred. That is how I am seeing it. I don't know how other Commissioners are see it.

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COMMUNITY
DEVELOPMENT
DIRECTOR
SIMPSON

Okay, thank you.

VICE-CHAIR
BURROLA

Are we able to make that change tonight or do we have to table it to next meeting?

CITY ATTORNEY
GUERRA

We can make that change tonight. We can include that as part of the action. I was informed that they wish to call it a tote.

VICE-CHAIR
BURROLA

Okay, is that like some sort of tank? Same thing?

CITY ATTORNEY
GUERRA

They are nodding yes, so I will go with it.

CHAIR TAPIA

Any other questions from staff? I mean from Commissioners. Okay so it is open for a motion.

COMMISSIONER
HARTMAN

I like to make a comment before I make a motion.

CHAIR TAPIA

Okay.

COMMISSIONER
HARTMAN

I know firsthand how strictly monitor food beverage and especially alcohol manufacturing plants are. They are monitored very strictly by multiple different agencies. Knowing that, I make a motion to approve Site Plan and Design Review No. 04-2021 and Conditional Use Permit No. 05-2021, with the language change.

CITY ATTORNEY
GUERRA

Commissioner Hartman, do you mind if I read the title of the resolution.

COMMISSIONER
HARTMAN

Absolutely.

CHAIR TAPIA

The title of the resolution is a resolution of the Planning Commission of the City of Irwindale recommending City Council approval of Site Plan and Design Review (DA) No. 04-2021 and Conditional Use Permit No. 05-2021 for the construction of one new ± 9,907 square foot filtration building and the approval for storage of cleaning chemicals for an existing beverage manufacturing facility (Irwindale Brew Yard, formerly Molson-Coors) for property located at 15801 First Street, Irwindale, CA 91706 (APN: 8533-009-021, -024, -907) in the M-2 (Heavy Manufacturing) zone subject to conditions as set forth herein and making findings in support thereof and finding the project exempt from CEQA pursuant to section 15301 (class 1; existing facilities) with the

revision as stated by Community Development Director Simpson to condition B-19.

COMMISSIONER
HARTMAN I motion to approve as read.

COMMISSIONER
CHICO Second.

CHAIR TAPIA Roll Call.

ADMINISTRATIVE
SECRETARY AGUILA Commissioner Hartman.

COMMISSIONER
HARTMAN Yes.

ADMINISTRATIVE
SECRETARY AGUILA Commissioner Gomez.

COMMISSIONER
GOMEZ 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 I am still debating about page twenty-one, number four I do not agree with that sentence that is supposed to be a part of what is written in the code. I do not agree. That does not have anything to do, in my opinion, with exemption. You say there is nothing that can be changed there, counsel?

CITY ATTORNEY
GUERRA With respect to the language after the number four in the first paragraph, no that is from the Municipal Code.

CHAIR TAPIA Any Discussion Items and Presentations?

COMMUNITY
DEVELOPMENT
DIRECTOR
SIMPSON

Thank you Chair and Commission, the only presentation I have tonight is I would like to introduce a new Community Development staff member, Jesus Hernandez. He is our Office Specialist. A little bit about Jesus is that, he previously worked in Monterey Park for the City Clerk's Office and the City Manager's Office, so he is familiar with city business. He has worked for the Disney Company for several years so he has really great Disney customer service skills. He has a dual degree from the University of La Verne in Criminology and Speech Communications. He had an eye on going to law school, he is shaking his head at me, and then he saw the wisdom of that and joined the City and Community Development.

COMMISSIONER
GOMEZ

Well welcome aboard.

COMMUNITY
DEVELOPMENT
DIRECTOR
SIMPSON

Yes, I liked to introduce Jesus Hernandez.

OFFICE SPECIALIST
HERNANDEZ

Thank you Chair and Commission, it is an honor.

CHAIR TAPIA

Okay, Commissioner Comments or Request.

COMMISSIONER
COMMENTS/
REQUESTS

CHAIR TAPIA

Okay Commissioner Comments and request?

COMMISSIONER
HARTMAN

I have one. I don't know if it is a question or a request. You know the Bus Company, that is over on Cypress, maybe because school is over but that bus yard is full of busses now. We as residents nearby are experiencing parking wars. The employees and the drivers of those buses are parking all up and down. Is that proper? Are they supposed to supply parking for their employees?

COMMUNITY
DEVELOPMENT
DIRECTOR
SIMPSON

Thank you Commission that did come to our attention, Code Enforcement is following up on that. It is a new company that came in and they complied with certain things with Code Enforcement. We are working on that because we recognized that it's had an impact on the neighborhood.

COMMISSIONER
HARTMAN

A big impact.

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COMMUNITY
DEVELOPMENT
DIRECTOR
SIMPSON

Yes.

COMMISSIONER
CHICO

Thank you that is all I had.

CHAIR TAPIA

Okay.

COMMISSIONER
GOMEZ

Chair I also had a comment.

VICE-CHAIR
BURROLA

I had a comment to so after Susan.

COMMISSIONER
GOMEZ

I want them to pass it on to the correct department. Right at the new Memorial Park, we have low density grass which is really nice, however there is a section north of the tables and benches that is saturated with water and it is muddy. It is dangerous. Somebody could fall. I want it forwarded to the proper department so that they can look into changing the sprinkler density.

COMMUNITY
DEVELOPMENT
DIRECTOR
SIMPSON

I'll relate that to Public Works Services.

COMMISSIONER
GOMEZ

Thank you.

CHAIR TAPIA

This couple with what Commissioner Hartman said, I know that in some instances you can't report it, but I would like to see what the follow through is on things that we bring up for consideration in the comments. Are they complying or are they not complying? How long will we going to give them to comply and that type of thing? I would like it to come back and let us know the results of the Code Enforcement visits to the facility. Anybody else?

VICE-CHAIR
BURROLA

Yes, so I had a comment a couple meetings before, it's the warehouse west of Fraijo Street between Huy Fong Foods and Fraijo. That company is storing a lot of their scrap metal I guess. I look over the wall, because I live there, it seems like they cleaned up a little bit but more than clearing up they just kind of moved it around. There is still large, like there is a conex there, there is like a, what do you call those like a fifth wheel. Someone might be staying in it because I see them coming in and out. There is cars parked there old cars, campers. I asked this before I was wondering if Code Enforcement ever went there. The Chair made a good point we say these comments and then

we really don't get a report back, if they actually went out there and talked to the business owner. I was wondering if that was ever taken care of.

COMMUNITY
DEVELOPMENT
DIRECTOR
SIMPSON

Thank you Commissioner, Code Enforcement did go out. When they do an inspection, and on that one the items have been removed. If there is campers and fifth wheels and things like that, we will have Code Enforcement follow up. If we need to we can ask police if somebody is living in that.

VICE-CHAIR
BURROLA

Okay. I just want to do it legally too, whatever is part of the CUP and any other requirements. Code Enforcement does it right and looks into it.

COMMUNITY
DEVELOPMENT
DIRECTOR
SIMPSON

Yes they follow up. In fact they may even be listening to the meeting tonight.

VICE-CHAIR
BURROLA.

Okay.

COMMUNITY
DEVELOPMENT
DIRECTOR
SIMPSON

Thank you.

CHAIR TAPIA

Well I like to thank legal counsel for the pamphlet on the Brown Act. That was very concise and should help us out. Any Legal Counsel Comments.

**LEGAL COUNSEL
COMMENTS**

CITY ATTORNEY
GUERRA

No comments but thank you for the complement. I will let Jaime know.

CHAIR TAPIA

Okay. Community Development Director's Report?

**COMMUNITY
DEVELOPMENT
DIRECTOR REPORT**

COMMUNITY
DEVELOPMENT
DIRECTOR
SIMPSON

Just a couple of items here. To remind the Commission to please check your City emails on a daily basis. There are some items in there regarding trainings that are required. I believe there are some of the Commissioners that will be getting iPads but when we talked to our IT department, I guess there has been a little bit of a delay in getting those from Apple. Probably in the next month, month in a half you should be

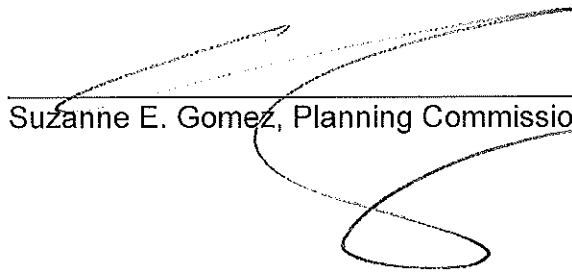
getting those. Then a reminder the next meeting that we have in October will be open to the public, and we will have the public coming in. There will be some row configuring of some of the seats just for safety purposes. For those Commissioners, who are going to the conference, some of you are going tomorrow and I will be seeing you there. I hope to see you, and make questions. They sound like good sessions. Thank you.

CHAIR TAPIA

No one else? Okay again, meeting will be adjourn in memory of Oliva Grijalva, Margaret Tapia, and Stacy Gonzalez. May they rest in peace. This meeting is now adjourn.

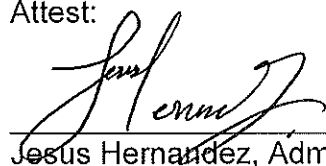
ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 8:40 p.m.



Suzanne E. Gomez, Planning Commission Chair

Attest:



Jesus Hernandez, Administrative Secretary

Approved as presented at the meeting held April 20, 2022