AGENDA FOR THE REGULAR MEETING OF THE

PLANNING COMMISSION

NOVEMBER 15, 2017

6:30 P.M.

IRWINDALE CITY HALL / COUNCIL CHAMBER

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 from 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 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 Department Counter, City Hall, 5050 N. Irwindale Avenue, during regular business hours (8:00 a.m. to 6:00 p.m., Monday through Thursday).
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.
A. CALL TO ORDER

B. PLEDGE OF ALLEGIANCE

C. INVOCATION

D. ROLL CALL: Commissioners: Loretta Corpis, Richard Chico, Patricia Gonzales, Vice-Chair Robert E. Hartman, Chair Arthur R. Tapia

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 2 minutes and each subject limited to 6 minutes, unless such time limits are extended.

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. September 20, 2017

2. NEW BUSINESS

3. PUBLIC HEARINGS

4. DISCUSSION ITEMS/PRESENTATIONS

a. Olive Pit Status Update
b. Manning Pit Status Update

5. COMMISSIONER COMMENTS

6. LEGAL COUNSEL COMMENTS

7. DEVELOPMENT SERVICES DIRECTOR/CITY ENGINEER’S REPORT

a. Verbal Report on M-2 (Heavy Manufacturing) Zone Height
AFFIDAVIT OF POSTING

I, Cathy Huicochea, Administrative Secretary, certify that I caused the agenda for the regular meeting of the Irwindale Planning Commission to be held on September 20, 2017 to be posted at the City Hall, Library, and Post Office on November 9, 2017.

Cathy Huicochea
Cathy Huicochea
Administrative Secretary
The Irwindale PLANNING COMMISSION met in a regular session at the above time and place.

ROLL CALL:

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

Also present: William Tam, Development Services Director/City Engineer; Marilyn Simpson, Principal Planner; Brandi Jones, Associate Planner; Daniel Co, Assistant Engineer; Jeff Tyler, Code Enforcement Officer; Adrian Guerra, Assistant City Attorney; Cathy Huicochea, Administrative Secretary

SPONTANEOUS COMMUNICATIONS
There were no Spontaneous Communications.

1. CONSENT CALENDAR

A motion was made by Commissioner Chico, seconded by Vice-Chair Hartman, to approve the Consent Calendar. The motion was unanimously approved with Chair Tapia abverting.

The following minutes were approved as presented:

1. Regular meeting held July 19, 2017.

2. NEW BUSINESS
There were no New Business items to report.

3. PUBLIC HEARINGS

A. GENERAL PLAN AMENDMENT (GPA) NO. 02-2016; ZONING ORDINANCE AMENDMENT (ZOA) NO. 04-2016; DEVELOPMENT AGREEMENT (DA) NO. 02-2016; CONDITIONAL USE PERMIT (CUP) NO. 08-2016; SITE PLAN AND DESIGN REVIEW PERMIT (SP&DR) NO. 06-2016 (ATHENS SERVICES) - 2200 Arrow Highway in the M-2 (Heavy Manufacturing) Zone

Before this item was presented, Assistant City Attorney Adrian Guerra gave the following responses to comments outlined in a letter to the Planning Commission, dated September 20, 2017, from the law firm of Remy Moose Manley, LLP.

1) Brown Act Violation. Law firm argues that the meeting agenda was somehow revised on the City’s website. City’s Response: Under the Brown Act is a requirement that meeting agendas are to be posted on a City’s website at least 72 hours before a regular meeting. However, under Government Code Section 54954.2(c) there is a limitation on the requirement and an exception to the requirement would include this Planning Commission. The requirement to post an agenda to a local agency’s website would be for a governing body of a local agency, such as the City Council. This requirement also applies to commissions of a local agency such as the Planning Commission if the following two conditions are met: 1) that members of a commission are compensated for their appearance, and 2) that one or more members of a commission are also a member of a governing body of a local agency or other local body created by state or federal statutes. He stated that none of the City’s Planning Commissioners are members of another governing body of a local agency. Thus, there is no requirement that
Planning Commission agendas are to be posted to the City’s website and therefore does not constitute a Brown Act violation. He further explained that staff had followed proper procedure for posting both the agenda and staff report but due to a technical glitch the agenda itself did not upload. Once the issue was brought to staff’s attention, the agenda was posted to the City’s website on the morning of the meeting and the glitch was reported to the website administrator, who confirmed that the agenda pdf being cut off was “a one time circumstantial glitch”. Although the website states “Amended Sept. 20, 2017”, the agenda had never been revised and the same version was posted at the City Hall, City Library and local Post Office on September 15, 2017.

2) **Request for Meeting Agenda and Project Staff Report.** Law firm argues that under Government Code Section 54954.1, that a copy of the meeting agenda and project staff report be mailed to the law firm simultaneously with its distribution to the Planning Commission. **City’s Response:** As previously indicated, when the agenda materials were originally uploaded to the City’s website, the agenda did not upload due to a technical glitch. However, the law firm was well aware of the date of the meeting and had possession of the project staff report which amply discussed the project. Section 54954.1 also states the following: “Failure of the requesting person to receive the agenda or agenda packet pursuant to this Section shall not constitute grounds for invalidation of the actions of the legislative body taken at the meeting for which the agenda or agenda packet was not received.” Accordingly, there was substantial compliance in that the requestor was provided with the project staff report and was well aware of the pending presentation of this item.

3) **CEQA Environmental Documentation.** Law firm argues that environmental documentation being contemplated by an agency for recommendation or adoption of certification must be included in the meeting agenda issued under the Brown Act. **City’s Response:** Public Hearing Item No. 3.A on Page 3 of the meeting agenda identifies a general description of the project as well as a section entitled “ENVIRONMENTAL REVIEW”. This section states that copies of the FEIR (Final Environmental Impact Report), Mitigation Monitoring and Reporting Program, and Addendum No. 1 to the FEIR are posted on the City’s website and available at the Irwindale Public Library and Deputy City Clerk’s office. The environmental review of the project was clearly identified in the general description of the project and does therefore not constitute a Brown Act violation.

There were no questions in response to legal counsel’s comments and the project was presented. Principal Planner Simpson gave the report and stated that this is a request for the development of a Materials Recovery Facility/Transfer Station (MRF/TS) and convenience store with a fueling station at 2200 Arrow Highway. She indicated that the project entitlements for the proposed project included the approvals of a General Plan Amendment (GPA) to change the General Plan land use designation from Commercial to Commercial/Industrial; a Zoning Ordinance Amendment (ZOA) to allow a MRF/TS as a permitted land use in the M-2 (Heavy Manufacturing); the same ZOA that would amend distance requirements for the sale of alcoholic beverages; a Development Agreement (DA) between the City and Applicant, allowing the construction and operation of a MRF/TS and convenience store and fueling station; a Conditional Use Permit (CUP) to establish a fueling station and the sale of alcoholic beverages at the convenience store; and a Site Plan and Design Review (SP&DR) for construction of the project.

Principal Planner Simpson referenced the CEQA determination and indicated that the Final Environmental Impact Report (“FEIR”) for the project was prepared and certified on June 8, 2016, under State Clearinghouse No. 2013051029. An Addendum No. 1 to the certified FEIR had also been prepared and a Mitigation Monitoring and Reporting Program is in effect for the project. She gave a general description of a MRF/TS and clarified that this operation will not be a dump or landfill and will not
receive any hazardous waste materials. The presentation also included details on the background and history of the subject site; existing conditions of the subject site; surrounding land uses; overview and description of the project entitlements; overview of the project’s design from a Design Guidelines matrix; site configuration; aerial views; project development standards; and findings of fact that can be made in support of the proposed project based on staff’s analysis.

She indicated that staff had received a letter by a Baldwin Park resident, dated September 12, 2017, in response to the public hearing notice they received. The letter identified concerns with the proposed location of the MRF/TS as well as environmental issues. Staff had also received a phone call from a Baldwin Park resident asking for general information and who had also expressed pleasure with having a gas station close to their residence.

Principal Planner Simpson stated revisions that had been made to the Development Agreement, Resolution No. 739(17) and Resolution No. 740(17) as follows:

- **Development Agreement No. 02-2016**
  Description was presented of revisions made to Exhibit “A” (Facility Scope & Components), Exhibit “D” (List of Off-Site Improvements) and Exhibit “E” (In-Lieu & Fair Share Fee Schedule for Off-Site Improvements) of the Development Agreement.

- **Resolution No. 739(17) – Conditional Use Permit No. 08-2016**
  Add new Item No. 3 to Page 4 of 10: “Based upon the substantial evidence and conclusions set forth herein above, this Planning Commission hereby recommends that the City Council approve 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.”

- **Resolution No. 740(17) – Site Plan and Design Review (DA) Permit No. 06-2016**
  Add new Item No. 3 to Page 5 of 18: “Based upon the substantial evidence and conclusions set forth herein above, this Planning Commission hereby recommends that the City Council approve 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.”

Principal Planner Simpson concluded the report and stated staff’s recommendation is that the Planning Commission: 1) adopt Resolution No. 736(17) recommending that the City Council approve General Plan Amendment No. 02-2016; 2) adopt Resolution No. 737(17) recommending that the City Council approve Zoning Ordinance Amendment No. 04-2016; 3) adopt Resolution No. 738(17) recommending that the City Council approve Development Agreement No. 02-2016; 4) adopt Resolution No. 739(17), as revised, recommending that the City Council approve Conditional Use Permit No. 08-2016 subject to the stated Conditions of Approval; and 5) adopt Resolution No. 740(17), as revised, recommending that the City Council approve Site Plan and Design Review (DA) No. 06-2016 subject to the stated Conditions of Approval. **Alternative Actions:** 1) Request that staff prepare resolutions of denial based on recommended findings of fact to be brought back at the next regularly scheduled Planning Commission meeting for adoption; or 2) Request that the Applicant revise the project and continue the public hearing to a date certain.

Legal counsel introduced two additional letters that staff had received for the project. The first letter was from the law firm of Brownstein Hyatt Farber Shreck, dated September 20, 2017, on behalf of the
City of Baldwin Park. The second letter was from Baldwin Park residents Bette and Jim Lowes, dated September 18, 2017.

The floor was opened for questions for staff and the environmental consultant and members of the project team were also available for questions during the public hearing.

- In response to an inquiry by Chair Tapia regarding the amended distance requirements for the sale of beer and wine from the proposed convenience store, Principal Planner Simpson replied that the distance is measured from the closest property line of each use. The closest property line is roughly 130 feet directly across from the Santa Fe Dam Recreation Area but not directly across from the main entrance to the recreation area.

- Commissioner Chico questioned the need for a franchise agreement as the applicant will be both owner and operator. He also asked that since Athens Services is the franchisee of the City’s trash collection, if that service was in any way connected to the project. Legal counsel replied that the agreements are separate and are not connected to each other. Development Services Director Tam also addressed the inquiry and stated that the franchise agreement is being executed to allow the applicant to operate the MRF/TS. Legal counsel added that the items being presented are solely for land use and though the franchise is more of an agreement for the proposed operation, there are other non-land use items that will be addressed in the agreement.

Legal counsel explained the public hearing process for the general public and Principal Planner Simpson pointed out that speaker cards were made available and asked that they be completed by speakers who desired to comment on the proposed project. Legal counsel added that this will provide a record of individuals who give input as well as provide staff with contact information in the event they need to contact speakers.

Chair Tapia suggested taking a break to have the speaker cards filled out. A short break was taken at 7:12pm and the meeting resumed at 7:15pm. Prior to opening the public hearing, the audience was informed that Spanish interpretation services were being offered by California Certified Interpreters for anyone in need of translation services.

**Gary Clifford, Athens Services, 5355 Vincent Avenue, Irwindale, CA 91746**
Applicant representative Gary Clifford introduced himself on behalf of Athens Services and introduced members of his project team. He mentioned that the project has been ongoing for the past 12 years and the City has taken many steps to plan for this regional benefit. The operation will generate many jobs from entry level to executive positions and will have a profound effect on the general fund. He noted that the project team had built a MRF/TS in the City of Sun Valley and the operation has been very successful and has won several community and architectural awards. He stated that there is plenty of community outreach to be done and was happy to meet with anyone in the audience who might like further information about the proposed project. He emphasized that the company is excited about the 1,600+ jobs that will be generated and the positive impact the operation will have on the recycling environment for Southern California and the San Gabriel Valley region. He completed his presentation and responded to the following inquiries:

- In response to an inquiry by Chair Tapia, Mr. Clifford replied that at full capacity, at least 300 to 350 employees will be fully employed at the facility over three work shifts. Jobs will also be created for offsite science and training for local intermediate and high school students.
• Chair Tapia suggested that the company consider implementing an employee shuttle service for employees who might use the Gold Line or Metrolink. Mr. Clifford appreciated the suggestion and replied that this type of service is one being contemplated.

• In response to an inquiry by Vice-Chair Hartman, Mr. Clifford replied that the Sun Valley facility is located at 11121 Pendleton Street near the intersection of Glenoaks Boulevard.

Candice Rivas, 5103 Larry Avenue, Baldwin Park, CA 91706
Baldwin Park resident Candice Rivas appreciated the opportunity to speak and stated that she would like to have a better understanding of any potential impacts to the community and asked if any assessments or specific research had been conducted with the City of Baldwin Park for the proposed project. She also asked how the proposed convenience store and fueling station will factor in with the nearby Shell gas station and convenience store. She asked about the proposed hours of operation and whether truck traffic for the 24/7 operation could potentially impact existing traffic along Arrow Highway. She also asked about projected revenue and how it will be recycled back into the community for future improvements to the area.

Araceli Almeida, 14216 Anada Street, Baldwin Park, CA 91706
Baldwin Park resident Araceli Almeida expressed her appreciation on having a new recycling operation which she agreed is good for the environment. She shared that she and her husband recently purchased a home in the local vicinity and both had concerns with the proposed project. She emphasized that her family already deals with negative effects from increased traffic, emissions and other pollutants generated from Arrow Highway. She asked if any measures had been taken to ensure residents will not be overly impacted by these negative effects. She also asked about truck idling and felt that Irwindale residents will not be impacted but nearby Baldwin Park residents will because of the project location. She also asked if the project will generate any benefits for the City of Baldwin Park.

Carlos Almeida, Baldwin Park Resident
Baldwin Park resident Carlos Almeida spoke about similar concerns his wife had and that he was also concerned with property values being impacted. Being a former truck driver in California he was aware of strict guidelines with emissions and that idling times are very important.

Jeff Harvey, Harvey Consulting Group LLC, 81776 Corte Valdemoro, Indio, CA 92203
CEQA consultant Jeff Harvey introduced himself and stated that his environmental firm prepared the FEIR for the proposed project. He referenced Addendum No. 1 to the FEIR which was prepared to address minor, internal site plan adjustments made in the final stage of the MRF/TS. He responded to the issues outlined in the three letters from Remy Moose Manley LLP, Brownstein Hyatt Farber Shreck and Betty and Jim Lowes and explained mitigation measures in response to the environmental concerns raised by members of the audience. Regarding hours of operation, he explained that fully loaded trucks will not enter and exit the facility at an equal rate during the entire 24/7 operation; most of it will be daytime activity. In response to one particular comment, he stated that there will be absolutely no melting or industrial processing of any materials on the site. Responding to an inquiry by legal counsel, he replied that none of the information identified in the letters he referenced had altered his review or analysis of the project.

Gary Clifford
Mr. Clifford thanked Mr. Harvey for addressing many of the environmental concerns that were raised. He spoke about community outreach efforts and shared that he was involved with a number of community meetings in Irwindale over the past few years, in addition to over three meetings in the City of Baldwin Park. He shared that Athens Services has been diligently involved with outreach efforts with the City of Baldwin Park’s management team and their city council. He clarified that the majority of
work at these types of facilities are conducted between the hours of 6am and 6pm and other activities are performed inside the buildings during off hours, such as maintenance during night shifts for work the following day. He also emphasized that Athens Services and the City have taken extensive measures and increased costs to design the proposed project and keep truck traffic flow out of the City of Baldwin Park. He again offered to make himself available to the public and the Baldwin Park community. He welcomed hearing from the public to discuss their concerns so they have a better understanding of mitigation measures taken to help turn this operation into a positive experience for everyone.

Mr. Clifford also responded to a few inquiries by the Planning Commission as follows:

- Athens Services waste hauling trucks and transfer trailers will be compressed natural gas (CNG) or alternate fuel vehicles. There are also specific rules and mitigations for commercial diesel vehicles that visit the facility and that are not operated by Athens Services. Waste hauling and transferring of materials to/from the facility will be done solely from the north side of Arrow Highway via the I-605 and I-210 freeways. Entry and exit from the facility will be at controlled access points and will not be set up to include access to/from Live Oak Avenue.

- Truck Idling will be done in the queue area of the facility’s load out tunnel on the south side of the building. Diesel truck traffic will not queue onto Arrow Highway; should this ever occur, diesels will be in full compliance with South Coast Air Quality Management District rules as provided in the contract between the City and Athens Services.

- A comparison was made with the Waste Management yard on Live Oak Avenue in the City of Baldwin Park. Waste trucks traveling on Live Oak Avenue are the competitor’s trucks and they have been used on Live Oak Avenue for many years. Waste Management provides waste hauling services throughout the City of Baldwin Park and likely delivers waste loads through Irwindale to their landfill in the City of Azusa.

- A visual description was presented for the travel routes to and from the proposed facility.

**Gary Clifford**

Mr. Clifford also addressed some of the questions from the general public regarding property values. He stated that the company’s current facilities operate in mixed commercial and residential areas and he was aware that property values of homes surrounding their facility in the City of Industry have increased as much or more than other homes in the neighborhood. He also felt that the value of properties surrounding Athens facilities have steadily increased.

Chair Tapia stated for the public’s benefit that the final decision for the proposed project will be made by the City Council, at which time the public will have an opportunity to speak again on the project. The public was also encouraged to conduct their own research and to contact City staff with any questions or concerns or to obtain additional information.

Since there was no additional public input the public hearing was closed and the floor was opened for further discussion.

Commissioner Corpis shared her thoughts and indicated that since the closing of the Puente Hills Landfill in 2013 and even beforehand, agencies have tried to find ways to dispose of trash while also reducing the amount of trash delivered to landfills. What has since transpired are MRF/TS facilities to help alleviate the situation. The City has worked on this project for many years which has likely taken so long because of its consideration for neighboring cities and being willing to work with them. Due diligence
has been done with the FEIR and with the amendments and the City, applicant, and specialized consultants have addressed and are doing their part to mitigate many of the environmental concerns such as traffic, noise, odors, etc. She explained that the City is also trying to be responsible for its own waste and the implementation of a MRF/TS is a small way to fix the much bigger problem of waste disposal. She explained that the project is being done incrementally and hoped the general public understood they are being considered and that they do matter.

Chair Tapia shared his thoughts and expressed that this project is an opportunity that will ensure the general public’s health, safety and wellbeing. He spoke about the benefits of recycling household waste and salvaged materials which can be turned into usable products without having to tap into the country’s depleting natural resources. He also stated that State of California encourages the implementation regarding the nature of this project by the California Integrated Waste Management Act passed in 1989. He read a portion of the legislation that specified the need for waste processing facilities and transfer stations to be developed in the region to meet the solid waste management needs of jurisdictions and to protect public health and safety. He emphasized the importance of the many studies that had been performed to address and mitigate a variety of impacts, responses to agencies, public concerns and proper findings of fact. He also referenced the City Council’s certification of the FEIR and the importance of Addendum No. 1 which addressed remediation concerns in the initial EIR. He spoke favorably and in support of the proposed project and thanked staff, the project team and consultants for their hard work on the project.

There were no further discussions and the floor was opened for separate motions and voting of each of the following resolutions.

Resolution No. 736(17)
Assistant City Attorney Guerra read the appropriate motion, reading by title only and waiving further reading thereof: “A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF IRWINDALE RECOMMENDING TO THE CITY COUNCIL THE APPROVAL OF GENERAL PLAN AMENDMENT NO. 02-2016 TO CHANGE THE GENERAL PLAN LAND USE DESIGNATION FROM COMMERCIAL TO COMMERCIAL/INDUSTRIAL ON PROPERTY LOCATED AT 2200 ARROW HIGHWAY (APN 8535-001-911), SUBJECT TO CONDITIONS AS SET FORTH HEREIN AND MAKING FINDINGS IN SUPPORT THEREOF”. Commissioner Chico motioned to accept staff’s recommendation to adopt Resolution No. 736(17) recommending that the City Council approve General Plan Amendment No. 02-2016, as proposed.

MOTION: Commissioner Chico
SECOND: Vice-Chair Hartman
Ayes: Commissioner Corpis, Commissioner Gonzales, Commissioner Chico, Vice-Chair Hartman, Chair Tapia
Noes: None
Abstain: None

Resolution No. 737(17)
Assistant City Attorney Guerra read the appropriate motion, reading by title only and waiving further reading thereof: “A RESOLUTION OF THE PLANNING COMMISSION RECOMMENDING THAT THE CITY COUNCIL OF THE CITY OF IRWINDALE AMEND SECTION 8.20.370 OF THE IRWINDALE MUNICIPAL CODE REGARDING SOLID WASTE FRANCHISES, AMEND CHAPTERS 17.56 AND 17.58 OF THE CITY OF IRWINDALE MUNICIPAL CODE REGARDING MATERIAL RECOVERY FACILITIES IN THE M-2 (HEAVY MANUFACTURING) ZONE AND ADD SECTION 17.56.025 REGARDING DISTANCE REQUIREMENTS FOR ALCOHOL BEVERAGE ESTABLISHMENTS”, as proposed. Commissioner Gonzales motioned to accept staff’s recommendation to adopt Resolution No. 737(17) recommending that the City Council approve Zoning Ordinance Amendment No. 04-2016, as proposed.
Resolution No. 738(17)
Assistant City Attorney Guerra read the appropriate motion, reading by title only and waiving further reading thereof: “A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF IRWINDALE RECOMMENDING THAT THE CITY COUNCIL APPROVE DEVELOPMENT AGREEMENT NO. 02-2016 WITH ATHENS SERVICES TO ALLOW THE CONSTRUCTION AND OPERATION OF A MATERIALS RECOVERY FACILITY AND TRANSFER STATION, CONVENIENCE STORE AND FUELING STATION ON PROPERTY LOCATED AT THE 2200 ARROW HIGHWAY (APN 8535-001-911) SUBJECT TO CONDITIONS AS SET FORTH HEREIN AND MAKING FINDINGS IN SUPPORT THEREOF”, with revisions to Exhibit “A”, Exhibit “E” and Exhibit “D” of the Development Agreement. Commissioner Chico motioned to accept staff’s recommendation to adopt Resolution No. 738(17) recommending that the City Council approve Development Agreement No. 02-2016.

Resolution No. 739(17)
Before a motion was made for Resolution No. 739(17), Principal Planner Simpson read the proposed revision to add new Item No. 3 to Page 4 of 10 of the Resolution: “Based upon the substantial evidence and conclusions set forth herein above, this Planning Commission hereby recommends that the City Council approve 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.”

Resolution No. 739(17)
Assistant City Attorney Guerra read the appropriate motion, reading by title only and waiving further reading thereof: “A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF IRWINDALE RECOMMENDING TO THE CITY COUNCIL APPROVAL OF A CONDITIONAL USE PERMIT TO ALLOW A PROPOSED CONVENIENCE STORE TO SELL BEER AND WINE FOR OFF-SITE CONSUMPTION (TYPE 20 OFF SALE BEER & WINE) AND FOR THE OPERATION OF A FUELING STATION LOCATED AT 2200 ARROW HIGHWAY IN THE M-2 (HEAVY MANUFACTURING) ZONE, SUBJECT TO CONDITIONS AS SET FORTH HEREIN AND MAKING FINDINGS IN SUPPORT THEREOF”, subject to the stated revisions. Vice-Chair Hartman motioned to accept staff’s recommendation to adopt Resolution No. 739(17), as revised, recommending that the City Council approve Conditional Use Permit No. 08-2016 subject to the stated Conditions of Approval.
Before a motion was made for Resolution No. 740(17), Principal Planner Simpson read the proposed revision to add new Item No. 3 to Page 5 of 18 of the Resolution: “Based upon the substantial evidence and conclusions set forth herein above, this Planning Commission hereby recommends that the City Council approve 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.” She was asked to read the language from Exhibit “A” which included revisions to the Public Works/Engineering Conditions of Approval for the proposed project.

**Condition No. 38**
Intersection of Arrow Highway (NS) and Project Driveway 4 (EW)
- Construct a concrete right in/right out concrete intersection per City standards.
- Provide a stop control at Driveway 4.
- Northbound Approach: Two through lanes (no left turn access).
- Southbound Approach: One through lane and one shared through right turn lane.
- Eastbound Approach: One right turn lane.
- Westbound Approach: N/A

**Condition No. 39**
Intersection of Arrow Highway (NS) and Project Driveway 5 (EW)
- Construct a concrete right in/right out concrete intersection per City standards.
- Provide a stop control at Driveway 5.
- Northbound Approach: Two through lanes (no left turn access).
- Southbound Approach: One through lane and one shared through right turn lane.
- Eastbound Approach: One right turn lane.
- Westbound Approach: N/A

**Resolution No. 740(17):**
Assistant City Attorney Guerra read the appropriate motion, reading by title only and waiving further reading thereof: “A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF IRWINDALE RECOMMENDING CITY COUNCIL APPROVAL OF SITE PLAN AND DESIGN REVIEW (DA) NO. 06-2016 FOR THE CONSTRUCTION OF A ±252,586 SQUARE FOOT MATERIALS RECOVERY FACILITY AND TRANSFER STATION (MRF/TS) BUILDING AND CONVENIENCE STORE WITH A FUELING STATION LOCATED AT 2200 ARROW HIGHWAY IN THE M-2 (HEAVY MANUFACTURING) ZONE SUBJECT TO CONDITIONS AS SET FORTH HEREIN AND MAKING FINDINGS IN SUPPORT THEREOF”, subject to the stated revisions. Chair Tapia motioned to accept staff’s recommendation to adopt Resolution No. 740(17), as revised, recommending that the City Council approve Site Plan and Design Review (DA) Permit No. 06-2016 subject to the stated Conditions of Approval.

**MOTION:** Chair Tapia  
**SECOND:** Commissioner Chico  
**Ayes:** Commissioner Corps, Commissioner Gonzales, Commissioner Chico, Vice-Chair Hartman, Chair Tapia  
**Noes:** None  
**Abstain:** None

4. **DISCUSSION ITEMS/PRESENTATIONS**
The there were no Discussion Items/Presentations to report.
5. COMMISSIONER COMMENTS

Commissioner Gonzales:

- Commented that the church at Irwindale Avenue and Calle Del Norte has new owners who she had the pleasure of meeting. The property has been cleaned up and the activities are much quieter than with the previous occupants. The congregation is more family oriented and the owners are eager to bring the building back to life again. Building improvements will be made to the roof and windows and will become evident over time.

- Thanked Development Services Director Tam for having a left turn signal installed on Irwindale Avenue and Cypress Street.

Vice-Chair Hartman:

- Thanked staff for making the MRF/TS project reports and materials easy to comprehend which was very helpful. He also thanked Code Enforcement Officer Jeff Tyler for continuing to keep him updated on many of the issues he has brought up.

6. LEGAL COUNSEL COMMENTS

There were no comments or items to report by legal counsel.

7. DEVELOPMENT SERVICES DIRECTOR/CITY ENGINEER’S REPORT

Development Services Director Tam provided updates on the following items:

- The Kaiser medical office building project continues to make progress. The grading operation is completed and the developer is in the process of constructing the foundation for both the building and parking structure.

- The Irwindale Avenue resurfacing project is scheduled to begin next week. There will be traffic control during construction and the project is expected to take 4-6 weeks to complete. Resurfacing will also be done to sections of the City of Azusa and the City of Azusa will cover the costs.

- Shared that an informational cannabis workshop will be held on September 21st. The City Attorney’s office will provide a presentation on State and Federal laws and regulations and staff will also provide updates on policies and regulations of neighboring cities.

8. ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 8:20pm.

________________________________________
Chair Arthur R. Tapia

ATTEST:

________________________________________
Cathy Huicochea, Administrative Secretary

Approved as presented at the meeting held November 15, 2017.