



CITY OF IRWINDALE

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

**SUZANNE E.
GOMEZ**
CHAIR

**ENOCH Y.
BURROLA**
VICE-CHAIR

**RICHARD
CHICO**
COMMISSIONER

**DAVID
FUENTES**
COMMISSIONER

**ROBERT E.
HARTMAN**
COMMISSIONER

AGENDA FOR THE REGULAR MEETING OF THE

PLANNING COMMISSION

November 16, 2022

6:30 P.M.

IRWINDALE COUNCIL CHAMBER

(Limited Public Access)

Pursuant to Irwindale Resolution No. Resolution No. 2022-105-3355

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

The public's health and well-being are the top priority for the City, and you are urged to take all appropriate health safety precautions. To facilitate this process, the meeting and opportunities to participate are available through the following:

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

Join Webinar at

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

Webinar ID

863 4969 1359

Submit public comments by email to jjhernandez@irwindaleca.gov prior to the start of the meeting. Comments will be read by the Administrative Secretary during public comment.

Lengthy public comment may be summarized in the interest of time.



Spontaneous Communications: The public is encouraged to address the Planning Commission on any matter listed on the agenda or on any other matter within its jurisdiction. The Planning Commission will hear public comments on items listed on the agenda during discussion of the matter and prior to a vote. The Planning Commission will hear public comments on matters not listed on the agenda during the Spontaneous Communications period.

Pursuant to provisions of the **Brown Act**, no action may be taken on a matter unless it is listed on the agenda, or unless certain emergency or special circumstances exist. The Planning Commission may request staff to investigate and/or schedule certain matters for consideration at a future Commission or City Council meeting.

Americans with Disabilities Act: In compliance with the ADA, if you need special assistance to participate in a Commission meeting or other services offered by this City, please contact City Hall at (626) 430-2200. Assisted listening devices are available at this meeting. Ask the Chief Deputy City Clerk if you desire to use this device. Upon request, the agenda and documents in the agenda packet can be made available in appropriate alternative formats to persons with disabilities. Notification of at least 48 hours prior to the meeting or time when services are needed will assist the City staff in assuring that reasonable arrangements can be made to provide accessibility to the meeting or service.

Note: Staff reports are available for inspection at the Planning Division Counter, 16102 Arrow Highway or at City Hall, 5050 N. Irwindale Avenue, during regular business hours (8:00 a.m. to 6:00 p.m., Monday through Thursday) by appointment only, and by contacting the Planning Division at 626-430-2208.

Code of Ethics

As City of Irwindale Planning Commissioners, our fundamental duty is to serve the public good. We are committed to the principle of an efficient and professional local government. We will be exemplary in obeying the letter and spirit of Local, State and Federal laws and City policies affecting the operation of the government and in our private life. We will be independent and impartial in our judgment and actions.

We will work for the common good of the City of Irwindale community and not for any private or personal interest. We will endeavor to treat all people with respect and civility. We will commit to observe the highest standards of morality and integrity, and to faithfully discharge the duties of our office regardless of personal consideration. We shall refrain from abusive conduct, personal charges or verbal attacks upon the character or motives of others.

We will inform ourselves on public issues, listen attentively to public discussions before the body, and focus on the business at hand. We will base our decisions on the merit and substance of that business. We will be fair and equitable in all actions, claims or transactions. We shall not use our official position to influence government decisions in which we have a financial interest or where we have a personal relationship that could present a conflict of interest, or create a perception of a conflict of interest.

We shall not take advantage of services or opportunities for personal gain by virtue of our public office that are not available to the public in general. We shall refrain from accepting gifts, favors or promises of future benefit that might compromise our independence of judgment or action or give the appearance of being compromised.

We will behave in a manner that does not bring discredit or embarrassment to the City of Irwindale. We will be honest in thought and deed in both our personal and official lives.

Ultimate responsibility for complying with this Code of Ethics rests with the individual elected official. In addition to any other penalty as provided by law, violation of this Code of Ethics may be used as a basis for disciplinary action or censure of a Commissioner.

These things we hereby pledge to do in the interest and purposes for which our government has been established.

IRWINDALE PLANNING COMMISSION



- A. **CALL TO ORDER**
- B. **PLEDGE OF ALLEGIANCE**
- C. **INVOCATION**
- D. **ROLL CALL: Commissioners: Richard Chico, David Fuentes, Robert E. Hartman; Vice-Chair Enoch Y. Burrola; Chair Suzanne E. Gomez**
- E. **ANNOUNCEMENTS**

SPONTANEOUS COMMUNICATIONS

This is the time set aside for members of the audience to speak on items not on this agenda. State law prohibits any Commission discussion or action on such communications unless 1) the Commission by majority vote finds that a catastrophe or emergency exists; or 2) the Commission by at least four votes finds that the matter (and need for action thereon) arose within the last five days. Since the Commission cannot (except as stated) participate it is requested that all such communications be made in writing so as to be included on the next agenda for full discussion and action. If a member of the audience feels he or she must proceed tonight, then each speaker will be limited to 3 minutes, unless such time limits are extended.

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

Tier 1: In-person attendees

Tier 2: Teleconference attendees

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

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

1. CONSENT CALENDAR

The Consent Calendar contains matters of routine business and is to be approved with one motion unless a member of the Commission requests separate action on a specific item. At this time, members of the audience may ask to be heard regarding an item on the Consent Calendar.

A. Minutes

Recommendation: Approve the following minutes:

1. Regular meeting held April 20, 2022

2. NEW BUSINESS

3. PUBLIC HEARINGS**A. CONDITIONAL USE PERMIT NO. 01-2022; WIRELESS TELECOMMUNICATIONS FACILITY (MONO-PINE) AT 13201 ROMONA BOULEVARD (JOHN MCDONALD (AGENT FOR AT&T), EUKON GROUP)**

Request for a Conditional Use Permit (CUP) for the construction of a new wireless telecommunications facility on the eastern side of the ±4.3 acre parcel. The property is zoned A-1 (Agricultural). The main use of the site is a US Storage facility. ENVIRONMENTAL REVIEW: The proposed project is exempt from the California Environmental Quality Act (CEQA), pursuant to Section 15303 (Class 3; New Construction or Conversion of Small Structures) of the CEQA Guidelines. If action is taken to approve the project, a Notice of Exemption (NOE) will be filed with the County Clerk. The NOE is on file in the Planning Department and available for review by the public

Recommendation: Adopt Resolution No. 817(22)

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF IRWINDALE APPROVING CONDITIONAL USE PERMIT NO. 01-2022 FOR THE CONSTRUCTION AND OPERATION OF A WIRELESS TELECOMMUNICATIONS FACILITY (MONO-PINE) ON PROPERTY LOCATED AT 13201 RAMONA BOULEVARD, IRWINDALE, CA IN THE A-1 (AGRICULTURAL) ZONE, SUBJECT TO CONDITIONS AS SET FORTH HEREIN AND MAKING FINDINGS IN SUPPORT THEREOF AND FINDING THE PROJECT EXEMPT FROM CEQA.

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

I, Jesus Hernandez, Administrative Secretary, certify that I caused the agenda for the regular meeting of the Irwindale Planning Commission to be held on November 16, 2022 to be posted at the City Hall, Library, and Post Office on November 10, 2022.

Jesus Hernandez

Jesus Hernandez,
Administrative Secretary

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

**April 20, 2022
Wednesday
6:32 P.M.**

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

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 FUENTES Dear heavenly Father, we just come before you this evening thanking you so much for your love, your grace, and your mercies that you give to us so richly and so freely. Father God, we just ask for your wisdom to be bestowed down upon us now, dear Lord, wisdom beyond our years to make decisions tonight concerning the City and the Items that are on the Agenda. Father, we just pray dear Lord, for the nation of Ukraine. I just ask that you bless that country, dear Lord, that you will be with them and that you protect them, and that this assault upon them would end. I ask these things in Jesus name, amen.

CHAIR GOMEZ Roll call.

ROLL CALL: Present: Commissioners; Robert E. Hartman; David Fuentes, Via Zoom; Richard Chico; Vice Chair Enoch Burrola; Chair Suzanne Gomez

Also present: Julian Miranda, City Manager; Jamie Traxler, Assistant City Attorney; Marilyn Simpson, Community Development Director; Daniel Co, Assistant City Engineer; Brandi Jones, Senior Planner; Lisa Chou, Associate Planner; Martin Romero, Planning Technician; Jeff Tyler, Senior Code Enforcement Officer; Jesus Hernandez, Administrative Secretary

ANNOUNCEMENTS

NONE

SPONTANEOUS COMMUNICATIONS

CHAIR GOMEZ This time is set aside for Spontaneous Communications for the audience to speak on items not on the agenda, and Jesus will review the format that we will be using.

ADMINISTRATIVE SECRETARY HERNANDEZ In the hybrid format, both in-person and hybrid audience members will participate in the following order; Tier 1: In-person attendees, Tier 2: Teleconference attendees, Tier 3: In-person attendees who have not previously provide comments on the matter(s) being discussed by the legislative body, and Tier 4: Teleconference attendees who have not previously provide comments on the matter(s) being discussed by the legislative body.

CHAIR GOMEZ And further during Spontaneous Communications, the Commission by majority vote finds that a catastrophe or emergency exists. State law prohibits any Commission discussion or action on such communications unless 1) I just read. 2) The Commission by at least four votes finds that the matter and the need for action thereon arose within the last five days. Since the Commission cannot, except as stated, participate it is requested that all such communications be made in writing so as to be included on the next agenda for full discussion and action. If a member of the audience feels he or she must proceed tonight, then each speaker will be limited to 3 minutes, unless such time limits are extended. Do we have anybody for Spontaneous Communications at this time?

ADMINISTRATIVE
SECRETARY
HERNANDEZ We do not.

CHAIR GOMEZ And none in our audience as well, thank you. We are going to move on to the Consent Calendar.

CONSENT CALENDAR

CHAIR GOMEZ The Consent Calendar contains matters of routine business and is to be approved with one motion unless a member of the Commission requests separate action. At this time, members of the audience may ask to be heard regarding an item on the Consent Calendar. Do we have any requests? I would like them to be approved, there is two that I need to recuse myself on. I think one of the other Commissioners, as well. So if we can have a motion to do them separately and individually that would work well.

COMMISSIONER
HARTMAN I also have a question about the Minutes. On January 19, 2022 and February 16, 2022, it states right after the Invocation that Chair Tapia asked for a Roll Call.

ADMINISTRATIVE
SECRETARY
HERNANDEZ I see that, we can make the corrections.

CHAIR GOMEZ Okay anything else? Let's make the motions for each one shall we, fellas?

COMMISSIONER
HARTMAN Motion to approve the Minutes of Number 1, Adjourned meeting held August 09, 2021.

CHAIR GOMEZ Roll call please.

ADMINISTRATIVE
SECRETARY
HERNANDEZ

We need a second.

COMMISSIONER
CHICO

I have a question before, for our City Attorney. Which is more practical, or is it even possible to vote in the affirmative for that time of that meeting that I was present, or is it just best to abstain for that whole meeting?

CHAIR GOMEZ

My recollection is, previously when we did Roll Call on Minutes that I wasn't here, I would abstain. Also, in the last time we reviewed those meetings were we recused we just abstained.

COMMISSIONER
CHICO

Right.

ASSISTANT
CITY ATTORNEY
TRAXLER

Chair Gomez is correct, yes.

COMMISSIONER
CHICO

I am... sorry?

ASSISTANT
CITY ATTORNEY
TRAXLER

Chair Gomez is correct, yes. If you were not here for the meeting but you have reviewed the meeting, and you are familiar with what the meeting stated and that the Minutes align with what the meeting stated, you can still vote. You would just have to be familiar with what happen at the meeting, and whether the Minutes accurately reflect that.

COMMISSIONER
CHICO

Yeah, to qualify my vote. Okay.

CHAIR GOMEZ

Alright, Roll Call please for Number 1.

ADMINISTRATIVE
SECRETARY
HERNANDEZ

I need a second.

CHAIR GOMEZ

Sure.

VICE-CHAIR
BURROLA

I will second.

ADMINISTRATIVE
SECRETARY
HERNANDEZ

Thank you. Commissioner Chico.

COMMISSIONER CHICO	Yes, for the time of the meeting I was in attendance. Is that...
ASSISTANT CITY ATTORNEY TRAXLER	As long as we have at least a majority vote for the other portion of the Minutes that would be fine. I would recommend abstaining if you are not voting on the whole Minutes.
COMMISSIONER CHICO	On the advice from Counsel, I will abstain.
ADMINISTRATIVE SECRETARY HERNANDEZ	Thank you.
ADMINISTRATIVE SECRETARY HERNANDEZ	Commissioner Fuentes.
COMMISSIONER FUENTES	Abstain, I wasn't here for that meeting.
ADMINISTRATIVE SECRETARY HERNANDEZ	You reviewed them.
COMMISSIONER FUENTES	Oh okay, are those the ones? Oh okay, I am sorry, yes.
ADMINISTRATIVE SECRETARY HERNANDEZ	Commissioner Hartman.
COMMISSIONER HARTMAN	Yes.
ADMINISTRATIVE SECRETARY HERNANDEZ	Vice-Chair Burrola.
VICE-CHAIR BURROLA	Yes.
ADMINISTRATIVE SECRETARY HERNANDEZ	Chair Gomez.
CHAIR GOMEZ	I abstain.

PLANNING COMMISSION MINUTES
REGULAR MEETING

April 20, 2022
PAGE 5

ADMINISTRATIVE SECRETARY HERNANDEZ	Thank you.
CHAIR GOMEZ	We are now on Number 2, the meeting of September 15, 2021. I have to abstain so I need a motion and a second.
VICE-CHAIR BURROLA	I will motion to approve the September 15, 2021 Minutes.
COMMISSIONER HARTMAN	Second.
ADMINISTRATIVE SECRETARY HERNANDEZ	Thank you. Commissioner Chico.
COMMISSIONER CHICO	Abstain.
ADMINISTRATIVE SECRETARY HERNANDEZ	Commissioner Fuentes.
COMMISSIONER FUENTES	Yes, approve.
ADMINISTRATIVE SECRETARY HERNANDEZ	Commissioner Hartman.
COMMISSIONER HARTMAN	Yes.
ADMINISTRATIVE SECRETARY HERNANDEZ	Vice-Chair Burrola.
VICE-CHAIR BURROLA	Yes.
ADMINISTRATIVE SECRETARY HERNANDEZ	Chair Gomez.
CHAIR GOMEZ	I abstain.

PLANNING COMMISSION MINUTES
REGULAR MEETING

April 20, 2022
PAGE 6

ADMINISTRATIVE
SECRETARY
HERNANDEZ Thank you.

CHAIR GOMEZ So we can move on to 3 and 4 on the Consent Calendar. We can hold those together, January 19, 2022 and February 16, 2022. I make a motion to approve.

COMMISSIONER
FUENTES Second.

CITY ATTORNEY
TRAXLER If I may, just so we are clear with the added correction of who made the Roll Call.

COMMISSIONER
FUENTES Correct.

ADMINISTRATIVE
SECRETARY
HERNANDEZ Thank you. Commissioner Chico.

COMMISSIONER
CHICO Yes.

ADMINISTRATIVE
SECRETARY
HERNANDEZ Commissioner Fuentes.

COMMISSIONER
FUENTES Yes.

ADMINISTRATIVE
SECRETARY
HERNANDEZ Commissioner Hartman.

COMMISSIONER
HARTMAN Yes.

ADMINISTRATIVE
SECRETARY
HERNANDEZ Vice-Chair Burrola.

VICE-CHAIR
BURROLA Yes.

ADMINISTRATIVE
SECRETARY
HERNANDEZ Chair Gomez.

CHAIR GOMEZ Yes.

ADMINISTRATIVE
SECRETARY
HERNANDEZ Thank you.

NEW BUSINESS

No Items

PUBLIC HEARINGS

CHAIR GOMEZ Now we move on to New Business and we are going to get the presentation and then a Staff Report. Please step forward, thank you.

CITY MANAGER
MIRANDA Chair, if I may.

CHAIR GOMEZ Yes.

CITY MANAGER
MIRANDA I have a statement here, Good evening Chair and members of the Planning Commission. The next item on the agenda is Conditional Use Permit No. 02-2021. The staff report will be presented by Martin Romero, Planning Technician. Before I hand it off to Martin, I would like to start with a short synopsis of the project and process thus far. The Conditional Use Permit is for the on-site sale and outdoor storage of bulk landscape and gardening materials and outdoor storage of grandstand equipment. The site is located in the northern part of the City, adjacent to the 210 freeway and the City of Duarte. Cal Blend Soils is a family-owned and run business that has called Irwindale home for nearly 20 years. After the approval of the Park at Live Oak Specific Plan, formerly the JH Pit, they had limited time remaining to operate at that location and sought to find another suitable site in Irwindale. Irwindale staff have been working closely with the applicant and the City of Duarte to address any potential impacts. Staff has gone the extra mile with respect to providing an in-depth environmental analysis for a Categorically Exempt project, traffic counts, noise monitoring, conference calls, site visits and postponing the item as a professional courtesy to Duarte so they could have additional time for document review. At this time, I'll hand it over to Martin Romero to present his report. Thank you Chair, and Vice Chair, and Commissioners.

CHAIR GOMEZ And may I ask who the letter was from?

CITY MANAGER
MIRANDA This is a statement by myself, Julian Miranda, City Manager.

CHAIR GOMEZ Okay, thank you so much.

PLANNING TECHNICIAN ROMERO	Good Evening Honorable Chair and members of the Planning Commission, the next item of discussion is a request for a Conditional Use Permit, for Cal Blend Soils located at 1399 Las Lomas Road. The applicant is Michael McKain of Cal Blend Soils. The property owner is Michael Brown of Mike Brown Grandstands. Before we begin, I would like to call attention to the three letters placed on the dais. One is a letter from Carlos T. Bea, the Manager of the neighboring Mount Olive Storage site. The Second letter is from Dave Sorem, an Engineer on behalf of Mount Olive Storage. The third letter is from Thai Phan, the City Attorney for the City of Duarte.
CHAIR GOMEZ	Thank you Mr. Romero, can you please hold one moment? We are going to take a moment to, our monitors are not showing the presentation. So Jesus, I don't know...
COMMISSIONER FUENTES	Madame Chair? Madame Chair?
CHAIR GOMEZ	Yes, Commissioner Fuentes.
COMMISSIONER FUENTES	Are those the letters that are in the packet, or are these additional letters to the packet?
CHAIR GOMEZ	These are additional letters.
COMMISSIONER FUENTES	Excuse me?
CHAIR GOMEZ	These are additional letters, Commissioner Fuentes, yes.
COMMISSIONER FUENTES	Okay, so I don't have access to those.
CHAIR GOMEZ	Unfortunately, you don't at this time.
COMMISSIONER FUENTES	Okay.
CITY ATTORNEY TRAXLER	Madame Chair, if I may, you can call a brief recess so you can have that.
CHAIR GOMEZ	Yes, at this time we are going to take a five minute recess. Thank you.
RECESS	Chair Gomez recessed the meeting at 6:43 p.m.
RECONVENED	Chair Gomez reconvened the meeting at 6:51 p.m.

CHAIR GOMEZ

We are commencing the presentation of the Staff regarding New Business, a Conditional Use Permit No. 02-2021 for 1399 Las Lomas Road. Thank you, please come forward.

PLANNING
TECHNICIAN
ROMERO

Good Evening Honorable Chair and members of the Planning Commission, the next item of discussion is a request for a Conditional Use Permit, for Cal Blend Soils located at 1399 Las Lomas Road. The applicant is Michael McKain of Cal Blend Soils. The property owner is Michael Brown of Mike Brown Grandstands. I would like to call attention to the three letters placed on the dais. One is a letter from Carlos T. Bea, the Manager of the neighboring Mount Olive Storage site. The Second letter is from Dave Sorem, an Engineer on behalf of Mount Olive Storage. The third letter is from Thai Phan, the City Attorney for the City of Duarte. To continue, the applicant is requesting a Conditional Use Permit, for the outdoor storage and onsite sale of bulk landscaping and gardening materials, and outdoor storage of grandstand equipment. The site is bounded on the northern property line by Mount Olive Storage, Edison transmission towers on the southern property line, the City of Duarte on the eastern property line, and the 210 freeway on the western property line. Pictured here is an aerial of the Eastern property line of the site. The green is the neighboring Mount Olive Storage site; the blue is the SoCal Edison site. The red line shows the property line for the only Duarte residence that directly touches the Cal Blend Soils site. Cal Blend Soils is located in an M-2 (Heavy Manufacturing) Zone with a General Plan designation of Industrial/Business Park. The proposed project is categorically exempt from CEQA per Section 15301 Class 1; Existing Facilities. Cal Blend Soils is a wholesale landscaping and gardening material supplier, located at 1399 Las Lomas Road, which sells a variety of products such as topsoil, soil mixes, decomposed granite, sand, gravel, and river rock cobble. They have conducted business in Irwindale for nearly twenty years. They were previously granted three Conditional Use Permits, at two previous locations before moving to the 1399 Las Lomas Road property. On November 2, 2006, the Planning Commission approved CUP No. 12-06 for the establishment of a plant nursery and demonstration garden, located at 1270 East Arrow Highway. On November 7, 2002, the Planning Commission approved CUP No. 09-02 for the establishment of a plant nursery and demonstration garden, located at 13530 Live Oak Avenue. Additionally, the Planning Commission approved CUP No. 12-03 on March 4, 2004 for an extension of CUP No. 09-02. The business relocated to the current location, after the approval and subsequent grading of the Park at Live Oak. Mike Brown Grandstands is a stage and event seating business, also located at 1399 Las Lomas Road. Mike Brown Grandstands uses the southwest part of the property for its outdoor operations. They use the project site for the storage, shipping, and receiving of grandstands, spectator seating, and other materials for grandstands. Although not part of the proposed project, it should be noted that Mike Brown Grandstands, as the property owner,

has granted approval of an easement deed in July 2020, to allow the City of Irwindale to construct the Las Lomas Road cul-de-sac within the northeastern portion of the site. Cal Blend Soils' site sits on the northeastern side of a 4.9 acre parcel, as shown in the top portion of the site plan. Mike Brown Grandstands stores equipment on the southwestern portion of the parcel, as shown on the bottom portion of the site plan. On the eastern edge of the northern property line is a locked gate that was conditioned in Mount Olive Storage's CUP 15-04, to be used only as an emergency access gate. The outdoor storage consists of twenty-nine material bunkers, placed on the northern and southern property lines. Eleven material bunkers have dimensions fourteen by twenty-six, with a height of four feet, and eighteen material bunkers have dimensions fourteen by forty-six, with a height of four feet. The materials stored in the bunkers are organized in such a manner that would place the most scented materials further from the nearby residential area. Gravel, aggregates, and other odorless materials are positioned towards the northern edge of the property line, closest to the residential area. Bark and mildly scented materials are positioned on the southern edge. Mulch and other more scented materials are positioned towards the back, western end of the southern property line. Pictured here is an example of the kind of materials stored in the storage bunkers, depending on the bunker's location. As you can see, the bunkers on the northern property line hold aggregates, gravel, stones, and other materials as such and the bunkers on the southern property line hold organic materials such as bark and mulch further away from Duarte's residential area. Cal Blend Soils takes into account the neighboring properties when conducting its business operations. As noted before, they store organic materials away from the residential area. They also have a posted speed limit on the premises to aid dust control. They screened the fences closest to the residential areas. They hand out a truck route stapled to the receipts, to avoid the residential area, spray materials with the onsite water truck, sweep the site with the onsite street sweeper, and replenish supplies according to weather conditions. Mike Brown Grandstands stores spectator seating equipment at the western edge of the parcel. Pictured are materials used for grandstands. Staff recommends to adopt Resolution No. 815 (22) recommending that the Planning Commission approve Conditional Use Permit No. 02-2021, subject to the proposed Conditions of Approval. I would like to note that Mike Brown would like to modify Condition of Approval B.4, changing it from: "Business hours shall be limited to the hours of 7:00 am to 5:00 pm, Monday through Friday, 7:00 am to 2:00 pm, Saturday, and closed on Sunday." change to: "Cal Blend Soil's business hours shall be limited to the hours of 7:00 am to 5:00 pm, Monday through Friday, 7:00 am to 2:00 pm, Saturday, and closed on Sunday." His reasoning for the change is that his business is sporadic, and there are times where he needs to access the site outside Cal Blend's business hours. Additionally, condition B.7. would be modified from, "No landscape material piles shall exceed 30'-0" in diameter or 12'-0" in

height.” change to, “No landscape material piles shall exceed 30’-0” in diameter or 8’-0” in height.” This concludes my presentation.

CHAIR GOMEZ Thank you for the presentation and Staff Report, correct? So we are going to now open it for Public Hearing and for public comments. Do we have anybody at this time? Jesus is going to explain the public comment process.

PLANNING Chair Gomez.
TECHNICIAN
ROMERO

CHAIR GOMEZ Yes?

PLANNING I would like to add that we have the environmental consultant, as
TECHNICIAN Staff.
ROMERO

CHAIR GOMEZ Okay, so if we have any questions I will refer to that person as well.

ADMINISTRATIVE We can open up the Public Hearing, I’ll read the letters, and then we
SECRETARY will have, if the applicant would like to speak, he can speak first, then
HERNANDEZ we will go ahead and go into our tier system.

CHAIR GOMEZ Okay.

ADMINISTRATIVE As Martin mentioned, we received three letters. I will give you a brief
SECRETARY summary of each. We received a letter from Carlos Bea, Manager of
HERNANDEZ Mount Olive Storage, specifically clarifying Exhibit F, specifying that
 there is an easement on the property. We received another letter from
 Dave Sorem, a representative for Mount Olive Storage, requesting that
 the drainage and access issues be addressed prior to the approval of
 the CUP. Lastly we received a letter from Thai Viet Phan, from Rutan
 and Tucker, urging the Planning Commission not to approve this
 project without first fully complying with CEQA.

CHAIR GOMEZ Thank you.

ADMINISTRATIVE If the applicant would like to say something before our members.
SECRETARY
HERNANDEZ

MICHAEL MCKAIN Good evening members of the Planning Commission Board, Chair. I
 am privileged to be here tonight. I appreciate the opportunity to plead
 my case, and to put forward our feelings from a family business
 standpoint. We have always been a very community-oriented
 business. We go out of our way to accommodate and be neighborly.
 We have reached out to Mount Olive Storage and actually helped them
 with some issues on their property, at no charge, just to be a good

neighbor. I can assure you and I can promise you that our presence on that property, we will do whatever is necessary. I was just made aware of the easement that is there, that Mount Olive legally possesses. If in fact we encroach on that easement then we will make adjustments to our business operations, to accommodate that and apologize for not knowing it. The way that we conduct our businesses is from a very high standard. We have been in this business primarily because we have high standards. We don't look to climb over someone to put ourselves in a better position, we would rather work with people. We make donations to Eagle Scout projects, to community gardens, most recently to a restoration to a home in Monrovia that had some historical significance. I can assure you that we would do anything in our power. We have done as much as we can think to do at this point to make our presence acceptable where we are at. We regularly water our yard. We regularly keep our materials wet. We have purchased two street sweepers to keep the property that we are on clean. People enter our company and often times make comments like, "Wow, this is a soil company? You guys are pretty good." City of Irwindale itself has made mention of our good housekeeping practices. We are proud of those things. I just want to say that we are open to working with anybody. I am supported tonight by my wife. Thank you.

CHAIR GOMEZ Thank you. Welcome. We appreciate your business and your commitment to the community. If you can just stand by we are opening the Public Hearing, we might have additional questions for you.

COMMISSIONER
FUENTES Just a minute Chair.

CHAIR GOMEZ Yes, Commissioner.

COMMISSIONER
FUENTES I am sorry, I did not catch his name or who he is with.

CHAIR GOMEZ Please, sir could you please restate your name and your business.

MICHAEL MCKAIN My name is Michael McKain, the owner of Cal Blend Soils.

COMMISSIONER
FUENTES Okay, thank you.

CHAIR GOMEZ He is accompanied by his lovely wife.

MICHAEL MCKAIN I am accompanied by my spectacular wife.

CHAIR GOMEZ Thank you. So now we move to opening the Public Hearing. We are going to open it up for public comments and discussion by Commissioners.

OPEN PUBLIC HEARING	At 7:10 p.m., Chair Gomez opened the Public Hearing.
ADMINISTRATIVE SECRETARY HERNANDEZ	So we will go ahead to Tier 1, which is our in-person attendees.
CHAIR GOMEZ	Any comments? Please state your name for the record.
TOM BEA	Hi, my name is Tom Bea and I am representing Mount Olive Storage. I would like to bring up a couple of the points that we addressed in the letter, and that was not mentioned this evening. Yes, we did write a letter regarding the access and our easements that we have over Mike Brown's property onto our property. Also, I wanted to mention as well as the easement, the City had mentioned that in our CUP that we have only an easement just for emergency access that is not the case. We actually have a recorded easement to our property and it is thirty foot wide over Mike Brown's property, as well as a seventy-five foot opening entering our property. Also, I wanted to address that we are concerned about the drainage. We want to make sure that the City, that building out the improvements mentioned for the drainage, that they comply with their 2005 agreement between Brown and the City of Irwindale. Okay. We want to make sure that is addressed and that the drainage is taken care of as well. That is it for now. If you have any questions for me.
CHAIR GOMEZ	Yes.
COMMISSIONER CHICO	There is an agreement in place that addresses the drainage issue?
TOM BEA	Yes, the drainage and the street improvement on Las Lomas.
COMMISSIONER CHICO	My next question would be, is that agreement part of this package? Is it related?
ASSISTANT CITY ATTORNEY TRAXLER	If I may, the agreement that he is referring to is a completely separate project that has already been approved by the City. It is not a part of this Conditional Use Permit application.
COMMISSIONER CHICO	Is the agreement worthless to this request? In other words, if that agreement has nothing to do with this request, then we have not addressed the drainage issue?
ASSISTANT CITY ATTORNEY TRAXLER	I'll let the Public Works Department address the drainage issue. However, with regards to what we are focusing on now, we are focusing on the use of the property at 1399 Las Lomas. We are not focusing on the street improvement project, that is completely separate.

- TOM BEA We are requesting that for them to get their Conditional Use Permit that that drainage and street be completed and done, prior to issuance of the Conditional Use Permit for Cal Blends and Mike Brown. Okay. We are going back to your agreement of the 2005 Agreement between Mike Brown and the City of Irwindale.
- CHAIR GOMEZ If I may, I have a question. Outside of the street repair, does the drainage between your property and the property in question impact how the water flows, or part of your property, or traffic? How does it impact Mount Olive Storage?
- TOM BEA The drainage comes down Las Lomas and then crosses over Mike Brown's property, then crosses over to our property.
- CHAIR GOMEZ So in the last rains, did you notice, did it impact Mount Olive Storage area?
- TOM BEA It flows on to Mount Olive.
- CHAIR GOMEZ Okay, and it pools there or?
- TOM BEA It flows on to Mount Olive, substantially, as well as it also comes over as well from SoCal Edison's property.
- CHAIR GOMEZ And the project that is not relevant to this is actually building a drainage so that will pull into the sewer or? Since we don't know about that project, the project we have is to finish the street and build a...
- TOM BEA Not the project that I have. The project that the City of Irwindale and Mike Brown agreed to, to complete. As part to complete this project, we ask that the street and the drainage be done prior to issuing a CUP to Cal Blend, because we believe that because the City of Irwindale has signed an agreement with Mike Brown or Mike Brown signed it with them, with the City of Irwindale, to address the issue and then they will take over the cul-de-sac and take responsibility so it is an agreement. Because it impacts us we would like to make sure it is addressed.
- CHAIR GOMEZ Any other questions for this gentleman at this time?
- COMMISSIONER
FUENTES Commissioner, Chair?
- CHAIR GOMEZ Yes.
- COMMISSIONER I got a question. This agreement I understand it doesn't have to do with

FUENTES this project or this approval but in some ways I believe it does. It is a drainage issue and I know that this last torrential downpour we had in January, I can only imagine how that was impacted upon his business. If there is an agreement that was made back in 2005, which I don't know if any of the Staff was here at that point, why are we here seventeen years later and it hasn't been addressed?

CHAIR GOMEZ We will have the Planning Department and Public Works speak to that please. Thank you Mr. Tom.

TOM BEA It has been approved and there have been plans approved by the City, I believe. There was also a bond posted with the City as well. I don't know why it hasn't been completed.

CHAIR GOMEZ Thank you.

ASSISTANT
CITY ATTORNEY
TRAXLER If I may Chair Gomez.

CHAIR GOMEZ Sure.

ASSISTANT
CITY ATTORNEY
TRAXLER This project, the road improvement project has not been agendized, so if we can keep any discussion of that very brief.

CHAIR GOMEZ Absolutely, however, we will have to see how this impacts the current project that we are discussing. We will keep it separate though, as much as we can. Thank you.

ASSISTANT CITY
ENGINEER CO I will just comment briefly on that.

CHAIR GOMEZ Sure.

ASSISTANT CITY
ENGINEER CO Yes, there is an agreement between the City and the Mike Brown property. Back in 2005, I believe there was a Lot Line Adjustment that Mike Brown had processed through the City, and as a condition, the City conditioned that he improve the street. Right now, if you guys have been there, the street is in pretty bad shape. It is paved but there is no sidewalk, curb and gutter, and it is in pretty poor shape. The City wanted to improve it with curb and gutter, sidewalk, street lighting, and utilities. That agreement is still in place. That condition is still in place with Mike Brown. We do have plans that were approved by the City. We kind of hit a road block around 2016, the final approval of construction is contingent on approvals from the City of Duarte for the sewer improvements. There is an easement in place that the City had acquired for that sewer. We have submitted plan checks to the City of Duarte and since then we have not been able to secure that approval.

The project sort of stalled since then. We kept the communication with the City of Duarte Public Works Department, but maybe a couple of years ago they deferred to their legal department, so that communication stopped. That is kind of where we left it at. In terms of the drainage, this project is not proposing to change any drainage, any grading, this is strictly a Conditional Use Permit for the use of the site. The site plan shows the drainage pattern. We have seen a Topographic Survey prepared by their civil engineer. The drainage pattern of the site goes to the south. It does take water from the SCE side from Las Lomas Street. The construction of the road shouldn't really change much of the drainage pattern. The street is already paved, we are coming in and just improving the street. The overall storm water is going to be the same amounts going south direction, going through the Mike Brown property. On the south side of Mike Brown's property there is a swale, a concrete swale, drainage ditch that accepts the water and it takes it down to Cal Trans to the 210 Freeway. There is a public drain there that accepts all the rainwater to the south. Again, this project is not proposing to change any drainage pattern, move any dirt, so strictly, it is just for the use.

CHAIR GOMEZ

Thank you for the update. We do have additional questions.

VICE-CHAIR
BURROLA

Did you guys do a drainage study back then, you said 2005?

ASSISTANT CITY
ENGINEER CO

No, we got a Topographic Survey from Cal Bend. They did one back...

VICE-CHAIR
BURROLA

So how did you guys determine the flow of the water? Through the Topographic Survey?

ASSISTANT CITY
ENGINEER CO

Through that, and by visiting the site. I was out there today. I took pictures of the drainage ditch.

VICE-CHAIR
BURROLA

But was this business, Cal Blend, was that present at the time you guys did that study for the water flow?

ASSISTANT CITY
ENGINEER CO

The Topographic Survey was done by their engineer. I think it was in 2019, it might have been when they were there already.

VICE-CHAIR
BURROLA

This new project, not project, this new business that is there, Cal Blend, is that changing the way the water flow is? You are saying there is a public sewer I am sorry not sewer, but storm drain on the back end, right? Did you guys take into consideration, I know you guys are not doing an environmental study so do you guys take into consideration the type of soil that is going to be placed there with Cal Blends, and if it is going to pollute the storm water in anyway.

ASSISTANT CITY ENGINEER CO	Yeah that is one of the items that was brought up in some of the letters, is that they are proposing a basin on the...
VICE-CHAIR BURROLA	But if you didn't do a study, how do you know this basin, I read it too, the basin you guys are talking about, is that going to be adequate enough to hold all that storm water that does through there?
ASSISTANT CITY ENGINEER CO	That will be done during design. When we do a plan check we can take a look at that.
VICE-CHAIR BURROLA	So you are going to look at the storm drain make sure no pollutants go in, and you are also going to make sure that the basin is going to capture the runoff from way up Las Lomas and all the property at Edison and all the way down. That is a big basin. I mean, just kind of thinking about it, if everything is coming down south and you are going to put a basin, you got to have enough room in that property to construct it. That is all I am asking.
ASSISTANT CITY ENGINEER CO	Well the water coming from the street will have its own channel. That basin that they are proposing is only to capture the runoff from their site, where they are storing their material.
VICE-CHAIR BURROLA	But you are saying everything is coming down from the top end of Las Lomas, Southern California Edison, Mount Olive property, and everything comes down to their property, right?
ASSISTANT CITY ENGINEER CO	That is how it is right now. Once we get the approvals to improve the streets, then we will construct a curb drain from Las Lomas that will go on the west side of their property.
VICE-CHAIR BURROLA	Okay. I am just making sure because if everything goes as you are saying it is going to go, are we going to have enough to do this basin? Are we going to make sure of that? Because we do not do a study with this operation in place, that is my concern.
ASSISTANT CITY ENGINEER CO	Again the studies, like a Hydrology Study or a Hydraulic Study, that is typically done through the design process, not really part of the entitlement. Again, the street is a separate project but...
VICE-CHAIR BURROLA	I am not concern about the street. I am just concern about...
ASSISTANT CITY ENGINEER CO	We will take it under consideration. Again this is just for the use and that is a design for the street. Again, as Staff, we are aware of both projects but today we are looking at the Cal Blend's CUP.
VICE-CHAIR BURROLA	Okay. So you are kind of confident enough that this basin and the water runoff from this operation is going to be adequate.

ASSISTANT CITY ENGINEER CO	That is how it has been. Again the current condition the water is being accepted on the south end. With the construction of the road and with this use coming in, the use again is not changing the drainage pattern, it is not moving some dirt around, it is not grading. Same with the street, there will be some grading on the street but the runoff is essentially going to be the same, the amount of runoff.
VICE-CHAIR BURROLA	Okay. Thank you.
CHAIR GOMEZ	Thank you Daniel. I appreciate you answering our questions for clarification. Commissioner Fuentes, did you have any questions for Daniel?
COMMISSIONER FUENTES	No, he had just said that they are going to build a sewer but I think that it will be a storm drain to contain that water, not a sewer.
ASSISTANT CITY ENGINEER CO	Again, there is a sewer being proposed but that is a separate project unrelated to this one. That is part of the Street Improvements Agreement between Mike Brown and the City.
COMMISSIONER FUENTES	Correct, but the water would not go into the sewer. It would have its own storm drain.
ASSISTANT CITY ENGINEER CO	It is separate, yeah.
COMMISSIONER FUENTES	Okay.
CHAIR GOMEZ	I have an additional question on that. Anybody else have questions on that? Okay so if we look at, I was just reviewing the Resolution. Let's turn to page eleven of twelve. On the proposed Resolution, if we approve it and under the general conditions on eleven of twelve, it does make reference. Though this is a separate project, we make reference that this particular thing should be completed. In the reference then it does become part of this project. If you look at E, on page eleven of twelve Public Works Services, it says, "Number one, complete the completion of Las Lomas Road," you can read the prior agreement. It does speak to this but yet we don't have a time factor. If it is in the Resolution, you can clarify it for me if I am going the wrong direction, but it seems to me that since it is in part of the Resolution of general conditions, yet this project has been pending for 2004, you said? 2005?
ASSISTANT CITY ENGINEER CO	Around that time, yeah.

- CHAIR GOMEZ I just want to know when we approve this how does this impact, because we kind of leave it. I understand in reading this that they just have to comply. That Mike Brown and that portion has to only comply through Business License. They are incorporated in the CPU because they are not a new business. How is this going to impact this particular project when it is included in the general terms and conditions? If you can't answer that Daniel, then Planning can.
- ASSISTANT CITY ENGINEER CO This is one of the Public Works Services conditions. It does reference that. Again, the applicant and the owner, Mike Brown, they are eager to construct the streets. The City is eager. We are ready. We approved the plans. Right now, the only thing we are waiting for is approval of that sewer connection through the City of Duarte, which you know has been stalled. Other than that, if we get that approval we are ready to start work on that. It is really good to do it because if you see the condition of the street, you know it would be a great improvement to have those improvements come in.
- CHAIR GOMEZ Especially for Cal Soils they are great. Then I say again, there is no date that we are looking at.
- ASSISTANT CITY ENGINEER CO Again that is out of our control because we require approval from a neighboring jurisdiction.
- CHAIR GOMEZ I am just asking, I might need clarification from Planning. Then if we approve it and if we approve under the general conditions it is wide open for infinity and beyond.
- ASSISTANT CITY ENGINEER CO Again with the sewer improvements, if the City could we would definitely do it.
- CHAIR GOMEZ We would have it done already.
- ASSISTANT CITY ENGINEER CO Yeah. Yeah.
- CHAIR GOMEZ Okay thank you.
- ASSISTANT CITY ENGINEER CO We have done all we can on our end, in terms of approving the plans.
- CHAIR GOMEZ And I appreciate that. I know you have, I appreciate that.
- ASSISTANT CITY ENGINEER CO Okay.
- CHAIR GOMEZ But sometimes we have to really you know get legal counsel to really push a little harder. Thank you Daniel, I really appreciate your input. Okay so any other public comments, please?

VICE-CHAIR
BURROLA

I have some comments but I think I will wait till...

CHAIR GOMEZ

Yeah, we will wait until public comments. Please state your name for the record.

THAI VIET PHAN

Good evening Chair, Vice Chair and Members of the Planning Commission. My name is Thai Viet Phan. I am the City Attorney for the City of Duarte. First of all, this is my first time, I don't tend to go to other cities and make comments, but it was really important for the residents of Duarte to be here and make some of our comments. First of all, we like to thank staff for taking time to address some of our concerns, and we would like to say that we are not here to be in the way of a small business working in the City of Irwindale. We want this business to move forward. However, we want to make sure that this business and the City of Irwindale also comply with the requirements under CEQA. So I do want to start, I will summarize my letter because it is kind of long. First off, we do want to have some clarification. The staff report does say that in some of the meetings with Duarte city Staff, that Duarte city Staff was satisfied or otherwise ill-informed about the conditions at the Cal Blend Soils property, and that is just not the case. First of all regarding the traffic and the ingress and egress of cars, Duarte Staff actually set up cameras on Duarte public property to see what kind of traffic was coming in and out of the property. It was then that we illustrated to Irwindale Staff that actually the traffic counts were wrong, and then now there was a new traffic count study. Additionally, at the onsite meeting Duarte Staff was very clear that we had additional comments and concerns given what we saw onsite that day. However, Irwindale Staff refused to give us that additional time to provide those comments, and indicated that this project was going to move forward at the Irwindale Planning Commission less than two weeks after the site visit. That is when I had to send the first letter, so I wanted to clarify some of that background. But really what we are here today is to talk about environmental impacts. First, this is an inadequate project description and it is incorrect. As you heard from other public speakers, there was no discussion of the thirty-foot easement, not an emergency easement, a thirty-foot easement and a seventy-five foot access to a neighboring property. None of that was discussed. We do not know how that is going to be impacting that actual property and how Cal Blend Soils will be functioning. There is no discussion, the fact that Cal Blend Soils has been unpermitted for almost two years and illegally operating at this site. As you can see, we are requiring a CUP now even though it has been operating for two years without meeting the requirements of the Irwindale Municipal Code. So that is the first issue. The second, is Staff is utilizing the existing facilities exemption but when you look at Section 15.301, the existing facilities exemption talk about minor negligible or no expansion of existing or former uses. The fact that we are here today for a CUP is because this is not an existing prior use, this is a major expansion of

Mike Brown Grandstands. They are adding concrete structures. This is not a small plumbing situation. This is not about fixing small issues in order to make sure that they meet health and safety codes. This is adding about twenty concrete structures, piles of soil and rock, as well as multiple heavy trucks and vehicles on a site that did not exist before. Just to finish off, with cumulative impacts none of that was discussed. There is going to be more water on this property and as you heard from Staff, there was no discussion on how all that water would be draining onto neighboring sites, onto neighboring public streets, as well as to Mount Olive Storage. There was no discussion as to how all of these piles of rocks and dirt would address nearby areas. And finally and most importantly there was no discussion on the impacts on increased traffic; trucks, large vehicles coming in and out of this property from Huntington intersection at Huntington and Las Lomas, down Las Lomas, as well as a smaller intersection at Maynard and Las Lomas. These are residential areas. These were not meant to accommodate these hundreds of vehicles, or multiple trips a day of large, you know, heavy industrial trucks coming in and out of the streets. In fact, Staff is approving or stating that there is this related project for the street improvement, because it is not ready for this type of project that is why that improvement is there. With all of that put together, we do believe that is possible for this project to move forward. We believe that it is possible to make sure that this business is successful but we want to make sure that these impacts, these cumulative impacts, these environmental concerns are mitigated. Because when we talk about being good partners it's not just looking at traffic on the portion of Las Lomas that affect just Irwindale, it's about the entire road, the multiple intersections that we share, Huntington as well as Las Lomas. Again, we hope that you continue this item so that we can and that Staff can look at these environmental impacts.

CHAIR GOMEZ Thank you. So you did go over time but I felt like...

THAI VIET PHAN I apologize for that.

CHAIR GOMEZ It's very important as good neighbors that we hear what you had to say. At this time though, I want to hear if the Commission have any questions for the representative from the City of Duarte. If not I want to take the time for Planning to address each of your concerns before we move forward but I would also like to continue with the public comments. We will come back to discuss your item with the Planning Department, so we will continue with the Public Hearing. Do we have? Thank you, and we will call you back, if and when Planning is done with their discussion about your comments.

THAI VIET PHAN Thank you Chair.

CHAIR GOMEZ	I think that it is important that we move in that direction right now. Do we have any other public comments, in the audience, in the outer chamber?
ADMINISTRATIVE SECRETARY HERNANDEZ	Let me check.
CHAIR GOMEZ	Okay.
VICE-CHAIR BURROLA	Can I get some clarification before we move forward?
CHAIR GOMEZ	Absolutely.
VICE-CHAIR BURROLA	I guess for Engineering. So the easement, how is that affecting this CUP in anyway? Talking about that easement how is it affecting it?
ASSISTANT CITY ENGINEER CO	Not sure how, because of the use they just have to keep the easement clear based on the conditions.
VICE-CHAIR BURROLA	Okay, for access. Is there an access issue here?
ASSISTANT CITY ENGINEER CO	I don't see one. We went out to the site today, there were some rocks piled there but Cal Blends said it was temporary. They were going to move it out the way. Again, that is part of the conditions of the easement that they have to keep it clear for vehicles. The Mount Olive Storage did allude to that fact that it is an easement for access but there is a CUP, and Martin could probably speak to it more, for the Mount Olive project that only allows them to use that access for emergency vehicles. Their easement says one thing but their CUP restricts it to only emergency vehicles.
VICE-CHAIR BURROLA	We are talking about Las Lomas coming in to...
ASSISTANT CITY ENGINEER CO	Yeah, from Las Lomas into the Mount Olive Storage site.
VICE-CHAIR BURROLA	And that is the easement we are talking about?
ASSISTANT CITY ENGINEER CO	It is like a thirty foot wide easement that comes from Las Lomas, from the edge of the Mike Brown property to a gate at the Mount Olive property.
VICE-CHAIR BURROLA	Oh okay.

ASSISTANT CITY ENGINEER CO	I am not sure how long it is exactly.
VICE-CHAIR BURROLA	Like a legal description? Like an encumbrance map or something showing the easement.
COMMISSIONER FUENTES	Is that the eight-foot wrought iron gate that they have out here?
ASSISTANT CITY ENGINEER CO	No it is was a chain link gate.
COMMISSIONER FUENTES	No but I am talking on the plan here.
ASSISTANT CITY ENGINEER CO	I am not sure what you are referring to.
COMMISSIONER FUENTES	The Site Plan that was given to us with our packet. The overview.
ASSISTANT CITY ENGINEER CO	How is it labeled? It is labeled as a chain link fence on the Site Plan too.
COMMISSIONER FUENTES	Okay.
ASSISTANT CITY ENGINEER CO	It is labeled thirty-six feet here, but I believe Martin went out there and measured it out. How much?
PLANNING TECHNICIAN ROMERO	The gate was fifteen and a half.
ASSISTANT CITY ENGINEER CO	Fifteen and a half feet.
CHAIR GOMEZ	Fifteen and a half feet you said?
ASSISTANT CITY ENGINEER CO	The gate out there is fifteen and a half feet wide.
CHAIR GOMEZ	Any additional questions for Daniel at this time? We can call him back up again.
VICE-CHAIR BURROLA	So we can talk about the easement. You can show me where the easement is?

ASSISTANT CITY ENGINEER CO	Yeah, no I will be happy to, yeah.
VICE-CHAIR BURROLA	Okay.
ASSISTANT CITY ENGINEER CO	Since I am up here I can address some of the comments made by Duarte.
CHAIR GOMEZ	Sure, absolutely.
ASSISTANT CITY ENGINEER CO	They made a comment about traffic counts and cameras. Our initial estimate was based on the description of the project, information from the operator. We did receive comments from Duarte staff that they set up cameras out there and they believe it is higher, the number of traffic and vehicles coming into the site is higher than what we had estimated. We asked them for those counts. We asked them for the footage. They did not produce those for us. We went ahead, just to do our own due diligence; we went ahead and ordered our own counts for seventy-two hours. Based on our own counts, we set up cameras ourselves at the site, we did a three day average, and based on our own counts we provided it on the Staff Report. We analyzed the trip generation based on CEQA. CEQA has the vehicle miles traveled and analysis applied to it now. The State's Office of Planning and Research, the OPR, that's the agency that came up with these VMT rules. Under their guidelines, they screen out projects that produce less than one hundred and ten passenger car trips in a day, which means it is a very low number so they consider that as a low impact. We followed their guidelines, which the City has adopted, and this project does not exceed that. It has been screened out for CEQA analysis for traffic impact and that is described in the staff report.
CHAIR GOMEZ	Yes we did see that, thank you Daniel. What you are saying is that, we did a complete scientific analysis with the provided data to justify our conclusion, and you came forth with that data. Thank you for that.
ASSISTANT CITY ENGINEER CO	Yeah, correct. And then there is a comment regarding truck traffic. Based on the counts, the amount of trucks that come in per day range from five to seven. Even relatively speaking, even an absolute amount is not a huge amount.
CHAIR GOMEZ	That was also done at the same time the count was done with scientific data.
ASSISTANT CITY ENGINEER CO	Our counts categorized between passenger cars, three axel, four axel.
CHAIR GOMEZ	I did read that, thank you. That was adequate proof of following the seventy-two hours of business operations in this business.

ASSISTANT CITY ENGINEER CO	Absolutely. Just in terms of counts, and data, and evidence this is the only information that we have. Again, the information requested from Duarte was not produce. It was not given to us.
CHAIR GOMEZ	Thank you for doing your due diligence.
VICE-CHAIR BURROLA	For the record, that easement is not hindering any access to Cal Blend Soils in anyway?
ASSISTANT CITY ENGINEER CO	They kind of share that space, because they both use that area to access, but Mount Olive's easement does not hinder Cal Blend's access. So it does not affect, as long as Cal Blend keeps the area clear then nobody's access will be impeded.
VICE-CHAIR BURROLA	Okay, thank you.
CHAIR GOMEZ	Daniel, I did have one more question on that. So when, we've had this discussion before, when we do this Traffic Analysis we are going on the basis of current operations, correct? Meaning traffic on a business day of general operations, but when you expand your business isn't it the hope that you will get more business?
ASSISTANT CITY ENGINEER CO	As I understand it, the business, as it is before you, they are not requesting to expand their business in anyway.
CHAIR GOMEZ	Oh okay. So that was one of the contentions that the City of Duarte is saying that they are expanding their business and making it, is that so? No. Okay. I just want to clarify that. So she had some additional questions would you be addressing those? Thank you.
COMMISSIONER FUENTES	Chair. Chair.
CHAIR GOMEZ	Yes.
COMMISSIONER FUENTES	I believe what she meant was that the existing staging company was expanding to allow Cal Blend to be there, not that they were trying to expand their business. I believe that is what she meant, but I could be wrong.
CHAIR GOMEZ	Thank you. She is nodding affirmative, so I guess that would be. We need to discuss that as well but we will have Ms. Marilyn Simpson, our Planner, address those issues.

COMMUNITY
DEVELOPMENT
DIRECTOR
SIMPSON

Thank you Chair and Commission, so the first thing just to briefly address is regarding that access easement. This was part of the CUP from Mount Olive Storage and there is a Condition of Approval Resolution Number 460-05 and it does read, "The access to the site from Las Lomas Road shall be used as a secondary emergency access only. The entrance to the site from Las Lomas Road shall be gated and kept locked as stated in Condition of approval number D3, twenty-four hour emergency access and all entrances shall be provided." So it was designated as an emergency access.

CHAIR GOMEZ

Thank you.

COMMUNITY
DEVELOPMENT
DIRECTOR
SIMPSON

Regarding the cameras, there had been some discussion that planning staff, myself included, have had with Duarte Staff. Duarte Staff is here including the Staff that I spoke to. They had informed me that they had cameras that showed some of the truck traffic. You know, some of the early morning truck traffic and some issues with that. We did ask if they could provide that to us, which they didn't provide. However, Mike McKain from Cal Blend did actually set up cameras and what he found, was that it was from the SCE site, the subcontractors who provide emergency utility services when there are windstorms, when there is some kind of emergency. It was their trucks. So Cal Blend was being, I don't want to say fingered as the culprit in this but Staff looked at the footage that came from Cal Blend and so we were able to confirm that. If that provides some clarification.

CHAIR GOMEZ

Thank you.

COMMUNITY
DEVELOPMENT
DIRECTOR
SIMPSON

And then let's see, regarding the thing with the bunkers, the concrete things. I prefer to call them dividers that divide the products. The existing storage that was on that site, there were shipping containers, multiple shipping containers, and other things that had to do with Mike Brown Grandstands for their operation of their business. Instead of having shipping containers there is permeable "bunkers," if you will, that have the gravel and stone so that is not an intensification. I believe that Daniel addressed the traffic.

CHAIR GOMEZ

I would like some clarification. They alleged that staging, the other business is expanding, is that correct?

COMMUNITY
DEVELOPMENT
DIRECTOR
SIMPSON

I am going to have Planning Technician Romero...

CHAIR GOMEZ

Okay, Thank you.

PLANNING TECHNICIAN ROMERO	Hello, the reason for the Conditional Use Permit is because there was an increase in volume of outdoor storage, in the form of an added user. Currently outdoor storage is grandfathered in on the site, so it is deemed legal non-conforming. The added user allowed us to bring the site into conformity through the CUP, which is why we are here today.
CHAIR GOMEZ	Thank you, I appreciate that. Commissioners do we have any other additional questions at this time?
VICE-CHAIR BURROLA	I have a question about the CUP. I am looking at it as two different operations. Maybe you can clarify that because I am kind of confused because we are taking the CUP from the grandstands, and then we are trying to modify that CUP or you know, update it to include Cal Blend Soils. Is that what we are doing here today?
PLANNING TECHNICIAN ROMERO	Yes, the outdoor storage of landscaping and gardening materials and the outdoor storage of grandstand materials are both for this CUP.
VICE-CHAIR BURROLA	Per our M2 Zoning Ordinance?
PLANNING TECHNICIAN ROMERO	Yes, so in the Code it does not define the use, it just defines outdoor storage. For the Conditional Use Permit, it doesn't specify the difference between grandstands and gardening and landscape equipment. It is just outdoor storage.
VICE-CHAIR BURROLA	You can have a mixture of outdoor storage operations and you put it all in one CUP? Is that what we are doing? And could they do that, another business can do that too? Or is there a different operations going on there? I know they are outdoor storage, I understand that part, but it is a total different operation. Different trucks. Right? Different vehicles coming in and out, taking the grandstand material and then you got other trucks that are taking soil material, correct? Are they the same kind of trucks? I mean we are kind of blending this CUP it seems to me.
COMMISSIONER FUENTES	The way I see there is two different businesses all together.
ASSISTANT CITY ATTORNEY TRAXLER	Mr. Vice-Chair, if I may.
VICE-CHAIR BURROLA	Yes.

ASSISTANT
CITY ATTORNEY
TRAXLER

The application is for a Conditional Use Permit for the entirety of the site. What this does is govern strictly the use, what the site is allowed to be used for. In terms of business operations, that is outside the scope of this CUP application. The City would still require any compliance with its Business License, its permitting requirements for these two business to operate on site. Because the CUP controls the whole of the property, we are only focusing on one CUP.

CHAIR GOMEZ

That is correct, but I think if you read those in Exhibit A, and that would be on page eleven of one seventy-seven, it speaks to the non-conformity. I think the question is that, again when we are reviewing the zoning that is coming up in our City, is that it is factual. The CPU is particular to the property but on the property it is two businesses. We understand that it is non-conforming legally, therefore then, we are looking at the property. However, then how do we monitor Mike Brown Grandstand? And even though they are in compliance they still have to comply with the City's Municipal Code and also get a Business License, but how do we monitor that when they expand without us addressing it, even though we are addressing, you know the first business which is Cal Blend Soils. So do you see what the questions is? It is the relevance of this non-conformity when there is two businesses on one property, and yes we are aware that the CPU address to the entire property and the other business has to comply by the Business License and the Municipal Code. But how do we continue to monitor that property separately in its own entity and still have it comply with the, you know, the City of Irwindale's Municipal Code. Do you see what the question is? The question is, we know the relevant that it is non-conforming, that it is legally. That is the questions is awareness that there is two business. It seems to me that Cal Blend is an awesome company, they do well, and they are doing their best to expand and take proper precautions to expand, and then we run in to our own issues from our Municipal Code. That is basically the bottom line, right? Am I incorrect? Please interject.

COMMISSIONER
CHICO

I can add to that question.

CHAIR GOMEZ

Yes.

COMMISSIONER
CHICO

If we approve the request as is, in the future what is to keep grandstands from taking all the property or compost from taking all the property without any process of permission?

PLANNING
TECHNICIAN
ROMERO

That would require a modification to the Conditional Use Permit. Any further intensification of either business would require...

COMMISSIONER
CHICO

I want to make sure, it is specific as to area? Each business has its own area.

PLANNING TECHNICIAN ROMERO	As they currently are, yes.
CHAIR GOMEZ	We can suggest a modification to the CPU at this time. A recommendation?
ASSISTANT CITY ATTORNEY TRAXLER	At the close of the Public Hearing.
CHAIR GOMEZ	Okay.
ASSISTANT CITY ATTORNEY TRAXLER	But if I may, because the Conditional Use Permit runs with the land, even though Mike Brown Grandstands is not here, they would still be required to comply with the Conditional Use Permit because it is attached physically to the land.
CHAIR GOMEZ	Okay, so are there any guidelines in the CPU...
COMMISSIONER FUENTES	Chair?
CHAIR GOMEZ	That speak to. Yeah, I am sorry Commissioner Fuentes.
COMMISSIONER FUENTES	Yeah I mean, Mike Brown Grandstands is barely even mentioned in this. What do they do? It just says they park equipment there. I mean there is not much said about, you know, their usage there in the CUP. I don't know, I just don't quite get it.
CHAIR GOMEZ	So we are going to continue with the Public Hearing then we will close it and have our own discussions. So thank you. I appreciate all that information. I just really like to call on, ask up the Legal Counsel from Duarte to step forward for a couple of questions. So did we answer your concerns?
THAI VIET PHAN	No...
CHAIR GOMEZ	They may not have been what you wanted to hear, but did we answer your concerns?
THAI VIET PHAN	You did answer some but it also brought up further issues. One issue is this non-conforming use right. The Irwindale Municipal Code, if I am wrong please correct me, but 17.76.090 Termination by change in or increase in use regarding legal Non-Conforming uses. One is the following shall immediately terminate the right to operate or maintain a lawful non-conforming use. B, increasing or enlarging the area, space or volume occupied by or devoted to such nonconforming use, or C. Change of a lawful nonconforming use to a conforming use shall

terminate. But as you can see they are changing indoor storage to outdoor storage changing the materials. Again, some of the Commissioners brought up, there were no discussions of Mike Brown Grandstands.

CHAIR GOMEZ Thank you. Did we address what you initially proposed, not this part?

THAI VIET PHAN No, because cumulative impacts even if it was not a traffic impact that is significant under VMT. Cumulative impacts doesn't require that every impact is significant. It is small impacts put together that is reasonably foreseeable that can cause a cumulative impact. Here when you have the Mike Brown Grandstands project, plus Cal Blend Soils, plus they are potentially going to grow their business, plus the paving and the street improvements, and that is going to increase potentially what might happen at Mount Olive Drive in the future, right? All of this things and when we are discussing a CUP with no uses we can also see that in the future they might expand. What else are they going to have there? All of that needs to be addressed and mitigated. We are just asking for some reasonable mitigation, we are not saying don't go forward with the project.

CHAIR GOMEZ Thank you so much. Thank you for that.

COMMISSIONER FUENTES I have a question.

CHAIR GOMEZ Go ahead.

COMMISSIONER FUENTES I have a question for the attorney of Duarte.

THAI VIET PHAN Hi.

COMMISSIONER FUENTES Hi, how are you doing? I was wondering, did the City in fact, our Staff, request the camera footage and also the truck counts that you guys at the City of Duarte took, that you guys did? And is it true that you guys did not turn that over to us to look at?

THAI VIET PHAN I would defer that to our Duarte Staff. If our Planning Manager, Jason Golding, would like to answer.

COMMISSIONER FUENTES You represent them so I am just wondering if this is in fact true or not.

THAI VIET PHAN He is here.

COMMISSIONER FUENTES That we weren't furnished with what we asked.

THAI VIET PHAN	I do not know that answer to that so I would ask that he provide you with an answer.
COMMISSIONER FUENTES	Okay. Is there someone there? I am not there. So is there someone there too...
CHAIR GOMEZ	Yes, Commissioner Fuentes.
JASON GOLDING	Hi, I am Jason Golding, City Planner, I can tell you that we did provide the numbers to Irwindale Staff, they were provided in the March 1, 2022 letter. This information and the data that was provided was gathered by our Public Safety Department. They informed us that the size of those files were so large they were not able to be sent, and that is all I can really tell you about the video evidence. But the share numbers themselves were provided to your Staff.
COMMISSIONER FUENTES	I mean, hold on there, your City is just right next door to us. You couldn't deliver them so we can look at those? I mean...
JASON GOLDING	Again, we provided those numbers through...
COMMISSIONER FUENTES	I am talking about the video. I am talking about the video not the numbers. I mean they asked for something and we are trying to get some work done here, and we are not being provided with the information we need.
JASON GOLDING	But we were provided information that there would be four truck trips a day and we ended up counting forty-one.
COMMISSIONER FUENTES	Now were those truck trips; were they Edison? Were they Edison crews, or were they strictly Cal Blend, or were they strictly Mike Brown's Grandstand, and how did you distinguished what they were?
JASON GOLDING	Yes, Commissioner. In the video it did show that they were of a certain type of vehicle whether they were Cal Blend or other vehicles. We categorized them into pickup trucks, pickup trucks that were empty or full, delivery trucks empty or full, and these were all related to the Cal Blend operation. We segregated the ones that were not related to their business.
COMMISSIONER FUENTES	Okay.
COMMISSIONER CHICO	I would like to request about a three minute recess. I would like to consult with our attorney about a question that I have.
CHAIR GOMEZ	We are going to take a five minute recess at this time.
RECESS	Chair Gomez recessed the meeting at 8:00 p.m.

RECONVENED	Chair Gomez reconvened the meeting at 8:10 p.m.
CHAIR GOMEZ	We are still currently in the Public Hearing phase and at this time do we have any other speakers for the Public Hearing?
ADMINISTRATIVE SECRETARY HERNANDEZ	We would like to have our environmental consultant speak.
CHAIR GOMEZ	Okay.
ADMINISTRATIVE SECRETARY HERNANDEZ	Okay, I have unmuted our environmental consultant. Margaret if you are ready you can go ahead and speak.
MARGARET PARTRIDGE	Are you able to hear me now?
ADMINISTRATIVE SECRETARY HERNANDEZ	Yes.
MARGARET PARTRIDGE	Hi, good evening Planning Commission, Staff, and Chair. My name is Margaret Partridge. I am a Senior Environmental Project Manager at UltraSystems. UltraSystems Environmental conducted the CEQA document for the proposed project. With regards to some of the points that the City of Duarte has made, we did analysis of cumulative impacts as part of the project. I just wanted to make that clear. Cumulative impacts were addressed in the environmental document on page fifteen. Additionally, the City commented with regards to residential areas adjacent to the project site being impacted by vehicles from the proposed project. As mentioned earlier in this meeting, SCE trucks have been recorded on video from the Cal Blend site as causing some of the traffic issues. Additionally, it is my understanding that there is a truck trip route for the project, which has been specifically design to avoid any residential streets in the project vicinity. The categorical exemption did address traffic impacts on page six, as previously mentioned in the hearing. The City of Irwindale did their own analysis of traffic counts over a three day period, and all that information is included in the environmental analysis. I wanted to point out that under CEQA, we are not beholden to analyze speculative impacts, so any future paving or any of those cul-de-sac improvements discussed earlier, they are not part of the proposed project. They are not part of what is being proposed, and therefore it is not necessary to analyze that at this point in time. I did also want to note that there is going to be no additional impervious pavement or impervious services being added. I want to make that clear that there will not be any additional water on site. In terms of the City of Duarte's comment that

there is no discussion of the easement in the analysis, page one of Attachment A to the categorical exemption does discuss the easement. So that is included in the analysis. Does anyone have any further questions? I am more than happy to answer them.

CHAIR GOMEZ Thank you for that update and information. Does the Commission have any questions for the environmental consultant? Commissioner Fuentes?

COMMISSIONER
FUENTES No.

CHAIR GOMEZ Okay. So we will move on. Thank you for that. Thank you for that information. Please hold on in case we do have some questions at the close of the Public Hearing. I think we have some Legal Counsel comments.

ASSISTANT
CITY ATTORNEY
TRAXLER Thank you Madame Chair. Yes, so I do want to clarify the record, a little bit, with regards to what we are looking at here. The City of Duarte has asked the Planning Commission to continue this hearing for more environmental review. What they are requesting, in their letters, is that the City conduct a study and prepare an MND, a Mitigated Negative Declaration. In order to meet the standard to prepare a Mitigated Negative Declaration, there has to be substantial evidence presented to the City. While their letters are very nicely drafted on very nice paper, all of the impacts that they are presenting to the Commission at this point are speculative. I just want to read to the Commission the definition of substantial evidence in CEQA. This is in the CEQA guidelines Section 15384, "the definition of substantial evidence as used in this guidelines means enough relevant information and reasonable inferences from this information that a fair argument can be made to support a conclusion, even though other conclusions might also be reached. Whether a fair argument can be made that the project may have a significant effect on the environment is to be determined by examining the whole record before the lead agency. Argument, speculation, unsubstantiated opinion or narrative, evidence which is clearly erroneous or inaccurate, or evidence of social or economic impacts which do not contribute to, or are not caused by physical impacts on the environment does not constitute substantial evidence." Subsection B, "Substantial evidence shall include facts, reasonable assumptions predicted upon facts, and expert opinion supported by facts." I would just like to point out to the Commission, as City Staff has already indicated, we haven't been provided any factual evidence from the City of Duarte that there would be any significant impacts on the environment.

CHAIR GOMEZ Thank you. If there are not any comments from the public we are going to close the Public Hearing at this time.

COMMISSIONER CHICO	Chair, I have a question.
CHAIR GOMEZ	Sure.
COMMISSIONER CHICO	For the representatives of the City of Duarte. Has the City of Duarte received any complaints regarding the operation at this location? I should say operations. It has been stated that they have been operating for two years.
THAI VIET PHAN	I will defer to Staff on that.
COMMISSIONER CHICO	Are there any complaints?
JASON GOLDING	Commissioner, there has been two substantiated complaints both yes to, made over the course of the last two and a half years.
COMMISSIONER CHICO	Marilyn, has the City of Irwindale received any complaints?
COMMUNITY DEVELOPMENT DIRECTOR SIMPSON	Thank you Chair and Commission, our Code Enforcement Department has worked closely with the City of Duarte. In conversations with Duarte Staff, when they said that there have been complaints, we gave information on how to contact us since it was within the City of Irwindale and to contact our Code Enforcement Officers. We did receive a complaint, it was regarding odor from the site. Our Senior Code Enforcement Officer went out with the applicant, and they drove and walked the site and what they identified was that the odor was coming from one of the residential properties.
COMMISSIONER CHICO	Thank you.
COMMISSIONER FUENTES	That's in the report isn't it?
COMMUNITY DEVELOPMENT DIRECTOR SIMPSON	Yes, that is correct.
COMMISSIONER FUENTES	I believe those two complaints were odor and they were not coming from the company.
COMMUNITY DEVELOPMENT DIRECTOR SIMPSON	That is correct.

CHAIR GOMEZ	Thank you, any other additional questions at this time? Any other public comments? Okay at this time I am going to close the Public Hearing and open it up for discussion for the Commission.
CLOSE PUBLIC HEARING	There being no speakers, Chair Gomez closed the Public Hearing at 8:18 p.m.
CHAIR GOMEZ	I just had a couple of comments. I think that being good neighbors that we've addressed sufficiently and adequately in this report some of the concerns of Duarte. In a good faith we have prepared the Planning Department and the Engineering Department have addressed, significantly, many things having to do with Cal Blend. Also if we look at it, I am glad that Cal Blend and the report indicates that they have a machine that helps with water. What do we call those?
COMMISSIONER FUENTES	Water control.
CHAIR GOMEZ	Water control, you know, have a truck right there on the grounds were they can help with the dust. They are conscientious about their neighbors, about being in business, and they've reduced their height to eight feet. I would encourage them during this drought season, where we see, I read a report that says the Santa Ana winds are even more impactful. We really need to be conscious of that just factor this summer until we get out of this drought situation. I have additional comments but the Commissioners have some comments that they want to discuss.
COMMISSIONER FUENTES	Yes.
CHAIR GOMEZ	Okay.
COMMISSIONER FUENTES	Chair.
CHAIR GOMEZ	Commissioner Fuentes, please go forward.
COMMISSIONER FUENTES	I noticed in the report that they said that they monitor the wind, but yet in every picture I look at in the packet and also what they have shown, I did not see any other wind socks or any other items that would gauge the wind. Do they have something in place?
COMMUNITY DEVELOPMENT DIRECTOR SIMPSON	Thank you Chair and Commission, yes they do have a wind sock that is on the site.

CHAIR GOMEZ	And that is in the report correct.
COMMUNITY DEVELOPMENT DIRECTOR SIMPSON	Excuse me?
CHAIR GOMEZ	This is in our report?
COMMUNITY DEVELOPMENT DIRECTOR SIMPSON	Yes.
COMMISSIONER FUENTES	But there is no picture. I did not see a picture of it. With all the numerous pictures that were, I thought maybe one would be in there to show there is in fact a wind sock or two to monitor the wind.
PLANNING TECHNICIAN ROMERO	There is no picture of wind socks or streamers but they do have them on site.
CHAIR GOMEZ	When there is extreme winds do they cover the piles?
PLANNING TECHNICIAN ROMERO	They are conditioned to, yes.
CHAIR GOMEZ	How often do they do that? Do you know?
COMMISSIONER FUENTES	I thought under the conditions now, that they were to have them covered at all times. I didn't know it was just during windy time.
PLANNING TECHNICIAN ROMERO	Yes, they will now be conditioned to cover them at all times.
CHAIR GOMEZ	Okay, thank you.
VICE-CHAIR BURROLA	That was one of my questions.
CHAIR GOMEZ	Commissioner?
COMMISSIONER CHICO	Yes, in the wording I guess the form of the resolution as we are asked to approve, will the drainage issue be addressed? You said we had to wait for something.

ASSISTANT CITY ENGINEER CO	Well there is no drainage issue. I mean there is no problem. We are not changing, again, the project is not changing or proposing any changes. The drainage pattern is going to remain the same, as is.
COMMISSIONER CHICO	And therefore there won't be any runoffs onto anybody else's property?
ASSISTANT CITY ENGINEER CO	As far as I seen in terms of the Topographic Survey and the drainage patterns, no. Again, there is a drainage channel on the south end that drains into Caltrans property.
VICE-CHAIR BURROLA	And you guys stated that there was going to be a catch basin, as well, constructed.
ASSISTANT CITY ENGINEER CO	It is being proposed, yes. That is going to capture the water for the Cal Blend property only, because of the materials that they are storing there.
VICE-CHAIR BURROLA	We did look at the drainage and made sure?
ASSISTANT CITY ENGINEER CO	Again it's going to be part of the permanent process, we are going to look at the design of that.
VICE-CHAIR BURROLA	He just asked that and you... Okay that is fine, that answers the question.
CHAIR GOMEZ	Anything else Commissioner Chico? Okay.
VICE-CHAIR BURROLA	Yeah, because it does talk about dust control. They were only gonna place something on it during windy conditions. Now we are changing that to at all times? I am just asking the question. Is that... Yeah, okay. With this new operation, did you guys look into the sewer? I know there is an eight inch line going in, proposed for a later time but as we stand now will it be able to sustain? I think you guys talked about some kind of, what do you call it? It is not an actual sewage pipe going in to the main sewer line. It is like a containment. So how are they doing sewage now and with this new operation will it be able to handle it?
ASSISTANT CITY ENGINEER CO	So this project, they haven't changed anything in terms of sewer. There is a trailer there. I believe that is being serviced every once in a while. So the sewage is hooked up to the trailer. What we are proposing with the street improvements is to remove that and have them actually hooked up to a sewer, a proper sewer. Right now they are on that trailer sewage system that gets serviced every once in a while, removed and replaced.
VICE-CHAIR BURROLA	Oh, okay.

ASSISTANT CITY ENGINEER CO	This project itself is not changing any of that, that is the way Mike Brown is operating his site, that trailer is existing.
VICE-CHAIR BURROLA	Oh, okay. Thank you. In no particular order here, I know we did not do a study for the traffic but is this new count going to impact the traffic signal? I think it would be up street where the project circulates the trucks into Los Lomas up to Huntington Drive, I believe. That intersection. Did you guys look at that?
ASSISTANT CITY ENGINEER CO	Just in terms of CEQA this is a notice exemption under CEQA.
VICE-CHAIR BURROLA	Just for in-house. I am not taking about...
ASSISTANT CITY ENGINEER CO	Based on our guidelines, the City's guidelines, the number of trucks and vehicle trips did not warrant a study. Our guidelines have a certain threshold, if you reach a certain amount of traffic then we will consider.
VICE-CHAIR BURROLA	But you looked at that. You looked at that to make sure that...
ASSISTANT CITY ENGINEER CO	Yeah exactly. There was a comment from Duarte regarding that too. We did ask that they provide us their guidelines, again, just to do our due diligence for their sake. Because it was a concern, we wanted to take a look at it based on their guidelines. We didn't receive their guidelines, but based on ours they didn't meet that threshold. Again, our threshold is fifty out, fifty trips in one hour. This project has maybe one hundred trips in a whole day. So it is way below that threshold.
VICE-CHAIR BURROLA	Alright, thank you. That's all I got.
CHAIR GOMEZ	Any other discussion? One of the things that we noticed, what I noticed was the non-conformity that it is one property, it is one CPU, and my recommendation would be that we look at just a little bit further into the conditions for the adjacent business, which is leaving my mind right now. What was it the storage?
COMMISSIONER FUENTES	Grand Stand.
CHAIR GOMEZ	I would like to see a modification to this CPU to incorporate more information from that business to be in compliance. Do the Commissioners have any comments to that? No? So I am going to make a motion.
VICE-CHAIR	I feel that it will be beneficial to us if we get more clarification on, we

BURROLA	are not trying to deny anything here because I think Cal Blend Soils is a great company, but we want to make sure that we do things correctly. I feel that having two operations with one CUP, I don't think that it is clear to me in this report why we did this way. I would like more clarification or maybe like the Chair said, have more information on the grandstand as well, cause it seems this CUP is more gearing towards Cal Blend Soils operation.
COMMUNITY DEVELOPMENT DIRECTOR SIMPSON	Thank you Chair and Commission, we do have properties or locations that do have two businesses on one site with one CUP, specifically Alpha Street is an example that can have that, that addresses both uses on there. Mike Brown's Grandstands, their use is for the storage of the grandstands as it is now. They do some shipping, some receiving - some type of equipment that they will store for putting up the grandstands, taking them down. If you can give clarification of what other additional information that you'd like...
CHAIR GOMEZ	Did you have something to say to that?
VICE-CHAIR BURROLA	Yeah, I guess what is their operation? As far as, we are using M-2 zoning, correct?
COMMUNITY DEVELOPMENT DIRECTOR SIMPSON	That's correct.
VICE-CHAIR BURROLA	That's outdoor storage?
COMMUNITY DEVELOPMENT DIRECTOR SIMPSON	Yes.
VICE-CHAIR BURROLA	But this is totally different material than Cal Blend. If we can distinguished that a little bit more in the CUP maybe it will be more clear that we have metal or grandstand material, and then we have soil material.
COMMUNITY DEVELOPMENT DIRECTOR SIMPSON	Okay.

CHAIR GOMEZ	Yes, if I may, we recognize that in our Municipal Code that the property is in conformance of the CPU, that there is two businesses. The report that we have here tonight on Cal blend, is excellent and it speaks specifically to the plans and goals of that particular business. I would like to see more information on the other business, detail information so we know exactly what kind of operation is going on. Also, I would like to just to speak in the next report to the easement. I understand that the easement is only access to emergency vehicles so it is not really an issue. It is not an issue so it seems. If we can address that in that report as well, address the other business as well. I am hoping that we are not hindering the success of Cal Blend because we look forward to working with them. The report is excellent in addressing those issues. We want to incorporate the other issues because of the businesses on one CPU. Is that within our legal guidance?
ASSISTANT CITY ATTORNEY TRAXLER	Yes Madame Chair, my only suggestion would be to reopen the Public Hearing before making a motion to continue, that way the Public Hearing will remain open and you can receive all that information.
CHAIR GOMEZ	At this time I would like to reopen the Public Hearing.
OPEN PUBLIC HEARING	At 8:31 p.m., Chair Gomez opened the Public Hearing.
CHAIR GOMEZ	And we want to say a date certain? Is that correct?
COMMUNITY DEVELOPMENT DIRECTOR SIMPSON	Yes.
CHAIR GOMEZ	That date would be May 18 th ?
COMMUNITY DEVELOPMENT DIRECTOR SIMPSON	May 18 th , yes.
CHAIR GOMEZ	To review this CPU recommendation.
ASSISTANT CITY ATTORNEY TRAXLER	You will need a motion to continue to a date certain, May 18 th , with a second.
CHAIR GOMEZ	Can I get a motion? Second?
COMMISSIONER FUENTES	Second.

CHAIR GOMEZ	So I guess I made the motion.
ADMINISTRATIVE SECRETARY HERNANDEZ	Okay, let's do a Roll Call.
CHAIR GOMEZ	Okay.
ASSISTANT CITY ATTORNEY TRAXLER	I will just clarify the motion for the record, I apologize.
CHAIR GOMEZ	Please.
ASSISTANT CITY ATTORNEY TRAXLER	It would be a motion to continue the Public Hearing, Conditional Use Permit Number 02-2021. What's the formal title? 1399 Las Lomas Road to a date certain May 18 th .
CHAIR GOMEZ	Do you need more Marilyn? Okay.
ADMINISTRATIVE SECRETARY HERNANDEZ	Okay, let's do a Roll Call. Commissioner Chico.
VICE-CHAIR BURROLA	I am sorry before we go further. We were going to make changes to the dust control as well, and state something in there that says how they are going to have permeant covering. Is that...
ASSISTANT CITY ATTORNEY TRAXLER	Well since the...
COMMISSIONER FUENTES	I thought it was in there already.
VICE-CHAIR BURROLA	Is it in there?
COMMUNITY DEVELOPMENT DIRECTOR SIMPSON	There is a Condition of Approval already in.
VICE-CHAIR BURROLA	Okay, I am sorry.
CHAIR GOMEZ	Roll Call.

PLANNING COMMISSION MINUTES
REGULAR MEETING

April 20, 2022
PAGE 42

ADMINISTRATIVE
SECRETARY
HERNANDEZ

Okay, Commissioner Chico.

COMMISSIONER
CHICO

Yes.

ADMINISTRATIVE
SECRETARY
HERNANDEZ

Commissioner Fuentes.

COMMISSIONER
FUENTES

Yes.

ADMINISTRATIVE
SECRETARY
HERNANDEZ

Commissioner Hartman.

COMMISSIONER
HARTMAN

Yes.

ADMINISTRATIVE
SECRETARY
HERNANDEZ

Vice-Chair Burrola.

VICE-CHAIR
BURROLA

Yes.

ADMINISTRATIVE
SECRETARY
HERNANDEZ

Chair Gomez.

CHAIR GOMEZ

Yes.

ADMINISTRATIVE
SECRETARY
HERNANDEZ

Thank you.

CHAIR GOMEZ

Moving along to the Agenda.

ASSISTANT
CITY ATTORNEY
TRAXLER

I apologize Madame Chair, I believe the Planning Director has one more comment.

CHAIR GOMEZ

Sure, yes.

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON Thank you Chair and Commission, since we have representatives from the City of Duarte and we have requested information that hasn't been provided, I would like to make a Public Records request now, for any complaints that have been filed with the City of Duarte, any video footage, the actual data that they have for any traffic, anything like that, and any documents that this CUP application has cumulative impacts.

CHAIR GOMEZ Thank you that would be so kind of our neighbor to provide that information. I am sure they will meet with you. Thank you so much. We look forward for that information from our neighbor city, Duarte. Thank you for coming tonight and participating.

COMMISSIONER FUENTES I hope that our two entities can work together to resolve this issue that we have.

CHAIR GOMEZ Thank you.

**DISCUSSION ITEMS/
PRESENTATIONS**

CHAIR GOMEZ Okay, now we are moving on to the Agenda Item 4, Discussion Items and presentations. Do we have anything on that?

ADMINISTRATIVE SECRETARY HERNANDEZ We do not.

**COMMUNITY
DEVELOPMENT
DIRECTOR REPORT**

CHAIR GOMEZ Thank you Jesus. Now we go on to Community Development Director Report.

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON Again thank you Chair and Commission, I am so thankful for you. The report tonight, this is on previous request that have been made by the Planning Commission. I just wanted to point out that the graffiti over by the Metro Station, that has been painted by Caltrans. So that has been done.

CHAIR GOMEZ Yay.

COMMISSIONER HARTMAN And it has already been tagged. I saw it today coming home from work.

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON Well it is good that we have our Senior Code Enforcement Officer in house, who just heard that so he will follow up on that. Part two, regarding the lights on Irwindale Avenue those were repaired. Unfortunately, they were recently vandalized. Two lights were broken and Code Enforcement has notified the property management company.

COMMISSIONER HARTMAN You said the lights on Irwindale Avenue?

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON The ones that you had mentioned that had a bird's nest in there.

COMMISSIONER HARTMAN That's on the south end and none of those have been repaired. There are five of them out. Three of them still have broken panes with the bird nest in them. Witnessed today.

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON Okay, and again it is good that we have our Senior Code Enforcement Officer, who is a live witness to this. We must have misunderstood which ones.

COMMISSIONER HARTMAN Possibly, the ones that I am talking about are all at the south end of the property along the meandering sidewalk, right along the wash.

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON Okay, thank you.

COMMISSIONER HARTMAN And also when it comes to the graffiti, the southern most section of that metro under Irwindale Avenue that part was painted over. Like I said, today I saw more graffiti, but the biggest part of the graffiti probably can't be seen by Code Enforcement because in between the two tracks there is a support for Irwindale Bridge. On the other side of that support is where it is really, really bad. If you are in the Metro Station you can't see it. If you are coming of the 210 east bound on Irwindale Avenue, if you look down you can see it.

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON Okay.

COMMISSIONER HARTMAN It's maybe ten times the size of the one that was painted over.

COMMISSIONER
FUENTES It is pretty much where that v ditch is, correct?

COMMISSIONER
HARTMAN Say that again.

COMMISSIONER
FUENTES It is pretty much where that v ditch is, am I correct?

COMMISSIONER
HARTMAN Yes.

COMMISSIONER
FUENTES Oh okay.

COMMISSIONER
HARTMAN That's it.

CHAIR GOMEZ The Director is going to finish up her report and then it is
Commissioner Comments.

COMMUNITY
DEVELOPMENT
DIRECTOR
SIMPSON A couple more items. We have a Joint Study Session with Planning
Commission and the City Council. That is going to be on Monday,
April 25 at 5:30 p.m. in the Irwindale Community Center. This is for a
presentation on the General Plan Update Process. A presentation will
be provided by the consultant, ESA, who is preparing the document. It
will be in person with limited capacity, but it is also going to be in Zoom
to make it available to those who cannot attend. Also, we are having
an Environmental Scoping meeting for the proposed Speedway
Commerce Center Specific Plan project. That will be held on Thursday,
April 28 at 6:00 p.m. in the Irwindale Community Center. LSA is the
consulting firm that is preparing the Environmental Impact Report.
They will provide a presentation regarding the project. We will have
representatives from the applicant, from the Irwindale Outlet Center,
and they will be in attendance as well. Interested parties will be able to
submit comments through May 24th. Again, this will be in person and
via Zoom. Finally, one last thing, this is a gentle reminder that I got
from Human Resources, that any Commissioner who has not finished
any kind of training, please complete the training. I am not looking at
anybody. If you need any assistance you can contact Jesus
Hernandez or Natalie in Human Resources.

CHAIR GOMEZ Thank you for that.

COMMUNITY
DEVELOPMENT
DIRECTOR
SIMPSON That is it.

CHAIR GOMEZ Just a quick comment on the training. It is very informative, but also you can also go to the library if you need time away from your family to get it done. The Librarian is excellent in helping you and prints out your certificate to send it to Human Resources. Jesus can help facilitate that as well.

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON If there is training that is equivalent to the training that would be required here; if that training is available through other means, through your other jobs or anything, please speak to Natalie, if you have to do that. We don't want you to have to repeat something if it is the same training, but you can confirm that with Natalie in the Human Resources. That can save you a little bit of time.

CHAIR GOMEZ Thank you.

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON Okay, thanks.

**LEGAL COUNSEL
COMMENTS**

CHAIR GOMEZ We are moving on to 6, which is Legal Counsel Comments, if any.

ASSISTANT CITY ATTORNEY TRAXLER No comments at this time, thank you.

CHAIR GOMEZ Thank you.

**COMMISSIONER
COMMENTS**

CHAIR GOMEZ At this time, Number 7 is Commissioner Comments. If you have any comments or concerns, something to share with the Planning Department please speak now.

COMMISSIONER FUENTES Chair. Chair.

CHAIR GOMEZ Yes, Commissioner.

- COMMISSIONER FUENTES After listening to Commissioner Hartman's concerns about the lighting, I am a little disappointed with our Staff. The lights that he was talking about were brought up in the January meeting, and here we are three months later, in the April meeting over three months later, and the original issue has not even been looked up or resolved. I think we need to talk to Staff, when there is a concern from the Commission, from the Council, or whatever it is they need to get out there and look at this correctly instead of just doing a drive by. I don't know what they do. I understand that the lights on Irwindale were fixed, the original ones are still out in the same condition. I am very disappointed about that. Okay, so maybe we can do something about tightening this up.
- CHAIR GOMEZ Yes Mr. Fuentes, I agree.
- COMMISSIONER FUENTES Also on a better note there, thank you for the updates that was part of my questions here since we haven't had any updates since the January meeting. I have asked also to be updated each month about our comments that we make if someone can take care of that stuff, which has been done. I thank you for that. Also I would like to thank, I believe it would be Edison, it looks like throughout the City they are putting new street lights in. They are a lot brighter. They are really nice. They put some up on our street on Peppertree Lane and I don't know who to thank for that, but I am really glad they did.
- CHAIR GOMEZ Thank you. I just wanted to say received a phone call from, I am not sure if this is the place to discuss it but the Planning Director can send it out to whoever. I guess some of the streetlights for residents when they are going on to Irwindale Avenue are taking a bit more time than they used to. So if you can just check in with Daniel, Engineering. Is that your Department, Daniel?
- ASSISTANT CITY ENGINEER CO Yes, what are the locations?
- CHAIR GOMEZ Irwindale Avenue, I am not sure if it was Calle De Paseo or the next signal over, which is what?
- ASSISTANT CITY ENGINEER CO Making a right or a left coming out of...
- CHAIR GOMEZ On to Irwindale Avenue, I think they will be making a left at the signal.
- COMMISSIONER HARTMAN Oh traffic lights.
- CHAIR GOMEZ The traffic lights.

COMMISSIONER HARTMAN	Oh okay.
CHAIR GOMEZ	Yeah, they used to quicker. It is just hard because there is so much traffic and then by the time it turns.
ASSISTANT CITY ENGINEER CO	I mean we haven't changed the timing there in probably years but we can take a closer look and see if there is some issues there.
CHAIR GOMEZ	Yeah, take a look it was a resident concern.
ASSISTANT CITY ENGINEER CO	Sure.
CHAIR GOMEZ	As far as expediting the concerns we will leave that to the City Manager, who happens to be here. We welcome him. We didn't acknowledge him earlier, but we thank him for being here. I just want to thank the Staff for doing a great job tonight. I think that you covered all the issues and we are appreciative. Who knows what is going to come up and our request for modification has nothing to do with your report, it has to do with your concerns. I thank you for that, and I really appreciate your hard work. Moving forward we are going to change somethings, that is why we are doing the zoning discussion and modification in the future. On that note, Jesus do we have anything else.
ADMINISTRATIVE SECRETARY HERNANDEZ	We do not.
CHAIR GOMEZ	Any other comments, Commissioner?
COMMISSIONER FUENTES	Chair. Chair.
CHAIR GOMEZ	Yes.
COMMISSIONER FUENTES	Please don't forget tomorrow is the City Manager's...
CHAIR GOMEZ	State of the City, yes.
COMMISSIONER FUENTES	Don't forget to mention that.
CHAIR GOMEZ	The Mayor.

CITY MANAGER MIRANDA The Mayor's State of the City, yes.

COMMISSIONER FUENTES It's the Mayor or the City Manager?

CHAIR GOMEZ The Mayor.

CITY MANAGER MIRANDA Mayor.

CHAIR GOMEZ It's at 5:30, correct? 5:30 in the gym?

CITY MANAGER MIRANDA The start time is 6 o'clock.

CHAIR GOMEZ And they are having light refreshments. Somebody mention that to me. Hopefully the City Manger's springs for some good eggrolls or something.

COMMISSIONER FUENTES They said light.

CHAIR GOMEZ Okay, thank you Commissioner Fuentes. On that note we will adjourn the meeting. Thank you so much, goodnight.

ADJOURNMENT There being no further business to conduct, the meeting was adjourned at 8:41 p.m.

Suzanne E. Gomez, Planning Commission Chair

Attest:

Jesus Hernandez, Administrative Secretary



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



Date: November 16, 2022 **Agenda Item No. 3-A**

To: Honorable Chair and Members of the Planning Commission

From: Marilyn Simpson, Community Development Director, AICP

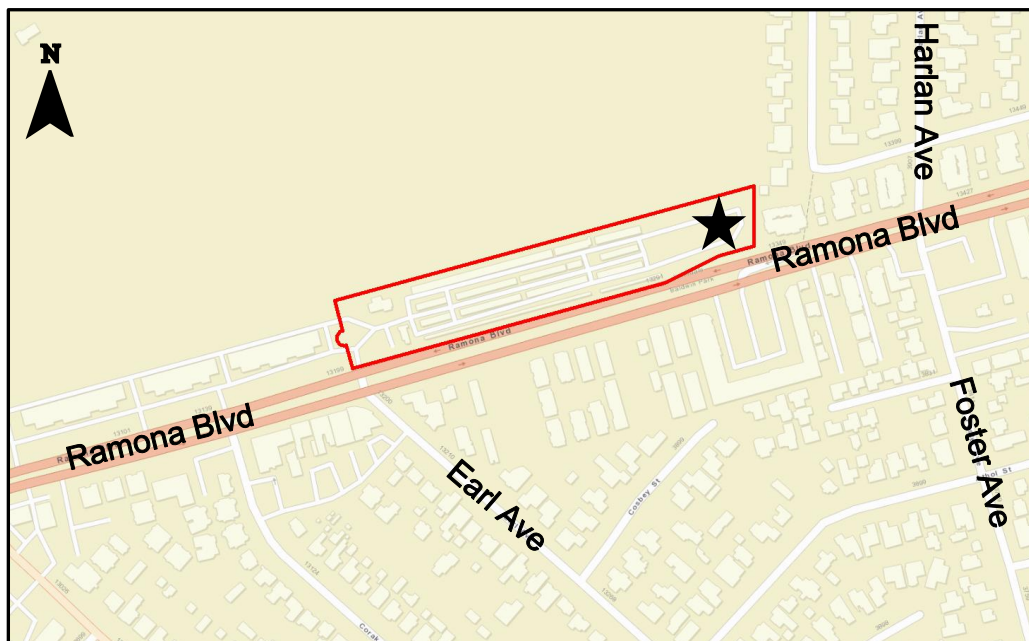
Project Planner: Martin Romero, Planning Technician

Project: Conditional Use Permit No. 01-2022;
Wireless Telecommunications Facility (Mono-Pine)

Applicants: John McDonald (Agent for AT&T), Eukon Group

Property Owner: Westport Irwindale, LLC

Project Location: 13201 Ramona Boulevard (APN: 8546-002-088)



Staff Recommendation: That the Planning Commission approve Conditional Use Permit No. 01-2022 subject to the attached Conditions of Approval.

SUMMARY

The proposed project is for the construction of a new wireless telecommunications facility on the eastern side of the ±4.3 acre parcel. The property is zoned A-1 (Agricultural). The main use of the site is a US Storage facility.

TABLE 1

Direction	Existing Land Use	Zoning District
North	Quarry	A-1, Agricultural
South	Baldwin Park	Baldwin Park
East	Baldwin Park	Baldwin Park
West	Quarry	A-1, Agricultural

ENVIRONMENTAL REVIEW

The proposed project is exempt from the California Environmental Quality Act (CEQA), pursuant to Section 15303 (Class 3; New Construction or Conversion of Small Structures) of the CEQA Guidelines. If action is taken to approve the project, a Notice of Exemption (NOE) will be filed with the County Clerk. The NOE is on file in the Planning Department and available for review by the public.

BACKGROUND/HISTORY

The site is currently a US Storage. The applicant is proposing to construct a 75'-0" wireless telecommunications facility on the northeastern side of the parking lot. The tower will be camouflaged as a mono-pine to mimic the surrounding landscape. Three (3) additional pine trees, a grouping, are proposed to be added to increase screening the mono-pine.

There is an existing mono-pine on the northeastern corner of the parking lot, approved per CUP No. 7-05 on April 5, 2007. The existing mono-pine is fully developed and cannot be collocated any further. The new facility will expand the reach of communications services west to I-605, south to I-10, east to Baldwin Park Avenue and west to Peck Road. The new facility will service a "significant gap in coverage" in the area and also help ease the overloading from surrounding towers to strengthen the overall coverage in the area. The facility will be equipped with FirstNet, an AT&T communications platform built for first responders and the public safety community.

GENERAL PLAN LAND USE DESIGNATION

The Project Site designation is as Quarry Overlay. The proposed use is consistent with this General Plan designation. The use is allowed in all zones subject to the approval of a Conditional Use Permit and providing evidence of need.

CONDITIONAL USE PERMIT

Installation and operation of a wireless telecommunications facility must comply with IMC Section 17.90.050, which requires approval of a Conditional Use Permit and findings pursuant to IMC Section 17.80.040. As previously stated, wireless facilities are allowed in all zones subject to the approval of a Conditional Use Permit and providing evidence

of need. The applicant has provided evidence of need based on the attached propagation (coverage) maps submitted with this proposal (Exhibit B).

ANALYSIS

The Applicant proposes to construct a wireless telecommunications facility, which consists of a 75'-0" mono-pine and associated mechanical equipment. The leasehold area will occupy approximately ±912 square feet and enclosed by an 8'-0" high chain-link enclosure with an 8'-0" wide access gate. The enclosure will be located at the northeast corner of the property. The proposed 75'-0" mono-pine installation will consist of the following: Fifteen (15) AT&T panel antennas, thirty-six (36) AT&T RRUs, four (4) AT&T DC-9 surge protectors, three (3) AT&T DC-12 surge suppressors, AT&T eight (8) foot high chain-link enclosure, AT&T GPS antenna, AT&T meter pedestal. The Earl Avenue US Storage entrance provides access to the facility.

The proposal meets all of the development and design standards as required per IMC Chapter 17.90. The base of the mono-pine is located 34'-11" from the northern property line. The chain-link enclosure is located 15'-0" from the northern property line, abiding the A-1 rear yard requirements. All antennae and all other mounted equipment will be adequately concealed within the faux foliage. The mono-pine design and height allow for future co-locations, which is encouraged in Chapter 17.90 of the Irwindale Municipal Code (IMC).

The proposed construction and operation of the wireless telecommunications facility is not anticipated to generate any additional noise, odor or wastes and very minimal traffic, which includes routine maintenance. Therefore, the impact of the facility on the surrounding properties is expected to be insignificant.

Conditional Use Permit

Pursuant to IMC Section 17.80.40, before any Conditional Use Permit is granted, the applicant must show, to the satisfaction of the Planning Commission or the City Council, the existence of the following findings of fact. Staff has determined that the findings can be made based on the analysis shown:

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

The site offers sufficient size and shape for the proposed wireless telecommunications facility since the footprint of the leasehold area has minimal impact on the existing circulation or current business operations occurring on-site and does not interfere with any existing site requirements, including access, parking, and setback areas.

B. That the site has sufficient access to streets and highways, adequate in width and pavement carry the quantity and quality of traffic generated by the proposed use.

The site has sufficient access to streets and highways, adequate in width and pavement type to carry the quantity and quality of traffic generated by the proposed development and use. Ingress and egress are provided via Ramona Boulevard through an existing

driveway. The proposed use will produce virtually no extra traffic. The only traffic expected is for routine maintenance and testing services once a month. No additional roadways will be required for the construction and operation of this project.

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

The proposed use as conditioned herein will not have an adverse effect upon adjacent properties in that the wireless telecommunications facility will be located in an area predominantly zoned A-1 (Agricultural) and M-2 (Heavy Manufacturing) within the City of Irwindale's city limits and is surrounded by uses of similar and greater intensity. Adjacent property owners will not be affected by additional noises, smells or other annoyances. In addition, the proposed use is consistent with existing uses in the area. Therefore, the proposed use is compatible with the surrounding uses.

Compliance with the Zoning Ordinance

Chapter 17.90 "Wireless Communications Facility" of the IMC establishes the standards and regulations for the installation of wireless telecommunications facilities within the City.

According to Section 17.90.010, all wireless communications facilities within the City shall accomplish the following:

A. *Ensure against the creation of visual blight within the City.*

The proposed mono-pine has been designed to be an aesthetically agreeable and functional structure. The design meets the stealth requirements of the applicable code section and provides adequate height and positioning to allow a less visually impacting co-location.

B. *Ensure that a competitive and broad range of telecommunications services and high quality telecommunications infrastructure are provided to serve the community, as well as serve as an important and effective part of Irwindale's emergency response network.*

The proposed mono-pine alone will provide additional coverage, which spreads west to I-605, south to I-10, east to Baldwin Park Avenue and west to Peck Road. It also increases the coverage areas of the other nearby facilities according to the attached radio frequency propagation maps.

C. *Simplify and shorten the process for obtaining necessary permits for telecommunications facilities, while at the same time protecting the legitimate interests of Irwindale citizens.*

As part of the review process, the application was sent for inter-departmental review. This application was processed per the IMC as well as CEQA; including required noticing and posting. All interested parties, including residents, have been adequately informed of the proposal and are welcome to discuss the project prior to and at the meeting.

Additionally, the proposed wireless telecommunications facility shall fulfill the requirements per Subsection 17.90.030. The wireless telecommunications facility will accomplish the General Plan's goals for telecommunications facilities in both the Infrastructure Element and the Public Safety Element. This facility will provide communication coverage in an under-served area and improve connectivity and also will help maintain current emergency response standards. The facility will service a "significant gap of coverage" in the area and help ease the overloading of the surrounding towers to strengthen the communication services in the area. This facility will also be equipped with FirstNet, which will aide communication services for first responders in the area. The facility will comply with the development standards of the A-1 (Agricultural) Zone and the standards of the Building Code.

RECOMMENDATION

That the Planning Commission adopt Resolution No. 817(22) approving Conditional Use Permit No. 01-2022 for the proposed wireless telecommunications (mono-pine) facility subject to the attendant Conditions of Approval.

ATTACHMENTS

Exhibit A: Resolution No. 817(22)

Exhibit B: Site Plans, Elevations, Photo Simulations and Coverage Maps

RESOLUTION NO. 817(22)

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF IRWINDALE APPROVING CONDITIONAL USE PERMIT NO. 01-2022 FOR THE CONSTRUCTION AND OPERATION OF A WIRELESS TELECOMMUNICATIONS FACILITY (MONO-PINE) ON PROPERTY LOCATED AT 13201 RAMONA BOULEVARD, IRWINDALE, CA IN THE A-1 (AGRICULTURAL) ZONE, SUBJECT TO CONDITIONS AS SET FORTH HEREIN AND MAKING FINDINGS IN SUPPORT THEREOF AND FINDING THE PROJECT EXEMPT FROM CEQA

A. RECITALS.

- (i) John McDonald of Eukon Group, 65 Post, Suite 1000, Irvine, CA 92618, on behalf of AT&T, has made a request for a Conditional Use Permit (Conditional Use Permit No. 01-2022) pursuant to Section 17.90.090 of the Irwindale Municipal Code, to allow the construction and operation of a new 75'-0" high unmanned, wireless telecommunications facility (mono-pine).
- (ii) The Subject Property is located at 13201 Ramona Boulevard. The proposed installation (75'-0" mono-pine) is to be located on the northeast portion of the ±4.3 acre site. The Subject Property is zoned A-1 (Agricultural).
- (iii) The City, as the Lead Agency, determined that the project as proposed is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15303 (Class 3; New Construction and Conversion of Small Structures) of the CEQA Guidelines.
- (iv) On November 16, 2022, the Planning Commission conducted a duly noticed public hearing, as required by law, on the Application and conditionally approved the Application at that same meeting subject to the approval of a Resolution, which would detail the specific Conditions under which the Application was approved.
- (v) All legal prerequisites to the adoption of this Resolution have occurred.

B. RESOLUTION.

NOW, THEREFORE, it is hereby found, determined and resolved by the Planning Commission of the City of Irwindale as follows:

1. The Planning Commission hereby specifically finds that all of the facts set forth in Recitals, Part A, of this Resolution are true and correct.
2. Based upon substantial evidence presented to this Planning Commission during the public hearing conducted with regard to the Application, including written staff

reports, verbal testimony, site plans and Conditions of Approval attached hereto as Exhibit "A," this Planning Commission hereby specifically finds as follows:

a. That Conditional Use Permit No. 01-2022 is required to construct a wireless telecommunications facility. The Project Site is designated as Quarry Overlay. The proposed use is consistent with this General Plan designation. The use is allowed in all zones subject to the approval of a Conditional Use Permit and providing evidence of need. Based on the coverage maps provided to the Planning Commission, there appears to be a need for additional coverage in the area. The proposed facility alone will provide additional coverage, which spreads west to I-605, south to I-10, east to Baldwin Park Avenue and west to Peck Road. It also increases the coverage areas of the other nearby facilities according to the attached radio frequency propagation maps.

b. That the site offers sufficient size and shape for the proposed wireless telecommunications facility since the footprint of the leasehold area has minimal impact on the existing circulation or current business operations occurring on-site and does not interfere with any existing site requirements, including access, parking, and setback areas.

c. That the site has sufficient access to streets and highways, adequate in width and pavement type to carry the quantity and quality of traffic generated by the proposed development and use. Ingress and egress are provided via Ramona Boulevard through an existing driveway. The proposed use will produce virtually no extra traffic. The only traffic expected is for routine maintenance and testing services once a month. No additional roadways will be required for the construction and operation of this project.

d. That the proposed use as conditioned herein will not have an adverse effect upon adjacent properties in that the wireless telecommunications facility will be located in an area predominantly zoned A-1 (Agricultural) and M-2 (Heavy Manufacturing) within the City of Irwindale's city limits and is surrounded by uses of similar and greater intensity. Adjacent property owners will not be affected by additional noises, smells or other annoyances. In addition, the proposed use is consistent with existing uses in the area. Therefore, the proposed use is compatible with the surrounding uses.

e. That the proposed use is necessary to protect the public interest. Wireless telecommunications devices and technology have recently improved, and there is a need for improved coverage for new devices and technology in certain areas of the City. The improved coverage will protect the public interest by reducing public health and safety hazards since citizens and emergency response systems within the community will have increased access or coverage of wireless services in emergency or life-threatening situations.

3. The City, as the Lead Agency, determined that the project as proposed is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15303 (Class 3; New Construction and Conversion of Small Structures) of the

CEQA Guidelines. The Director is hereby directed to file a Notice of Exemption with the Los Angeles County Clerk.

4. According to Section 17.90.010, all wireless communications facilities within the City shall accomplish the following:

- a. Ensure against the creation of visual blight within the City.

The proposed mono-pine has been designed to be an aesthetically agreeable and functional structure. The design meets the stealth requirements of the applicable code section and provides adequate height and positioning to allow a less visually impacting co-location.

- b. Ensure that a competitive and broad range of telecommunications services and high quality telecommunications infrastructure are provided to serve the community, as well as serve as an important and effective part of Irwindale's emergency response network.

The proposed mono-pine alone will provide additional coverage, which spreads west to I-605, south to I-10, east to Baldwin Park Avenue and west to Peck Road. It also increases the coverage areas of the other nearby facilities according to the attached radio frequency propagation maps.

- c. Simplify and shorten the process for obtaining necessary permits for telecommunications facilities, while at the same time protecting the legitimate interests of Irwindale citizens.

As part of the review process, the application was sent for inter-departmental review. This application was processed per the IMC as well as CEQA; including required noticing and posting. All interested parties, including residents, have been adequately informed of the proposal and are welcome to discuss the project prior to and at the meeting.

5. Additionally, the proposed wireless telecommunications facility shall fulfill the requirements per Subsection 17.90.030. The wireless telecommunications facility will accomplish the General Plan's goals for telecommunications facilities in both the Infrastructure Element and the Public Safety Element. This facility will provide communication coverage in an under-served area and improve connectivity and also will help maintain current emergency response standards. The facility will service a "significant gap of coverage" in the area and help ease the overloading of the surrounding towers to strengthen the communication services in the area. This facility will also be equipped with FirstNet, which will aide communication services for first responders in the area. The facility will comply with the development standards of the A-1 (Agricultural) Zone and the standards of the Building Code.

6. Based upon the substantial evidence and conclusions set forth herein above, this Planning Commission hereby approves the Application subject to the

conditions set forth in Exhibit "A" attached hereto and by this reference incorporated herein, which conditions are deemed necessary to protect the public health, safety and general welfare and are reasonable and proper in accordance with the intent and purposes of Title 17 of the Irwindale Municipal Code.

7. The Secretary shall:

a. Certify to the adoption of this Resolution; and

b. Forthwith transmit a certified copy of this Resolution, by certified mail, to the Applicant at the address of record set forth in the Application.

ADOPTED AND APPROVED this 16th day of November 2022.

Chairman

ATTEST:

Secretary

I, Marilyn Simpson, AICP, Community Development Director of the City of Irwindale, do hereby certify that the foregoing Resolution was adopted at a regular meeting of the Planning Commission of the City of Irwindale held on the 16th day of November 2022, by the following vote:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

Secretary

PLANNING COMMISSION RESOLUTION NO. 817(22)

Conditional Use Permit No. 01-2022
Eukon Group (Agent for AT&T)
16031 Arrow Highway

FINAL CONDITIONS OF APPROVAL

A. GENERAL CONDITIONS

1. The activities authorized by this Conditional Use Permit are for the construction and operation of an unmanned, wireless telecommunications facility (mono-pine), equipment shelter, and chain-link enclosure, which shall commence within twelve (12) months from the date of approval. Thereafter, if the activities have been abandoned for ninety (90) or more days, the Conditional Use Permit approval shall expire and become null and void, unless a written request for extension is received by the Community Development Director at least thirty (30) days prior to such expiration or abandonment. The granting body, upon good cause shown by the Applicant, may extend the time limitations imposed by this section for a period not to exceed one (1) year.
2. The Applicant shall agree and consent, in writing, to each and every condition of permit approval set forth herein within twenty (20) days from the adoption of this Resolution by the Planning Commission approving the Conditional Use Permit.
3. The signed Final Conditions of Approval shall be photocopied and included as a sheet in the plans.
4. Plans for any proposed site improvements shall be submitted to the Los Angeles County Fire Department and City Building Department for review and approval prior to the issuance of Building Permits.
5. All graffiti shall be adequately and completely removed or painted over within 48 hours of notification to AT&T of such graffiti being affixed on any structure or fence at the site.
6. This Conditional Use Permit may be revoked for any violation of or noncompliance with any of these conditions or other codes, regulations or standards enforced by or beneficial to the City of Irwindale in accordance with IMC Section 17.80.140.
7. The Applicant shall defend, indemnify and hold harmless the City of Irwindale, its agents, officers, or employees from any claims, damages, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void or annul, and approval of the City, its advisory agencies, appeal boards, or legislative

body concerning Conditional Use Permit No. 01-2022. The City will promptly notify the permittee of any such claim, action or proceeding against the City and will cooperate fully in the defense.

8. City inspectors shall have access to the site to reasonably inspect the site during normal working hours to assure compliance with these conditions and other codes with a 48-hour notification to AT&T to ensure complete accessibility.
9. The facility and use thereof shall be maintained in full compliance with all codes, standards, policies and regulations imposed by the City, County, State or Federal agencies with jurisdiction over the facility.
10. Any and all fees required to be paid to any public agency shall be paid prior to obtaining any permit for this project.
11. Applicant, as a telecommunications carrier or provider of telecommunications services for a fee directly to the public, either within the City, or outside the corporate limits, from telecommunications facilities within the City, shall register with the City of Irwindale as provided by the provisions of IMC Section 17.90.030.
12. All appropriate practices shall be adopted to control dust, odor and vermin. Upon receipt of a complaint related to any condition of approval imposed by this Conditional Use Permit, the City shall notify the Applicant of the alleged violation, and the Applicant shall commence to cure within ten (10) days after the receipt of the notice.
13. The Subject Site shall be maintained free and clear of any accumulations of trash, debris, waste, and combustible and/or flammable materials, other than the related materials specifically authorized under this Conditional Use Permit.
14. There shall be no subleasing of any portion of the lease area, for any purpose, during the term of this Conditional Use Permit, except to accommodate any co-location provided the co-located facilities are consistent with the conditions herein, including but not limited to aesthetic and mitigation conditions.
15. The use and improvements authorized by this Conditional Use Permit shall conform to the plans as finally approved by the City as conditioned herein, and any appreciable modification as determined by the Community Development Director shall require the prior approval of the Planning Commission.

B. COMMUNITY DEVELOPMENT DEPARTMENT

1. The project shall substantially conform to submitted plans date-stamped November 08, 2022, except as modified herein. Future modifications that are not in substantial conformance, as determined by the Community Development

Director, shall require modification of this approval subject to the provisions of IMC Section 17.80.160 "Modification."

2. The Applicant and Property Owner shall protect and prohibit the interference to any existing radio, telephone, television or satellite systems of existing surrounding residents. If such interference is determined, the Applicant shall cease operation until further clearance by the applicable governmental entity. AT&T shall broadcast in accordance with their FCC license requirements and restrictions. If the installation and/or operation of the wireless communications system in any way interfere with the operation and/or use of the Irwindale Police and/or Los Angeles County Fire Department communications operation, the Applicant shall immediately cease to operate all such systems until such time as modifications are made so as not to cause interference. The Chief of Police has the authority to determine whether to have a facility that causes interference fixed or removed.
3. All cables, including power and telephone service, shall be routed underground. No new overhead service is permitted.
4. All equipment, cabinets and screened chain-linked fence shall be continuously maintained in good condition (e.g. graffiti). All repair and replacement shall take place within forty-eight (48) hours of notice from the City.
5. The proposed mono-pine shall have a maximum height of 75'-0" as measured to the top of the foliage.
6. All antennae, microwave, and equipment mounted to the pole shall be painted to match the mono-pine.
7. The antennae shall not extend beyond the length of the branches. The branches shall be designed to mimic the natural shape of a pine tree, subject to the approval of the Community Development Department.
8. The proposed mono-pine shall be maintained in good condition at all times, including but not limited to, the replacement of any damaged foliage and repainting, as necessary.
9. The trunk shall be clad in a textured material resembling live bark. The artificial bark shall cover the entire trunk of the tree as shown on the elevations.
10. No portion of the facility shall extend over the property line.
11. A Wireless Communication Facility Removal and Maintenance Agreement shall be approved by the City Attorney, Community Development Director, Deputy City Clerk, Property Owner, Applicant and/or any other applicable agency prior to the issuance of Building Permits. This includes the Performance Bond, which requires concurrent execution with the aforementioned Agreement.

12. Any future co-location shall be reviewed by the Community Development Department prior to the issuance of any applicable permits. Any future co-location shall be subject to the antenna concealment requirements as described herein.
13. A final inspection conducted by the Community Development Department shall be required.

C. PUBLIC WORKS ENGINEERING

STREETS

1. All off-site improvements within the Public Right-of-Way shall be performed in accordance with City Standards to the satisfaction of the Director of Engineering. Construction plans shall be reviewed and approved by the Director of Engineering.
2. Common driveways shall not be allowed, unless approved by the Director of Engineering. Proposed driveways shall be located clear of existing fire hydrants, street lights, water meters, etc.

UTILITIES

3. Storm drains, catch basins, connector pipes, and appurtenances for the site specific storm drain system shall be designed and constructed in accordance with Los Angeles County standards and the Director of Engineering's requirements. The owner/developer shall submit grading and drainage plans to the Director of Engineering for review and approval. The grading and drainage plans shall be prepared by a licensed civil engineer and comply with Los Angeles County grading permit requirements. A hydrology study shall be included with the drainage plan.
4. Fire hydrants shall be installed as required by the Fire Department. Existing public fire hydrants adjacent to the site, if any, shall be upgraded if required by the Director of Engineering.

MISCELLANEOUS

5. Adequate "on-site" parking shall be provided per City requirements.
6. The owner/developer shall comply with the National Pollutant Discharge Elimination System (NPDES) program and shall require the general contractor to implement storm water/urban runoff pollution prevention controls and Best Management Practices (BMPs) on all construction sites in accordance with the City Code. The owner/developer will also be required to submit a Certification for the project and may be required to prepare a Storm Water Pollution Prevention Plan (SWPPP). Projects over five acres in size will be required to file a Notice of

Intent (NOI) with the State Water Resources Control Board (SWRCB). The owner/developer can obtain the current application packet by contacting the SWRCB, Construction Storm Water Unit, at (866) 563-3107 or by downloading the forms from their website at: www.waterboards.ca.gov/water_issues/programs/stormwater/construction.shtml.

The project shall also conform to the City's Ordinance regarding the requirements for the submittal of a Standard Urban Storm Water Mitigation Plan ("SUSMP"), and the requirements of Low Impact Development ("LID"). The SUSMP includes a requirement to implement Post Construction BMPs to infiltrate the first 3/4" of runoff from all storm events and to control peak-flow discharges.

7. Any changes to the site plan shall be reviewed and approved by the City Planner and City Engineer.

D. Building & Safety

1. Per the County of Los Angeles Department of Public Works Building and Safety Division, building plans for construction shall contain the following items in order to be submitted for plan check:

- i. Site Plan: Lot size, locations and dimensions of property lines, adjacent streets, setbacks from property lines, locations of other structures, easements, north arrow, scale, contours/drainage pattern
- ii. General Notes: Applicable codes, occupancy classification, type of construction, allowable area analysis, and occupant load analysis, plumbing fixture analysis, description of work, lot area, existing/proposed building area, material specifications.
- iii. Exterior Elevations: Wall covering material, plate and building heights, window/door locations, roofing material and slopes, attic vent locations, finish grade lines, veneers.
- iv. Cross Sections: Full height and width, indicating framing, foundation, and insulation in at least two orthogonal directions.
- v. Foundation Plan: Locations of all new footings, anchor bolt and hold-down schedules, complete foundation details.
- vi. Geotechnical/Soils Report
- vii. Framing Plan: Size, spacing, and span of all floor and ceiling joists, roof rafters, valleys and hips, beams and headers. All lateral force resisting elements, including shear wall locations and schedule, and diaphragm construction specifications.
- viii. Structural Analysis: Calculations shall be provided to substantiate the structural plans where new structural elements are proposed or existing structural elements are altered. The structural calculations shall address both vertical and lateral forces, and shall be wet stamped and signed by a licensed engineer or architect registered in the state of California.
- ix. Details: Complete framing and foundation details for all new structural elements, complete accessible path of travel details, required fire rated assembly details.