



# CITY OF IRWINDALE

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

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## AGENDA FOR THE SPECIAL MEETING OF THE PLANNING COMMISSION

July 31, 2019

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.

### *IRWINDALE PLANNING COMMISSION*



- A. **CALL TO ORDER**
- B. **PLEDGE OF ALLEGIANCE**
- C. **INVOCATION**
- D. **ROLL CALL: Commissioners: Enoch Y. Burrola, Loretta Corpis, Robert E. Hartman; Vice-Chair Richard Chico; 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: No minutes for approval

#### **2. NEW BUSINESS**

#### **3. PUBLIC HEARINGS**

##### A. Site Plan & Design Review (DA) No. 01-2019 Foothill Transit

Requests for a Site Plan & Design Review (DA) for the construction of a steel and concrete canopy over an existing bus parking lot on the Foothill Transit Maintenance and Operations Facility for a total ± 8,100 square feet on property zoned M-1, located at 5640 Peck Road (APNs: 8532-007-908, 8532-007-909, and 8532-007-914). ENVIRONMENTAL REVIEW: The proposed project is exempt from the California Environmental Quality Act (CEQA), pursuant to Section 15311 (Class 11; Accessory Structures), which exempts the construction, or placement of minor structures accessory to (appurtenant to) existing commercial, industrial, or institutional facilities.

#### **4. DISCUSSION ITEMS/PRESENTATIONS**

#### **5. COMMISSIONER COMMENTS**

#### **6. LEGAL COUNSEL COMMENTS**

#### **7. COMMUNITY DEVELOPMENT MANAGER/CITY PLANNER'S REPORT**

#### **8. ADJOURN**

AFFIDAVIT OF POSTING

I, Berlyn Aguila, Administrative Secretary, certify that I caused the agenda for the special meeting of the Irwindale Planning Commission to be held on July 31, 2019 to be posted at the City Hall, Library, and Post Office on July 25, 2019.

**Berlyn Aguila**

Berlyn Aguila  
Administrative Secretary



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



**Date:** July 31, 2019 **Agenda Item No. 3-A**

**To:** Honorable Chair and Members of the Planning Commission

**From:** Marilyn Simpson, AICP, Community Development Manager/City Planner

**Project Planner:** Edwin Arreola, Planning Technician

**Project:** Site Plan and Design Review (DA) No. 01-2019  
Canopy over proposed electric vehicle charging stations

**Applicant:** David Nguyen, Proterra, Inc. on behalf of Foothill Transit

**Property Owner:** Foothill Transit

**Project Location:** 5640 Peck Road  
(APN's 8532-007-908, 8532-007-909 & 8532-007-914)



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**Staff Recommendation:** That the Planning Commission recommend approval to the City Council of Site Plan and Design Review (DA) No. 01-2019 subject to the attached Conditions of Approval.

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## **REQUEST**

The Applicant, Foothill Transit, a public agency, is requesting a Site Plan and Design Review (DA) for the construction of a new ±8,100 square foot steel and concrete solar canopy over the existing bus parking lot on the Foothill Transit maintenance and operations facility located at 5640 Peck Road, Irwindale, CA 91706 in the M-1 (Light Manufacturing) Zone. Fourteen (14) electric vehicle direct current (DC) chargers will be installed underneath the canopy, with new electrical service provided by Southern California Edison (SCE). The electric vehicle DC chargers are not a part of this Site Plan & Design Review. The plans for the DC charges were submitted separately to the Building and Safety Department and approved in June 2019.

The facility is located in the Cities of Irwindale and Arcadia. The canopy would be constructed primarily on the Irwindale side of the property with an approximate 4'-0" encroachment into Arcadia for the support beams of the canopy.

## **BACKGROUND/HISTORY**

On November 4, 1999, in order to establish the Foothill Transit operations and maintenance facility, the City approved a Zoning Ordinance amending the Municipal Code to permit, "a bus operation and maintenance facility with the approval of a Conditional Use Permit on the Project Site". The applicant also received the approval for Conditional Use Permit No. 99-7 in order to allow the construction and operation of the bus operation and maintenance facility.

The entire site occupies a total of 11.45 acres of land, of which 10.19 acres is within the City of Irwindale and 1.26 acres is within the City of Arcadia. The initial construction of the site was done in 2001 which included the administration/operations building, maintenance building, and fuel and wash structures. An extension to the maintenance building was approved through Site Plan & Design Review (DA) No. 03-2006 in December 2006. The current total building square footage on site is roughly 70,000 square feet. This site currently provides parking for 223 buses.

In December 2018, the California Air Resources Board issued a regulation requiring public transit agencies to switch their fleet to zero emissions by 2040. Foothill Transit's executive board approved an initiative to have a 100% electric fleet by 2030. The agency currently owns 373 buses in total, all of which run on compressed natural gas (CNG) except for 33 electric battery buses. Foothill Transit is currently installing electric vehicle DC chargers in their bus yard as part of its 100% bus fleet electrification project.

## GENERAL PLAN AND ZONING

The project site is designated as Industrial/Business Park. The property is currently zoned M-1 (Light Manufacturing). The following zones and uses surround the site:

Direction	Existing Land Use	Zoning District
North	Peck Road Gravel Pit	Q, Quarry
South	Warehouse/Manufacturing	City of Arcadia
East	Hanson Quarry	M-2, Heavy Manufacturing
West	Warehouse/Manufacturing	City of Arcadia

## ENVIRONMENTAL REVIEW

The proposed project is exempt from the California Environmental Quality Act (CEQA), pursuant to Section 15311 (Class 11; Accessory Structures), which exempts the construction, or placement of minor structures accessory to (appurtenant to) existing commercial, industrial, or institutional facilities.

## SITE PLAN AND DESIGN REVIEW

Pursuant to the provisions of Chapter 17.70 (Site Plan and Design Review) of the IMC, “No person shall construct any building or structure or make structural and physical improvements, additions, extensions and/or exterior alterations, and no permit shall be issued for such construction until the site plan and design review has been submitted to, reviewed by, and approved in accordance with this chapter. The property may only be developed, used and maintained in accordance with the approved site plan and design review.”

## PROJECT DESCRIPTION

The canopy structure is being installed for Foothill Transit in order to accommodate future solar panel installation that will provide power to electric vehicle DC chargers being installed underneath the canopy. The chargers will provide service to Foothill Transit’s electric bus fleet for up to 14 buses at a time. The current project will not include solar panels. Foothill Transit’s future plans call for the installation of solar panels beginning in 2021 and will be phased in as additional electric buses are purchased to replace retiring CNG powered buses. The structure will occupy an area of ±8,100 square feet on the east side of the property over existing bus parking.

The proposed canopy and structure base construction consists of the following:

1. 25’-3-5/8” tall canopy structure (approximately 90’-0” long x 90’-0” wide – 8,100 square feet)
2. Four (4) 12’-0” long x 12’-0” wide x 0’-9” deep concrete slabs at the base of the four (4) support beams for the canopy
3. Bollards to protect adjacent equipment and the canopy structure

Due to the encroachment of the canopy into the City of Arcadia by approximately 4’-0”, the City of Arcadia Building and Safety and Planning Departments were routed sets of plans for their review. They had no additional comments or conditions necessary for this project.

The entire site occupies a total of 11.45 acres of land over twelve (12) parcels, of which 10.19 acres is within the City of Irwindale and 1.26 acres is within the City of Arcadia. Many of the parcels are on-site are joined through lot ties. Additionally, the parcels will be merged as one through a lot line adjustment application, which has been included as a condition of approval prior to building permit issuance.

#### Elevations/Building Height

The M-1 (Light Manufacturing) zone has a maximum height requirement of 35'-0". The proposed height of the canopy itself is a total of 25'-3-5/8" placing it under the maximum allowed height by over nine (9) feet. The proposed installation will be primarily composed of steel beams.

The canopy is being constructed for the future installation of roof solar panels. Section 17.68.010 – Height of penthouses and roof structures states: Penthouses or roof structures for the housing of elevators, stairways, tanks, ventilating fans or similar equipment required to operate and maintain the building; fire or parapet walls, skylights, towers, roof signs, flagpoles, chimneys, smokestacks, wireless masts and similar structures may be erected above the height limits prescribed by this title. Therefore, the additional height accumulated by the placement of roof solar panels will not be subject to the maximum height requirement of 35'-0" in the M-1 (Light Manufacturing) zone. The canopy structure itself, however, will still be subject to the maximum height requirement.

The west elevation will not be visible from the public right-of-way (Peck Road) as the administration/operations and maintenance buildings are located in the line of sight. The south elevation does not face a main arterial and is not readily visible from the public right-of-way (Clark Street). The north and east elevations will face into the adjacent mining pits which are not near any public right-of-ways.

#### Parking

Parking will be unaffected by the installation of the canopy as it will be placed over existing parking stalls.

#### Setbacks

The proposed construction meets all of the required setbacks.

#### Compliance with the Zoning Ordinance

The proposed project, with the recommended conditions of approval, will meet all other pertinent Development Standards for the M-1 (Light Manufacturing) zone.

### **ANALYSIS**

Before any Site Plan and Design Review is approved, the applicant must show, to the satisfaction of the Planning Commission and the City Council, the existence of the following findings of fact. Staff has determined that the findings can be made based on the analysis below:

1. The proposed project is in conformance with the General Plan, zoning ordinance, and other ordinances and regulations of the City. The existing use is permitted by

Conditional Use Permit No. 99-7 and all related modifications and is currently in compliance with all zoning requirements. The zoning and general plan designation are compatible with the existing use and the proposed improvement is not intensifying the use, as it is being constructed over existing bus parking stalls to provide service to Foothill Transit's electric bus fleet, a public transit agency;

2. The proposed project would have been in conformance with any redevelopment plan and regulations of the community redevelopment agency and any executed owner's participation agreement or disposition and development agreement

This finding is no longer applicable as Irwindale Community Redevelopment Agency no longer exists. There are also no owner's participation agreement or disposition and development agreement involved.

3. The following are so arranged as to avoid traffic congestion, to ensure the public health, safety, and general welfare, and to prevent adverse effects on surrounding properties:
  - a. Facilities and improvements,  
The proposed improvement will have little impact on the existing operations and functions already occurring on-site.
  - b. Pedestrian and vehicular ingress, egress, and internal circulation,  
Access to the site will remain unchanged. Buses currently enter and leave the project via the driveway on Peck Road. Construction of the canopy at the rear of the property will not interfere with access to the site. This access is controlled by a vehicle-activated traffic signal that is aligned with an existing driveway on the west side of Peck Road. The proposal will produce virtually no extra traffic. No additional roadways will be required for the construction and operation of this project. Emergency access is provided from the southwest corner of the site via Kardashian Avenue to Clark Street.
  - c. Setbacks,  
The project has been designed to comply with the required minimum setbacks for the M-1 (Light Manufacturing) zone.
  - d. Height of buildings,  
The M-1 (Light Manufacturing) zone has a maximum building height of 35'-0" and the proposed canopy height measures 25'-3-5/8".
  - e. Signs,  
No existing signage will be affected by the improvement to the site.
  - f. Mechanical and utility service equipment,  
No mechanical or utility service equipment will be readily visible from the public right-of-way.

- g. Landscaping,  
The location of the proposed improvement is completely paved and will not eliminate any existing landscaping.
  - h. Grading,  
There is no large scale grading proposed on site.
  - i. Lighting,  
There are no additional light fixtures that will be added as a result of this project. Furthermore, no existing light fixtures will be removed as a result of this project
  - j. Parking,  
The proposed installation will be located over fourteen (14) existing bus parking stalls. No additional parking will be required.
  - k. Drainage, and  
Existing drainage will not need to be improved as a result of this project.
  - l. Intensity of land use.  
The canopy and accessory equipment, which are ancillary uses, will not intensify the uses permitted under Conditional Use Permit No. 99-7.
4. The proposed development is consistent with applicable city design guidelines and historic design themes, and provides for appropriate exterior building design and appearance consistent and complementary to present and proposed buildings and structures in the vicinity of the subject project while still providing for a variety of designs, forms and treatments.

Per IMC Section 17.70.010, subsection B.2, new structures comprising less than thirty percent of the total existing floor area within an existing corporate campus or similar development, when in compliance with all other city ordinances, are exempt from the commercial and industrial design guidelines, subject to the discretion of the planning commission or city council, as applicable. Corporate campuses are those that are planned, organized, and managed to function as a unified whole and featuring all of the following: common driveways, common parking, common signage plan, and common landscaping plan. The Foothill Transit Maintenance and Operations Facility is a corporate campus that includes administrative offices, maintenance structures and bus parking on a ±11.45 acre site. The proposed structure is an open canopy, unlike the primary focus in the design guidelines, which are fully enclosed buildings and structures and it comprises less than two percent of the total existing floor area within the campus. The design of the canopy, although functional in nature, will contribute to the sustainability of public transit and is therefore in the best interest of the surrounding community.

## **CONCLUSION**

That the Planning Commission take the following action:

1. Adopt Resolution No. 765(19) recommending that the City Council approve the proposed Site Plan and Design Review (DA) with the attendant Conditions of Approval.

## **Alternative Actions:**

2. Request that staff prepare a resolution of denial based on recommended Findings of Fact to be brought back at the next regularly scheduled Planning Commission meeting for adoption; OR
3. Request that the applicant revise the project and continue the hearing to a date certain.

## **ATTACHMENTS**

- Exhibit A: Resolution No. 765(19) with Conditions of Approval  
Exhibit B: Site Plan and Elevations

**RESOLUTION NO. 765(19)**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF IRWINDALE RECOMMENDING THAT THE CITY COUNCIL OF THE CITY OF IRWINDALE APPROVE SITE PLAN AND DESIGN REVIEW (DA) NO. 01-2019 FOR CONSTRUCTION OF A NEW ±8,100 SQUARE FOOT STEEL AND CONCRETE CANOPY OVER AN EXISTING BUS PARKING LOT ON THE FOOTHILL TRANSIT MAINTENANCE AND OPERATIONS FACILITY LOCATED AT 5640 PECK ROAD, IRWINDALE, CA 91706 IN THE M-1 (LIGHT MANUFACTURING) ZONE SUBJECT TO CONDITIONS AS SET FORTH HEREIN AND MAKING FINDINGS IN SUPPORT THEREOF**

**A. RECITALS.**

- (i) David Nguyen, Proterra, Inc, 1815 Rollins Road, Burlingame, CA 94010, the Applicant, on behalf of Foothill Transit, has made a request for a Site Plan and Design Review (SP & DR (DA) No. 01-2019) pursuant to Section 17.70.010 of the Irwindale Municipal Code for the construction of a new 8,100 square foot steel and concrete canopy (“Project”) located at 5640 Peck Road, Irwindale, CA 91706 (“Subject Property”).
- (ii) The Subject Property is located on the east side of Peck Road, close to the northeast corner of Peck Road and Clark Street, on a ±11.45 acre site. The Subject Property is zoned M-1 (Light Manufacturing).
- (iii) The City, as the Lead Agency, has determined that, pursuant to the California Environmental Quality Act (CEQA), which lists classes of projects determined not to have a significant effect on the environment and are therefore, categorically exempt from the provisions of CEQA; the proposed Project is categorically exempt pursuant to Section 15311 (Accessory Structures); and that a Notice of Exemption (Class 11) has been prepared.
- (iv) On July 31, 2019, the Planning Commission conducted a duly noticed public hearing, as required by law, on the Application, opened the public hearing, took testimony on the Application, closed the public hearing and now desires to recommend that the City Council approve the Site Plan and Design Review, 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 (“Conditions”) attached hereto as Exhibit “A,” this Planning Commission hereby specifically finds as follows:

- a. The proposed project is in conformance with the General Plan, zoning ordinance, and other ordinances and regulations of the City. The existing use is permitted by Conditional Use Permit No. 99-7 and all related modifications and is currently in compliance with all zoning requirements. The zoning and general plan designation are compatible with the existing use and the proposed improvement is not intensifying the use, as it is being constructed over existing bus parking stalls to provide service to Foothill Transit’s electric bus fleet, a public transit agency;
- b. The proposed project would have been in conformance with any redevelopment plan and regulations of the community redevelopment agency and any executed owner’s participation agreement or disposition and development agreement

This finding is no longer applicable as Irwindale Community Redevelopment Agency no longer exists. There are also no owner's participation agreement or disposition and development agreement involved.

- c. The following are so arranged as to avoid traffic congestion, to ensure the public health, safety, and general welfare, and to prevent adverse effects on surrounding properties:
  - a. Facilities and improvements,  
The proposed improvement will have little impact on the existing operations and functions already occurring on-site.
  - b. Pedestrian and vehicular ingress, egress, and internal circulation,  
Access to the site will remain unchanged. Buses currently enter and leave the project via the driveway on Peck Road. Construction of the canopy at the rear of the property will not interfere with access to the site. This access is controlled by a vehicle-activated traffic signal that is aligned with an existing driveway on the west side of Peck Road. The proposal will produce virtually no extra traffic. No additional roadways will be required for the construction and operation of this project. Emergency access is provided from the southwest corner of the site via Kardashian Avenue to Clark Street.

- c. Setbacks,  
The project has been designed to comply with the required minimum setbacks for the M-1 (Light Manufacturing) zone.
  - d. Height of buildings,  
The M-1 (Light Manufacturing) zone has a maximum building height of 35'-0" and the proposed canopy height measures 25'-3-5/8".
  - e. Signs,  
No existing signage will be affected by the improvement to the site.
  - f. Mechanical and utility service equipment,  
No mechanical or utility service equipment will be readily visible from the public right-of-way.
  - g. Landscaping,  
The location of the proposed improvement is completely paved and will not eliminate any existing landscaping.
  - h. Grading,  
There is no large scale grading proposed on site.
  - i. Lighting,  
There are no additional light fixtures that will be added as a result of this project. Furthermore, no existing light fixtures will be removed as a result of this project.
  - j. Parking,  
The proposed installation will be located over fourteen (14) existing bus parking stalls. No additional parking will be required.
  - k. Drainage, and  
Existing drainage will not need to be improved as a result of this project.
  - l. Intensity of land use.  
The canopy and accessory equipment, which are ancillary uses, will not intensify the uses permitted under Conditional Use Permit No. 99-7.
- d. The proposed development is consistent with applicable city design guidelines and historic design themes, and provides for appropriate exterior building design and appearance consistent and complementary to present and proposed buildings and structures in the vicinity of the subject project while still providing for a variety of designs, forms and treatments.

Per IMC Section 17.70.010, subsection B.2, new structures comprising less than thirty percent of the total existing floor area within an existing corporate campus or similar development, when in compliance with all other city ordinances, are exempt from the commercial and industrial design guidelines, subject to the discretion of the planning commission or city council, as applicable. Corporate campuses are those that are planned, organized, and managed to function as a unified whole and featuring all of the following: common driveways, common parking, common signage plan, and common landscaping plan. The Foothill Transit Maintenance and Operations Facility is a corporate campus that includes administrative offices, maintenance structures and bus parking on a ±11.45 acre site. The proposed structure is an open canopy, unlike the primary focus in the design guidelines, which are fully enclosed buildings and structures and it comprises less than two percent of the total existing floor area within the campus. The design of the canopy, although functional in nature, will contribute to the sustainability of public transit and is therefore in the best interest of the surrounding community.

3. The Planning Commission hereby specifically finds and determines that the Project, as proposed, is exempt from the provisions of CEQA, pursuant to a Class 11 Categorical Exemption as per Section 15311 of the CEQA Guidelines.

4. 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 Chapter 17 of the Irwindale Municipal Code. Applicant, including its successors and assigns, shall be responsible for implementing and complying with all conditions set forth in Exhibit "A".

5. 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 31<sup>st</sup> day of July 2019.

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Chairman

ATTEST:

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Secretary

I, Marilyn Simpson, AICP, Community Development Manager/City Planner of the City of Irwindale, do hereby certify that the foregoing Resolution was adopted at a special meeting of the Planning Commission of the City of Irwindale held on the 31<sup>st</sup> day of July 2019, by the following vote:

AYES:           COMMISSIONERS:  
NOES:           COMMISSIONERS:  
ABSENT:        COMMISSIONERS:  
ABSTAIN:       COMMISSIONERS:

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Secretary

**EXHIBIT “A”**

**PLANNING COMMISSION RESOLUTION NO. 765(19)**

**SITE PLAN AND DESIGN REVIEW (DA) NO. 01-2019**

**Foothill Transit  
5640 Peck Road  
Irwindale, CA 91706**

**FINAL CONDITIONS OF APPROVAL**

**A. GENERAL CONDITIONS**

1. The use and development authorized by this Site Plan and Design Review (DA) Permit allow for the construction and installation of a ±8,100 square foot steel and concrete canopy over existing bus parking.
2. Grading and building permits shall be obtained within twelve (12) months from the date of approval by the City Council. Thereafter, if the activities have been abandoned for ninety (90) or more days, the Site Plan and Design Review Permit approval shall expire and become null and void, unless a written request for extension is received by the Community Development Manager/City Planner at least thirty (30) days prior to such expiration or abandonment. Upon receipt of written request for extension, the Community Development Manager/City Planner may grant an extension of this Site Plan and Design Review Permit approval for a period not to exceed one (1) year from the original date of expiration, or may refer such request to the City Council for determination.
3. 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 the Resolution for the project by the City Council approving the Site Plan and Design Review (DA).
4. Prior to the issuance of a business license and/or occupancy permit and/or final inspection by the Community Development Department, all applicable conditions of approval (except those involving construction permits) shall be completed to the reasonable satisfaction of the City.
5. 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, any approval of the City, its advisory agencies, appeal boards, or legislative body concerning Site Plan and Design Review (DA) No. 01-2019. The City will

promptly notify the permittee of any such claim, action, or proceeding against the City and will cooperate fully in the defense.

6. The use and improvements authorized by this Site Plan and Design Review Permit shall conform to the plans as finally approved by the City as conditioned herein, and any appreciable modification of the plans or mode of operation, as determined by the Community Development Manager/City Planner, shall require the prior approval of the City Council pursuant to the amendment of the Site Plan and Design Review Permit.
7. The Applicant agrees to allow City inspectors access to the site to reasonably inspect the site during normal working hours to assure compliance with these conditions and other codes. Any and all fees required to be paid to any public agency shall be paid prior to obtaining any permits for this project.
8. The Applicant shall maintain and use the project location and facility thereon in full compliance with all codes, standards, policies and regulations imposed by the City, County, State, or Federal agencies with jurisdiction over the facility.
9. It shall be required that the subject location, and its contents, including but not limited to; structures, fences or garden/block walls, and vehicles are maintained free and clear of any graffiti. The Applicant shall be held responsible for the immediate removal of any and all graffiti found on-site within 48 hours of its application.
10. The signed Final Conditions of Approval shall be photocopied and included as a sheet in the plans.
11. 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.
12. This Site Plan and Design Review may be revoked for any violation of or noncompliance with any of these conditions or other codes, regulations of standards enforced by or beneficial to the City of Irwindale in accordance with IMC Section 17.70.
13. Any and all fees required to be paid to any public agency shall be paid prior to obtaining any permit for this project.
14. 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 Site Plan and Design Review, 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.

15. 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 Site Plan and Design Review.
16. Applicant shall comply with all conditions of approval contained in Conditional Use Permit No. 99-7 and adopted by Resolution No. 332(99) to the extent such conditions are not inconsistent with the conditions stated in this Site Plan and Design Review (DA) No. 01-2019.

**B. COMMUNITY DEVELOPMENT DEPARTMENT**

1. The project shall substantially conform to submitted plans date-stamped July 25, 2019 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. Prior to building permit issuance, the Applicant shall submit and obtain approval of a lot line adjustment application to merge all existing parcels within the City of Irwindale.
3. No intensification of the outdoor activities is permitted beyond that previously approved in Conditional Use Permit No. 99-7 and adopted in Resolution No. 332(99).
4. The premises will be secured with appropriate security lighting, to obtain a minimum of 1-foot candle over the entire site, and any lighting under control of the Applicant shall further provide adequate lighting above the entrance area to the premises sufficient in strength to make visible the identity and actions of all persons entering or exiting the premises.
5. All lighting shall conform to the Commercial and Industrial Design Guidelines and the approved plans.
6. All perimeter fencing, block walls, etc. shall be maintained in satisfactory condition in accordance with all applicable codes.
7. The maximum allowable height shall not include the addition of roof solar panels per IMC Section 17.68.010.
8. Applicant shall at all times comply with the Irwindale Municipal Code Noise Standards (as may be amended) as measured at the Site boundary. Additionally, if noise impacts exceed the applicable noise standard contained in the Irwindale

Municipal Code, Applicant shall take necessary actions and implement procedures to bring the operations into compliance with this Code.

9. The Applicant shall pay development impact fees (amount to be determined) for public improvements at the time of grading or building permit issuance.

**C. PUBLIC WORKS/ENGINEERING DEPARTMENT**

1. Adequate "on-site" parking shall be provided per City requirements.
2. All existing buildings shall be connected to the sanitary sewers.
3. 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 City Engineer.
4. 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](http://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.
5. Unless exempted by the Los Angeles Regional Water Quality Control Board, a Covenant and Restriction ensuring the provisions of the approved SWPPP shall also be required.

**D. BUILDING AND SAFETY DEPARTMENT**

1. Building permits shall be obtained from the Building and Safety Division and all construction shall be in compliance with the current Irwindale Building Code.
2. Building plans for non-residential construction must contain the following items in order to be submitted for plan check:

- a. 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
- b. 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.
- c. Floor Plans: Walls, partitions, doors and window locations and schedule, existing and intended room uses. Floor plan must identify all existing and new construction for all affected floors.
- d. Roof Plan: Roof drainage pattern, roofing material and slopes, locations of hips/valleys/ridges, eave overhang dimensions, attic vent locations, rooftop equipment locations.
- e. Accessibility Requirements: Complete path of travel, parking spaces/loading areas, restroom facilities, ramps, curbs, counters, etc. All details must be cross-referenced on the plan.
- f. Exterior Elevations: Wall covering material, plate and building heights, window/door locations, roofing material and slopes, attic vent locations, finish grade lines, veneers.
- g. Cross Sections: Full height and width, indicating framing, foundation, and insulation in at least two orthogonal directions.
- h. Foundation Plan: Locations of all new footings, anchor bolt and hold-down schedules, complete foundation details.
- i. 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.
- j. 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.

- k. Details: Complete framing and foundation details for all new structural elements, complete accessible path of travel details, required fire rated assembly details.
  - l. Green Building: Requirements, details, and notations shall be included in the plans.
3. A soils report must be submitted with plan check review.