



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



Date: March 16, 2022 **Agenda Item No. 3-B**

To: Honorable Chair and Members of the Planning Commission

From: Marilyn Simpson, AICP, Community Development Director

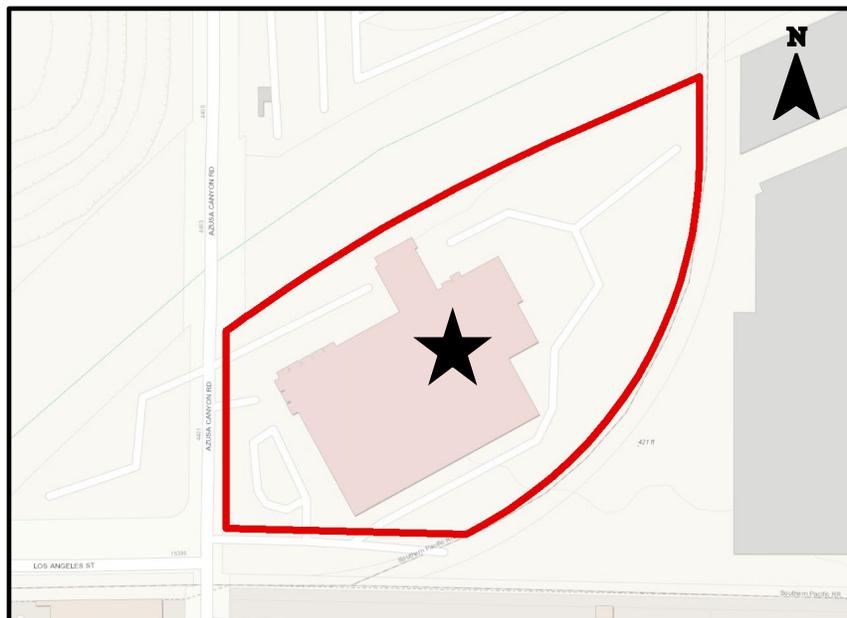
Project Planner: Brandi Jones, Senior Planner
Lisa Chou, Associate Planner

Project: Site Plan & Design Review (DA) No. 04-2020
Speculative 129,830 Square-Foot Concrete Tilt-Up Building

Applicant: Michael Ramirez, Rexford Industrial Realty, LLC

Property Owner: Rexford Industrial Realty, LLC

Project Location: 4416 Azusa Canyon Road (APN: 8417-004-006)



Map Date February 2022
Source: ESRI, City of Irwindale

Staff Recommendation: That the Planning Commission:

1) Adopt Resolution No 813(22) entitled “A Resolution of the Planning Commission of the City of Irwindale, Recommending that the City Council adopt the Mitigated Negative Declaration (MND) and Mitigation Monitoring and Reporting Program (MMRP) for the Construction of one (1) Speculative Industrial Tilt-Up Building Totaling ±129,830 Square Feet For Property Located at 4416 Azusa Canyon Road, Irwindale, CA 91706 (APN: 8417-004-006) in the M-1 (Light Manufacturing) Zone and Making Certain Findings of Fact, Pursuant to the California Environmental Quality Act

2) Adopt Resolution No. 814(22) entitled, “A Resolution of the Planning Commission of the City of Irwindale Recommending that the City Council approve Site Plan and Design Review (DA) No. 04-2020) for the Construction of one (1) Speculative Industrial Tilt-Up Building Totaling ±129,830 Square Feet For Property Located at 4416 Azusa Canyon Road, Irwindale, CA 91706 (APN: 8417-004-006) in the M-1 (Light Manufacturing) Zone and Making Certain Findings of Fact; subject to the City Council adoption of the MND and MMRP and subject to the attached Conditions of Approval.

REQUEST

The Applicant is requesting a Site Plan and Design Review (DA) for the construction of a ±129,830 square-foot concrete tilt-up building and associated parking located at 4416 Azusa Canyon Road, within the City of Irwindale.

BACKGROUND/HISTORY

Based on a review of historical information, the project site appears to have been used as an orchard from at least 1928 until around 1952, when the site became vacant. The current main building was constructed in 1956 and was used by PepsiCo as a bottling plant. The site is presently developed with one building of approximately 62,713 square feet in the western half of the site, a large metal shed north of the building, and a loading dock and large truck yard on the eastern portion of the site (LACOA 2021). The building is a single-story structure of concrete tilt-up construction on a concrete slab floor. The bottling plant ceased operation in December 2020 and the site has remained vacant.

On February 16, 2022, the Planning Commission conducted a duly noticed public hearing, closed the public hearing, and requested staff to provide more information on the traffic study and continued the meeting to a date uncertain. The transportation analysis from the technical appendices of the Mitigated Negative Declaration (MND) was routed to the Commissioners on February 17, 2022. The Commissioners also inquired about the difference between the preparation of the MND for the project instead of an Environmental Impact Report (EIR). In addition, the applicant team has taken Commissioner feedback from the February 16, 2022 public hearing and proposed some design changes. The full report, as presented during the February 16, 2022 Planning Commission meeting, is attached as Exhibit I.

GENERAL PLAN AND ZONING

The site is designated in the General Plan 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	Industrial Businesses	M-2, Heavy Manufacturing
South	Industrial Businesses	M-2, Heavy Manufacturing
East	Industrial Businesses	M-2, Heavy Manufacturing
West	Public Works Yard & Olive Pit	M-1, Light Manufacturing & Q, Quarry

ENVIRONMENTAL REVIEW

In accordance with the California Environmental Quality Act, the City of Irwindale prepared an Initial Study to determine whether the proposed project may have a significant adverse effect on the environment. Based on the Initial Study and subsequent analysis, staff has determined that the project as proposed qualifies for a Mitigated Negative Declaration according to the California Environmental Quality Act (CEQA), pursuant to Section 15074 of the CEQA Guidelines.

Specifically, the impacts of the proposed project would be mitigated to less-than-significant levels with the implementation of the Mitigation Measures for the following areas:

- Air Quality
- Cultural Resources
- Geology and Soils
- Hazards and Hazardous Materials
- Transportation
- Tribal Cultural Resources
- Mandatory Findings of Significance

The Initial Study, Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program are on file in the Community Development Department/Planning Division, City Hall and the Irwindale Public Library. The IS/MND (Exhibit "E") was posted and circulated for the required thirty (30) days for public review and comments (December 21, 2021 through January 19, 2022). (A copy of the above referenced documents are posted on the City's website at <https://www.irwindaleca.gov/575/4416-Azusa-Canyon-Road>).

The specific details of the mitigation methods are included in the Mitigation Monitoring and Report Program (MMRP).

A total of four (4) letters were received during the comment period. These comments were provided by: State of California Department of Transportation (Caltrans), Los Angeles County Sanitation District, Lozeau Drury, LLP and Teamsters Local Union No. 396. The comment letters and responses to comments have been included in the MND. An

additional letter from Lozeau Drury, LLP was received after the comment period on February 16, 2022.

Additionally, PlaceWorks and Urban Crossroads, the environmental consultants that prepared the MND and MMRP for the project, have prepared a detailed response (Exhibit H) to the letter dated February 16, 2022 from Lozeau Drury, LLP. The letter asserts that the IS/MND does not adequately analyze and mitigate air quality, greenhouse gas, hazards and hazardous materials, and transportation impacts and requests the preparation of an EIR.

The response prepared by PlaceWorks addresses each area of concern to fully disclose potential environmental impacts and mitigation which reduces impacts to below significance. It is the professional assessment and recommendation of PlaceWorks that an EIR is not required for this project. PlaceWorks has thoroughly analyzed the project and potential impacts and has determined that the mitigation measures and conditions of approval will avoid impacts to a point where no significant impacts on the environment would occur, therefore a Mitigated Negative Declaration was prepared for the project.

Transportation

Pursuant to City Council Resolution No. 2020-53-3163, wherein the City Council of the City of Irwindale adopted “Vehicle Miles Traveled” thresholds of significance for purposes of analyzing transportation impacts under CEQA Guidelines section 15064.3, Urban Crossroads conducted a transportation analysis as part of the analysis of the project within the MND. CEQA Guidelines Section 15064.3 identifies vehicle miles traveled (“VMT”) — meaning the amount and distance of automobile travel attributable to a project — as the most appropriate metric to evaluate a project’s transportation impacts.

Pursuant to the Office of Planning and Research (“OPR”) Technical Advisory on Evaluating Transportation Impacts in CEQA, absent substantial evidence indicating that a project would generate a potentially significant level of VMT, or inconsistency with a general plan, projects that generate or attract fewer than 110 trips per day generally may be assumed to cause a less-than-significant transportation impact. The Project was analyzed to generate or attract fewer than 110 trips per day, thus VMT analysis was screened out due to a presumption of less than significant impacts.

However, the City of Irwindale’s Policy Guidelines for Traffic Impact Reports requires that projects under go a Level of Service (“LOS”) analysis. Urban Crossroads estimated vehicle trips based on data from the ITE (Institute of Transportation Engineer) Trip Generation Manual, a nationally recognized source for estimating land use-specific trip generation, which is listed as a fundamental requirement within the City’s Policy Guidelines for Traffic Impact Reports. To account for the effects of truck traffic in the traffic analyses, vehicle mix data from the City of Fontana Truck Trip Generation Study was utilized to generate estimated truck trips.

The transportation analysis report found that improvements were needed at two intersections—Azusa Canyon Road/Los Angeles Street and Azusa Canyon Road/Arrow Highway—to provide an acceptable level of service at these locations. The recommendations and conditions of approval include contributions on a fair-share basis to address existing deficient operations (see Appendix I). The proposed signal control improvement at Azusa Canyon Road/Arrow Highway is based on the Project’s fair share of impacts, calculated to be 9%, with the Applicant agreeing to contribute \$550,000 to the new traffic signal. The Project is estimated to impact the Azusa Canyon Road/Arrow Highway intersection on a fair share basis of 2%, with the Applicant agreeing to contribute its fair share amount to the lane configuration and traffic signal phasing modification improvement. It is the professional assessment and recommendation of Urban Crossroads that these mitigation measures will reduce any impacts to less than significant levels and will significantly improve the existing levels of service at the intersections. These improvement requirements are incorporated in the Conditions of Approval.

Additionally, a project condition of approval requires that any proposed tenant(s) provide a site-specific trip generation technical memo demonstrating that the business will not exceed the maximum limit of allowable trips as studied by the transportation analysis. The condition also states that the City will regularly and continually monitor the actual trips generated by the project and enforce the maximum limit of allowable trips. The owner/applicant shall be solely responsible for all costs related to analyses, peer review, monitoring and enforcement.

SITE PLAN AND DESIGN REVIEW

Pursuant to the provisions of Chapter 17.70 (Site Plan and Design Review) of the Irwindale Municipal Code (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.”

Development Standards

Development Standard	Minimum Requirement	Project Proposal
Front Yard Setback	20'-0"	69'-0" – 105'-0"
Side Yard Setback	20'-0"	25'-0" – 160'-0"
Rear Yard Setback	N/A	48'-5" – 108'-11"
Floor Area Ratio (F.A.R.)	1.0:1.0	0.52:1.0
Building Height¹	35'-0"	39'-0"
Landscaping	10%	11%

¹ Per IMC subsection 17.08.085 “Building Height” means the vertical distance from the finished grade of the lot to the highest average point of the building or structure.

Parking	116	123
Truck/Trailer Parking	N/A	N/A

Project Description

The proposed project is for the construction of a ±129,830 square-foot speculative concrete tilt-up building and associated passenger vehicle parking. The building consists of ±9,160 square feet of office, ±17,000 square feet of manufacturing and ±103,670 square feet of warehousing. The property has a gross square footage of 256,664 square feet (5.89 acres) and a net square footage of 251,096 square feet (5.76 acres). There is a required street dedication along Azusa Canyon Road of 5,568 square feet (0.13 acres). At this time, there is no prospective user.

Tribal Consultation

On May 10, 2021, the following tribes were notified pursuant to AB 52:

- Gabrieleno Band of Mission Indians–Kizh Nation
- Gabrieleno/Tongva San Gabriel Band of Mission Indians
- Gabrielino/Tongva Nation
- Gabrielino/Tongva Indians of California Tribal Council
- Gabrielino-Tongva Tribe
- Santa Rosa Band of Cahuilla Indians
- Soboba Band of Luiseno Indians

Three (3) responses were received. The Gabrielino/Tongva Indians of California Tribal Council requested that the tribe be notified if prehistoric materials or burial remains are found during construction. If burial remains are found, the tribe wants to engage in formal consultation. The Gabrieleno Band of Mission Indians–Kizh Nation provided tribal archive information identifying the high cultural sensitivity of the project site. To avoid impacting or destroying tribal cultural resources that may be inadvertently unearthed during the project's ground disturbing activities the tribe provided the City with measures to mitigate or avoid a significant effect on tribal cultural resources. The Santa Rosa Band of Cahuilla Indians responded that the tribe did not have any comments.

Building Design/Design Guidelines

The proposed project is a single-story building located on the former PepsiCo Bottling plant. The proposed tilt-up building incorporates many of the desired design elements from the Commercial and Industrial Design Guidelines. The layout, landscaping and design of the site also incorporated encouraged design principles. For example, the use of an authentic period style compatible with City context, new buildings that draw upon the fundamental characteristics of existing buildings in the City, façade depth of plans and variations on all sides, including varied rooflines, berms, meandering sidewalks and multi-layered landscaping.

The building incorporates tower elements as focal points and breaks up the expansive exterior walls with architectural projections and details around the windows. The vertical and horizontal reveals, arched windows and multi-color palette also work to add depth

and character to the building. The design is similar to many of the recently approved developments, which have been designed to closely adhere to the guidelines, while maintaining function and aesthetic uniqueness.

Design Enhancements

Based on feedback from the Planning Commissioners, the applicant team revisited the designs for the sidewalk and water fountain. A meandering sidewalk along Azusa Canyon Road is now incorporated in the updated site plan. The applicant is also proposing a “Welcome to Irwindale” sign on the water fountain on the corner of Azusa Canyon Road and Los Angeles Street. A revised site plan and detail of the water fountain has been included in the project plans and attached to this report as Exhibit C.

Operation

The prospective use is currently unknown but there are many potential uses that are permitted by right due to the current zoning designation. However, certain uses would not be allowed or would be subject to a Conditional Use Permit. These uses would require Planning Commission approval prior to operation and be subject to a set of Conditions of Approval and a signed Affidavit of Acceptance from the property owner and tenant acknowledging and agreeing to abide by the imposed conditions. Cold storage have been expressly prohibited for this site without further future environmental analysis. The overwhelming majority of new industrial development in the City is speculative.

Landscaping, Project Fencing and Screening

Approximately 27,979 square feet (11%) of the project site is proposed to be landscaped in compliance with the “City of Irwindale Commercial and Industrial Design Guidelines” and the Zoning Code requirements for parking area landscaping. The proposed percentage meets and exceeds the required ten percent (10%) that is required within the Irwindale Municipal Code. The proposed landscape plan is comprised of a combination of parking lot shade trees, shrubs, and groundcover. An eight (8) foot high steel fencing is proposed which surrounds the majority of the property.

Access and Circulation

Ingress and egress to the site are provided via a three (3) driveways, one fronting onto Azusa Canyon Road and the other two (2) fronting on Los Angeles Street. The proposed building is setback approximately 69’-0”, which will also accommodate projected queuing, thus avoid overflow onto Azusa Canyon Road and Los Angeles Street. A 20”-0” wide street dedication along Azusa Canyon Road is required.

Parking

IMC Subsection 17.64.030.P(2) “Offices not providing customer service on the premises” requires a minimum one (1) parking space for each two (2) employees on the maximum (most workers) working shift or one (1) space for each 350 square feet of gross floor area, whichever is the greater and IMC Subsection 17.64.030(V) “Warehouse and storage buildings” requires one (1) parking space for each 1,000 square feet of the first 20,000 square feet of gross floor area, one (1) space for each 2,000 square feet for the next

20,000 square feet of gross floor area and one (1) space for each 4,000 square feet for all floor area over 40,000 square feet of gross floor area.

Based on the proposed square footage, the project requires 116 stalls and 123 stalls are being proposed [five (5) ADA stalls, ninety-seven (97) standard stalls and twenty-one (21) compact stalls]. There are no designated trailer stalls. All parking is surface parking; there are no proposed parking structures or subterranean lots.

Building Height

The maximum building height in the M-1 (Light Manufacturing) zone is 35'-0". Per IMC subsection 17.08.085 "Building Height" means the vertical distance from the finished grade of the lot to the highest average point of the building or structure. The rooflines vary from approximately 30'-7" to 35'-0" and the parapet walls, including the architectural features extend to a maximum height of 39'-0". IMC subsection 17.68.010 "Height of Penthouses and Roof Structures" allows parapet walls to be erected above the height limits prescribed.

Signage

IMC Section 17.56.050 "Signs" provides the maximum allowable sign area for freestanding and wall signs. Based on the approximate square footage of the medical office building, the allowable amount of wall signage would equate to ±1,298 square feet. Freestanding signs would be limited to 150 square feet regardless of building size. Like other recently approved, large-scale projects, Staff incorporates a Condition of Approval that requires the applicant to prepare a comprehensive sign program. The sign program includes but is not be limited to sign type, square footage allowances, placement, illumination, quantity, colors and materials.

ANALYSIS

Site Plan & Design Review 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 subject site is zoned M-1 (Light Manufacturing) and has a General Plan land use designation of Industrial/Business Park and Residential. The existing General Plan and Zoning designations are consistent, which eliminates the need for any legislative action such a Zone Change or General Plan Amendment. The project also meets the minimum development standards for the applicable zones, such as setbacks, height, floor area ratio (F.A.R), parking and aesthetic design without the need for a Zone Variance to accommodate a deviation from any measurable standards. The

prospective use is currently unknown but there are many potential uses that are permitted by right due to the current zoning designation, however certain uses would be not be allowed or would be subject to a Conditional Use Permit.

2. The proposed project is 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 effect on surrounding properties:

- a) Facilities and improvements,

The proposed building is setback approximately 69'-0" from vehicle ingress to accommodate projected queuing, thus avoiding overflow onto Azusa Canyon Road and Los Angeles Street. All structures and infrastructure improvements will be constructed to current code and completed prior to issuance of the Certificate of Occupancy.

- b) Pedestrian and vehicular ingress, egress, and internal circulation,

There is no proposed through-site access. The site is bordered by industrial buildings to the north, south, and east and the City's Public Works yard and Olive Pit to the west. Azusa Canyon Road and Los Angeles Street serve as the vehicular access to the site. There is also a required 20'-0" street dedication on Los Angeles Street.

- c) Setbacks,

The project has been designed to comply with and exceed the minimum required setbacks for the M-1 (Light Manufacturing) zone. The proposed front yard setbacks range from 20'-0" to 105'-0", exceeding the minimum requirement of 20'-0". The proposed side yard setbacks range from 25'-0" to 160'-0", exceeding the minimum requirement of 20'-0". The proposed rear yard setbacks range from 48'-5" to 108'-11", and there is no required rear yard setback when abutting non-residentially zoned properties.

- d) Height of buildings,

The maximum building height in the M-1 (Light Manufacturing) zone is 35'-0". Per IMC subsection 17.08.085 "Building Height" means the vertical distance from the finished grade of the lot to the highest average point of the building or structure. Per IMC subsection 17.68.010, parapet walls may be erected above the height limits. The rooflines vary from approximately 30'-7" to 35'-0" and the parapet walls, including the architectural features extend to a maximum height of 39'-0".

Nonetheless, the proposed buildings have been designed to complement the massing and height of the existing buildings in the area.

e) Signs,

Based on the approximate square footage of the speculative industrial building, the allowable amount of wall signage would equate to ±1,298 square feet. Freestanding signs would be limited to 150 square feet regardless of building size. Like other recently approved, large-scale projects, staff incorporates a Condition of Approval that requires the applicant to prepare a comprehensive sign program. The sign program includes, but is not limited to, sign type, square footage allowances, placement, illumination, quantity, colors and materials.

f) Mechanical and utility service equipment,

Site has been designed to attractively screen all rooftop and surface level mechanical equipment and storage area. The parapet roof will provide adequate screening of any proposed rooftop equipment. During the permitting process, a line of sight study is required to substantiate proper screening. Mechanical equipment and storage areas are screened, out of public view and often with solid walls and landscaping.

g) Landscaping,

The landscaping requirement has been met through considered choices of plantings appropriate to the location, building type, and building scale. Approximately 27,979 square feet (11%) of the project site is proposed to be landscaped in compliance with the “City of Irwindale Commercial and Industrial Design Guidelines” and the Zoning Code requirements for parking area landscaping. The proposed landscape plan is comprised of a combination of parking lot shade trees, shrubs, and groundcover.

h) Grading,

Project has been designed to take advantage of the existing topography, thus reducing grading activities on site. A grading permit will be required and issued from Building and Safety.

i) Lighting,

All lighting is designed to complement the structures and oriented to properly illuminate the site as not to create “dark pockets” that could support nefarious activities or spill onto other properties, creating a nuisance. The premises will be secured with appropriate security lighting, to obtain a minimum of 1-foot candles over the entire site. A photometric lighting plan shall be submitted, subject to the review and approval of the Community Development Department and the Police Department.

j) Parking,

IMC Subsection 17.64.030.P(2) “Offices not providing customer service on the premises” requires a minimum one (1) parking space for each two (2) employees

on the maximum (most workers) working shift or one (1) space for each 350 square feet of gross floor area, whichever is the greater and IMC Subsection 17.64.030(V) "Warehouse and storage buildings" requires one (1) parking space for each 1,000 square feet of the first 20,000 square feet of gross floor area, one (1) space for each 2,000 square feet for the next 20,000 square feet of gross floor area and one (1) space for each 4,000 square feet for all floor area over 40,000 square feet of gross floor area. Based on the proposed square footage, the project requires 116 stalls and 123 stalls are being proposed [five (5) ADA stalls, ninety-seven (97) standard stalls and twenty-one (21) compact stalls]. All parking is surface parking; there are no proposed parking structures or subterranean lots.

k) Drainage,

A Water Quality Management Plan (WQMP) has been prepared to address hydrology and drainage.

l) Intensity of land use.

The project is located on a flat, irregularly shaped lot. It had been used as an orchard from at least 1928 until around 1952, when the site became vacant. The current main building was constructed in 1956 and was used by PepsiCo as a bottling plant. The site is presently developed with one building of approximately 62,713 square feet in the western half of the site, a large metal shed north of the building, and a loading dock and large truck yard on the eastern portion of the site (LACOA 2021). The building is a single-story structure of concrete tilt-up construction on a concrete slab floor. The metal shed was part of the old truck wash area that is connected to the building by an overhang. The bottling plant ceased operation in December 2020 and the site has remained vacant. The proposed building will be approximately 129,830 square feet with associated passenger vehicle parking, truck parking, and eighteen (18) loading docks. The proposed industrial warehouse building is consistent with the General Plan designation of Industrial/Business Park and Zoning designation of M-1 (Light Manufacturing), as well as adjacent industrial land uses.

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.

The proposed tilt-up building incorporates many of the desired design elements from the Commercial and Industrial Design Guidelines including but not limited façade elements, roofs and parapets, materials and colors. The layout, landscaping and design of the site also incorporated encouraged design principles. For example, the use of an authentic period style compatible with City context, new buildings that draw upon the fundamental characteristics of existing buildings in the City, façade depth of plans and variations on all sides, including varied rooflines, berms, meandering sidewalks and multi-layered landscaping.

CONCLUSION

It is recommended that the Planning Commission take the following action:

1. Adopt Resolution No. 813(22) recommending that the City Council adopt the Mitigated Negative Declaration (MND) and Mitigation Monitoring and Reporting Program (MMRP);
2. Adopt Resolution No. 814(22) recommending that the City Council approve Site Plan and Design Review (DA) No. 04-2020 subject to the proposed Conditions of Approval to permit the proposed improvements as presented herein.

Alternative Actions:

3. 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
4. Request that the applicant revise the project and continue the hearing to a date certain.

ATTACHMENTS

- Exhibit A: Resolution No. 813(22)
Exhibit B: Resolution No. 814(22) with Conditions of Approval
Exhibit C: Project Plans
Exhibit D: Street Dedication Exhibit
Exhibit E: Memo to Planning Commission, dated February 10, 2022 with links to:
Initial Study/Mitigated Negative Declaration (IS/MND) and Technical Appendices – Electronic Files also available via:
<https://www.irwindaleca.gov/575/4416-Azusa-Canyon-Road>
Exhibit F: Response to Comments
Exhibit G: Mitigation Monitoring and Reporting Program (MMRP)
Exhibit H: Response to the Lozeau Drury, LLP letter, dated March 7, 2022
Exhibit I: 4416 Azusa Canyon Road Planning Commission Staff Report, dated February 16, 2022

RESOLUTION NO. 813(22)

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF IRWINDALE, RECOMMENDING THAT THE CITY COUNCIL ADOPT THE MITIGATED NEGATIVE DECLARATION (MND) AND MITIGATED MONITORING AND REPORTING PROGRAM (MMRP) FOR THE CONSTRUCTION OF ONE (1) SPECULATIVE INDUSTRIAL TILT-UP BUILDING TOTALING ±129,830 SQUARE FEET FOR PROPERTY LOCATED AT 4416 AZUSA CANYON ROAD, IRWINDALE, CA 91706 (APN: 8417-004-006) IN THE M-1 (LIGHT MANUFACTURING) ZONE AND MAKING CERTAIN FINDINGS OF FACT, PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

A. RECITALS.

- (i) Michael Ramirez, 11620 Wilshire Boulevard, 10th Floor, Los Angeles, CA 90025, on behalf of Rexford Realty Industrial, has made a request for a Site Plan and Design Review (DA) for the construction of one (1) speculative concrete tilt-up building totaling approximately 129,830 square feet.
- (ii) The Subject Property is located at 4416 Azusa Canyon Road, within the City of Irwindale (APN: 8417-004-006). The Subject Property is currently zoned M-1 (Light Manufacturing). Hereinafter in this Resolution, the subject Site Plan and Design Review shall be referred to as the "Application."
- (iii) Pursuant to the authority and criteria contained in the California Environmental Quality Act (CEQA) of 1970, as amended, and the City of Irwindale environmental guidelines, the City, as the Lead Agency has analyzed the project and has prepared a Mitigated Negative Declaration (MND). The MND was circulated for public review for the required 30 days from December 21, 2021 through January 19, 2022. A copy of the MND was circulated through the State Clearinghouse, posted on the City's website (<https://www.irwindaleca.gov/575/4416-Azusa-Canyon-Road>) and was available at the Community Development Department – Planning Division, City Hall, and the Irwindale Public Library. A copy of the MND and the Mitigation Monitoring and Reporting Program was posted on the City's website.
- (iv) The public review period for the MND ended on January 19, 2022.
- (v) The Final MND was prepared on the proposed project, including the Draft MND, comments received on the Draft MND and responses to those comments, and revisions and corrections to the Draft MND made in response to comments received.

- (vi) On February 16, 2022, the Planning Commission conducted a duly noticed public hearing on the Final MND at which time it received input from staff, the City Attorney's Office, and the Applicant, heard public testimony, and discussed the Proposed Project; and closed the public hearing.
- (vii) On March 16, 2022, the Irwindale Planning Commission conducted a duly noticed public hearing, closed the public hearing and recommended that the Irwindale City Council approved the Site Plan and Design Review (DA), subject to the approval of a Resolution, which details the specific Conditions under which the Application was approved.
- (viii) This document was prepared concurrently with the Site Plan and Design Review (DA) No. 04-2020.
- (ix) All legal prerequisites to the adoption of this Resolution have occurred.

B. RESOLUTION.

NOW, THEREFORE, Planning Commission of the City of Irwindale, having reviewed and considered the information in the MND and supporting documents and materials, does hereby find, determine, resolve and order 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 and incorporated herein by this reference.

2. Pursuant to the California Environmental Quality Act ("CEQA") and the City's Local CEQA Guidelines, the City staff prepared an Initial Study for the project. City staff determined that there was no substantial evidence that the project would have a significant effect on the environment after the implementation of Mitigation Measures. Based on that determination, a Mitigated Negative Declaration was prepared. Thereafter, the City staff provided public notice of the public comment period and of the intent to adopt the Mitigated Negative Declaration.

3. The MND was circulated for public review for the required 30 days from December 21, 2021 through January 19, 2022. A copy of the MND was circulated through the State Clearinghouse, posted on the City's website (<https://www.irwindaleca.gov/575/4416-Azusa-Canyon-Road>) and was available at the Community Development Department – Planning Division, City Hall and the Irwindale Public Library. A copy of the MND and Mitigation Monitoring and Reporting Program and technical studies were posted on the City's website.

4. The Planning Commission has reviewed the Initial Study and Mitigated Negative Declaration, comments received regarding the Mitigated Negative Declaration thereto, and City staff's responses. Based on the whole record before it, the Planning Commission hereby finds: (i) that the Mitigated Negative Declaration was

prepared in compliance with CEQA; and (ii) that there is no substantial evidence that the project will have a significant effect on the environment after the implementation of mitigation measures. The Planning Commission further finds that the Mitigated Negative Declaration reflects the independent judgment and analysis of the Planning Commission. Based on these findings, the Planning Commission therefore recommends that the City Council adopt the Mitigated Negative Declaration, attached hereto as Exhibit "A".

5. The Planning Commission has also reviewed and considered the Mitigation Monitoring and Reporting Program (MMRP) prepared for the project pursuant to the requirements of Public Resources Code Section 21081.6 and finds that the Mitigation Monitoring and Reporting Program is designed to ensure compliance with the mitigation measures during project implementation. The Planning Commission therefore recommends that the City Council adopt the Mitigation Monitoring and Reporting Program for the project, attached hereto as Exhibit "B".

6. The custodian of records for the Initial Study, Mitigated Negative Declaration, MMRP and all other materials, which constitute the record of proceeding upon which the Planning Commission's decision is based, is the Director of Community Development of the City of Irwindale. Those documents are available for public review in the Community Development Department – Planning Division, located at 16102 Arrow Highway and City Hall and the Irwindale Public Library, located at 5050 Irwindale Avenue.

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 March 2022.

Suzanne Gomez, Chair
City of Irwindale Planning Commission

ATTEST:

Marilyn Simpson, AICP, Secretary

CITY OF IRWINDALE
COUNTY OF LOS ANGELES } ss.
STATE OF CALIFORNIA

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 March 2022, by the following vote:

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

Marilyn Simpson, AICP, Secretary

Exhibits (***Digital Downloads***):

- Mitigated Negative Declaration (MND)
- Mitigated Monitoring and Reporting Program

RESOLUTION NO. 814(22)

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF IRWINDALE RECOMMENDING THAT THE CITY COUNCIL APPROVE SITE PLAN AND DESIGN REVIEW (DA) NO. 04-2020 FOR THE CONSTRUCTION OF ONE (1) SPECULATIVE INDUSTRIAL TILT-UP BUILDING TOTALING ±129,830 SQUARE-FEET FOR THE PROPERTY LOCATED AT 4416 AZUSA CANYON ROAD, IRWINDALE, CA 91706 (APN: 8417-004-006) IN THE M-1 (LIGHT MANUFACTURING) AND MAKING CERTAIN FINDINGS OF FACT.

A. RECITALS.

- (i) Michael Ramirez, 11620 Wilshire Boulevard, 10th Floor, Los Angeles, CA 90025, on behalf of Rexford Realty Industrial, has made a request for a Site Plan and Design Review (DA) for the construction of a speculative concrete tilt-up building totaling approximately 129,830 square feet.
- (ii) The Subject Property is located at 4416 Azusa Canyon Road (APN 8417-004-006). The Subject Property is currently zoned M-1 (Light Manufacturing). Hereinafter in this Resolution, the subject Site Plan and Design Review shall be referred to as the "Application."
- (iii) Pursuant to the authority and criteria contained in the California Environmental Quality Act (CEQA) of 1970, as amended, and the City of Irwindale environmental guidelines, the City, as the Lead Agency has analyzed the project and has prepared a Mitigated Negative Declaration (MND). The MND was circulated for public review for the required 30 days from December 21, 2021 through January 19, 2022. A copy of the MND was circulated through the State Clearinghouse, posted on the City's website (<https://www.irwindaleca.gov/575/4416-Azusa-Canyon-Road>) and was available at the Community Development Department – Planning Division, City Hall, and the Irwindale Public Library. A copy of the MND and the Mitigation Monitoring and Reporting Program was posted on the City's website.
- (iii) The public review period for the MND ended on January 19, 2022.
- (iv) The Final MND was prepared on the proposed project, including the Draft MND, comments received on the Draft MND and responses to those comments, and revisions and corrections to the Draft MND made in response to comments received.
- (v) On February 16, 2022, the Irwindale Planning Commission conducted a duly noticed public hearing, as required by law, on the Application, closed the public hearing and requested staff to provide more information on the

transportation impacts analysis and continued the meeting to a date uncertain.

- (vi) On March 16, 2022, the Irwindale Planning Commission conducted a duly noticed public hearing on the Application, closed the public hearing and recommended that the Irwindale City Council approve the Site Plan and Design Review (DA), subject to the approval of a Resolution, which details the specific Conditions under which the Application was approved.
- (vii) This application is being processed concurrently with the MND and MMRP.
- (viii) 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 and incorporated herein by this reference.

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 "B," 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 subject site is zoned M-1 (Light Manufacturing) and has a General Plan land use designation of Industrial/Business Park. The existing General Plan and Zoning designations are consistent, which eliminates the need for any legislative action such as a Zone Change or General Plan Amendment. The project also meets the minimum development standards for the applicable zones, such as setbacks, height, floor area ratio (F.A.R), parking and aesthetic design without the need for a Zone Variance to accommodate a deviation from any measurable standards. The prospective use is currently unknown but there are many potential uses that are permitted by right due to the current zoning designation, however certain uses would be not be allowed or would be subject to a Conditional Use Permit.

B. The proposed project is 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 agreements 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 effect on surrounding properties:
- i. Facilities and improvements,
The proposed building is setback approximately 69'-0" from vehicle ingress to accommodate projected queuing, thus avoiding overflow onto Azusa Canyon Road and Los Angeles Street. All structures and infrastructure improvements will be constructed to current code and completed prior to issuance of the Certificate of Occupancy.
 - ii. Pedestrian and vehicular ingress, egress, and internal circulation,
There is no proposed through-site access. The site is bordered by industrial buildings to the north, south, and east and the City's Public Works yard and Olive Pit to the west. Azusa Canyon Road and Los Angeles Street serve as the vehicular access to the site. There is also a required 20'-0" street dedication on Los Angeles Street.
 - iii. Setbacks,
The project has been designed to comply with and exceed the minimum required setbacks for the M-1 (Light Manufacturing) zone. The proposed front yard setbacks range from 20'-0" to 105'-0", exceeding the minimum requirement of 20'-0". The proposed side yard setbacks range from 25'-0" to 160'-0", exceeding the minimum requirement of 20'-0". The proposed rear yard setbacks range from 48'-5" to 108'-11", and there is no required rear yard setback when abutting non-residentially zoned properties.
 - iv. Height of buildings,
The maximum building height in the M-1 (Light Manufacturing) zone is 35'-0". Per IMC subsection 17.08.085 "Building Height" means the vertical distance from the finished grade of the lot to the highest average point of the building or structure. Per IMC subsection 17.68.010, parapet walls may be erected above the height limits. The rooflines vary from approximately 30'-7" to 35'-0" and the parapet walls, including the architectural features extend to a maximum height of 39'-0". Nonetheless, the proposed buildings have been designed to complement the massing and height of the existing buildings in the area.
 - v. Signs,
Based on the approximate square footage of the speculative industrial building, the allowable amount of wall signage would equate to ±1,298 square feet. Freestanding signs would be limited to 150 square feet regardless of building size. Like other recently approved, large-scale projects, staff incorporates a Condition

of Approval that requires the applicant to prepare a comprehensive sign program. The sign program includes, but is not limited to, sign type, square footage allowances, placement, illumination, quantity, colors and materials.

- vi. Mechanical and utility service equipment,
Site has been designed to attractively screen all rooftop and surface level mechanical equipment and storage area. The parapet roof will provide adequate screening of any proposed rooftop equipment. During the permitting process, a line of sight study is required to substantiate proper screening. Mechanical equipment and storage areas are screened, out of public view and often with solid walls and landscaping.
- vii. Landscaping,
The landscaping requirement has been met through considered choices of plantings appropriate to the location, building type, and building scale. Approximately 27,979 square feet (11%) of the project site is proposed to be landscaped in compliance with the “City of Irwindale Commercial and Industrial Design Guidelines” and the Zoning Code requirements for parking area landscaping. The proposed landscape plan is comprised of a combination of parking lot shade trees, shrubs, and groundcover.
- viii. Grading,
Project has been designed to take advantage of the existing topography, thus reducing grading activities on site. A grading permit will be required and issued from Building and Safety.
- ix. Lighting,
All lighting is designed to complement the structures and oriented to properly illuminate the site as not to create “dark pockets” that could support nefarious activities or spill onto other properties, creating a nuisance. The premises will be secured with appropriate security lighting, to obtain a minimum of 1-foot candles over the entire site. A photometric lighting plan shall be submitted, subject to the review and approval of the Community Development Department and the Police Department.
- x. Parking,
IMC Subsection 17.64.030.P(2) “Offices not providing customer service on the premises” requires a minimum one (1) parking space for each two (2) employees on the maximum (most workers) working shift or one (1) space for each 350 square feet of gross floor area, whichever is the greater and IMC Subsection 17.64.030(V) “Warehouse and storage buildings” requires one (1) parking space for each 1,000 square feet of the first 20,000 square feet of gross floor area, one (1) space for each 2,000 square feet for the next 20,000 square feet of gross floor area and one (1) space for each 4,000 square feet for all floor area over 40,000 square feet of gross floor area. Based on the proposed square footage, the project requires 116 stalls and 123 stalls are being proposed [five (5) ADA stalls, ninety-

seven (97) standard stalls and twenty-one (21) compact stalls]. All parking is surface parking; there are no proposed parking structures or subterranean lots.

- xi. Drainage,
A Water Quality Management Plan (WQMP) has been prepared to address hydrology and drainage.
- xii. Intensity of land use.
The project is located on a flat, irregularly shaped lot. It had been used as an orchard from at least 1928 until around 1952, when the site became vacant. The current main building was constructed in 1956 and was used by PepsiCo as a bottling plant. The site is presently developed with one building of approximately 62,713 square feet in the western half of the site, a large metal shed north of the building, and a loading dock and large truck yard on the eastern portion of the site (LACOA 2021). The building is a single-story structure of concrete tilt-up construction on a concrete slab floor. The metal shed was part of the old truck wash area that is connected to the building by an overhang. The bottling plant ceased operation in December 2020 and the site has remained vacant. The proposed building will be approximately 129,830 square feet with associated passenger vehicle parking, truck parking, and eighteen (18) loading docks. The proposed industrial warehouse building is consistent with the General Plan designation of Industrial/Business Park and Zoning designation of M-1 (Light Manufacturing), as well as adjacent industrial land uses.

- 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.

The proposed tilt-up building incorporates many of the desired design elements from the Commercial and Industrial Design Guidelines including but not limited façade elements, roofs and parapets, materials and colors. The layout, landscaping and design of the site also incorporated encouraged design principles. For example, the use of an authentic period style compatible with City context, new buildings that draw upon the fundamental characteristics of existing buildings in the City, façade depth of plans and variations on all sides, including varied rooflines, berms, meandering sidewalks and multi-layered landscaping.

3. The MND was circulated for public review for the required 30 days from December 21, 2021 through January 19, 2022. A copy of the MND was circulated through the State Clearinghouse, posted on the City's website (<https://www.irwindaleca.gov/575/4416-Azusa-Canyon-Road>) and was available at the Community Development Department – Planning Division, City Hall and the Irwindale Public Library. A copy of the MND and Mitigation Monitoring and Reporting Program and technical studies were posted on the City's website.

4. Based upon the substantial evidence and conclusions set forth herein above, this Planning Commission approves the application for the Site Plan and Design Review (DA) subject to adoption of the MND by the City Council, including the corresponding Mitigation Monitoring and Reporting Program.

5. 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.

6. 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 March 2022.

Suzanne H. Gomez, Chair
City of Irwindale Planning Commission

ATTEST:

Marilyn Simpson, AICP, Secretary

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

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

Marilyn Simpson, AICP, Secretary

PLANNING COMMISSION RESOLUTION NO. 814(22)

Site Plan and Design Review No. 04-2020
Speculative, concrete tilt-up building
4416 Azusa Canyon Road
Irwindale, CA 91706

A. GENERAL

1. The use and development authorized by this Site Plan and Design Review (DA), allow for the construction of one (1) speculative, concrete tilt-up building substantially in conformance with the plans dated March 10, 2022.
2. A building permit shall be obtained within twelve (12) months from the date of approval. 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 Director at least thirty (30) days prior to such expiration or abandonment. Upon receipt of written request for extension, the Community Development Director 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 set forth herein within twenty (20) days from the adoption of this Resolution 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 for the speculative building, 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 to Site Plan and Design Review Permit No. 04-2020, including the environmental review and approvals therefore. 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 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.

7. 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.
8. 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.
9. The premises will be secured with appropriate security lighting, to obtain a minimum of 1-foot candles over the entire site. A photometric lighting plan shall be submitted, subject to the review and approval of the Community Development Department and the Police Department.
10. Security lighting fixtures are to be shielded and shall not project above the fascia or roof line of the buildings. The shields shall be painted to match the surface to which they are attached. Security lighting fixtures shall not be substituted for parking lot or walkway lighting fixtures.
11. In accordance with the provisions of Government Code Section 66020(d)(1), the imposition of fees, dedications, reservations, or exactions for this project are subject to protest by the applicant at the time of approval or conditional approval of the project, or within 90 days after the date of imposition of the fees, dedications, reservations, or exactions imposed on the project.
12. Prior to occupancy of the project, all users of the facility shall comply with the City of Irwindale M-1 (Light Manufacturing) zoning standards and regulations through the business license and zoning compliance process.

B. COMMUNITY DEVELOPMENT DEPARTMENT

1. The use and improvements authorized by this Site Plan and Design Review (DA), shall conform to the plans as finally approved by the City (dated March 10, 2022) as conditioned herein, and any appreciable modification of the plans or mode of operation, as determined by the Community Development Director, shall require the prior approval of the final approving body (City Council) pursuant to the amendment of the Site Plan and Design Review Permit.
2. This project shall be subject to the City of Irwindale's utility tax.
3. This project shall be subject to the City of Irwindale's Development Impact Fees (DIF).

4. The signed Final Conditions of Approval shall be photocopied and included as a sheet in the plans submitted to the Building Division for plan check.
5. The following use(s) shall be prohibited. Should any of the following uses be proposed, environmental review shall be required prior to any tenant improvements to the building.
 - a. Cold storage
6. Any future last mile tenant, which would provide the last leg of the delivery or final step in the supply chain, shall be subject to additional analysis including, but not limited to, traffic, air quality/greenhouse gas.
7. Project landscaping shall comply with Irwindale Municipal Code Chapter 15.30, "Water Efficient Landscape Standards and Guidelines."
8. Landscaping shall be drought resistant low water with drip irrigation, low flow bubblers and water efficient rotor heads where applicable. Native plants shall be used where feasible. Landscaping shall be provided as shown on the approved Conceptual Landscape and as modified pursuant to City Building Plan Check review of Precise Landscape and Irrigation plans.
9. Landscape and irrigation plans shall be prepared by a licensed landscape architect, and are subject to the approval of the Community Development Director and the Director of Engineering. Vision clearance shall be maintained at all vehicle entrances and exits.
10. A complete, permanent, automatic irrigation system shall be provided for all landscaped areas.
11. A six (6) inch horizontal concrete curb shall surround all landscaped planters.
12. The following invasive plants shall not be used in landscaping:
 - *Carpobrotus edulis* (ice plant)
 - *Hedera helix*, *H. Hibernica*, *H. canariensis* (English ivy, Irish ivy, Algerian ivy)
 - *Vinca Major* (periwinkle)
 - *Pennisetum setaceum* and all cultivars and varieties (fountain grass)
 - *Cortaderia selloana*, *C. jubata* and all cultivars and varieties (pampas grass)
 - *Retama monosperma*, *Genista monspessulana*, *Cytisus striatus*, *Cytisus scoparius*, and *Spartium junceum* (broom – bridal, French, Portuguese, Scotch, Spanish)
 - *Acacia Cyclops* (acacia or western coastal wattle)
 - *Myoporum laetum* (myoporum)
 - *Washingtonia robusta* and *Phoenix canariensis* (Mexican fan palm and Canary Island date palm)
 - *Schinus terebinthifolius* (Brazilian pepper)

- *Eucalyptus globules*, *E. camaldulensis* (eucalyptus, blue gum, and red gum)
13. A minimum of 10% ($\pm 25,110$ square feet) the total lot area shall be landscaped.
 14. All plant material, including trees, shall be maintained in good condition and replaced in the event they die or become diseased.
 15. Any event not held during typical hours of operation shall be subject the Community Development Department review.
 16. The Applicant shall prepare a comprehensive sign program. The sign program shall include but is not be limited to sign type, square footage allowances, placement, illumination, quantity, colors, materials, landlord/owner/association approval. The sign program shall be reviewed and approved by the Community Development Director and/or their designee prior to the issuance of the Certificate of Occupancy.
 17. The Applicant shall obtain approval and permits from the Planning and Building Divisions for all project signage prior to construction of any signs on the project site.
 18. Drive aisles shall remain open and unobstructed for vehicular circulation.
 19. All building design and construction, including the type, texture, color, and durability of the exterior building materials shall comply with the City's Commercial and Industrial Design Guidelines.
 20. Trash enclosures (6'-0" high min.) with solid metal self-closing and self-latching gates shall be provided. The enclosures shall be covered and built with decorative materials to match the type, texture, and color of the materials used in the construction of the buildings. Gates shall remain closed at all times when the trash receptacles are not in use.
 21. All utility equipment such as backflow units and transformers shall be screened with evergreen screen shrubs or similar planting materials as allowed.
 22. All rooftop mechanical equipment, including heating and air conditioning units, antennas, and other electronic devices, shall be completely and decoratively screened from view from all public rights of way and adjacent properties and shall be integrated into the design and construction of the buildings¹. All rooftop equipment and screening shall be shown on the plans and elevations, and shall be consistent with the building design and construction materials in texture and color. Such rooftop equipment screening shall be subject to the review and approval of the Community Development Department.

¹ Photovoltaic equipment is exempt from this requirement.

23. All rooftop wireless telecommunications antennas operated by third parties are subject to the provisions of Chapter 17.90 of the Irwindale Municipal Code shall require a separate permit in accordance with the provisions of the Municipal Code.
24. The street numbers for the development shall be painted on the rooftop of each building in such a manner that it is clearly visible to public safety personnel and shall be a minimum five (5) feet in length painted with minimum one (1) foot wide brush strokes. Rooftop numbers shall be shown on the plans submitted for plan check.
25. A lighting plan shall be submitted for approval by the Community Development Director describing lighting fixtures for building exterior lighting. Lighting fixtures shall be designed to shield light and/or directs light in a downward direction to minimize light spillover to adjacent residential areas. A minimum of 1-foot candle shall be provided.
26. Applicant shall obtain approval and permits from the Community Development Department and Building Division for all project signage prior to construction of any signs on the project site.
27. A temporary chain link fence with green screening, or acoustical fencing assembly as specified in the Mitigated Negative Declaration, shall be installed and maintained around the perimeter of the site at all times during construction.
28. Any masonry walls, tube steel fences, and driveway gates shall be decorative and consistent with the building design and the Commercial and Industrial Design Guidelines. The design of the walls and gates shall be subject to the review and approval of the Community Development Department. No chain link fencing shall be allowed for permanent perimeter fencing applications.
29. 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.
30. Applicant/developer shall post "No Overnight/Unauthorized Parking" signs on the property to prevent unauthorized parking on the site.
31. Construction activity shall take place no earlier than 7:00 AM on each day and no later than 7:00 PM on each day, Monday thru Saturday. No construction activities of any kind shall be performed on Sundays or holidays without a permit per Subsection 9.28.110(A).
32. All construction related activity shall comply with the noise standards as set forth in IMC Section 9.28.030.

33. All truck loading and unloading shall occur on the site. No loading, unloading or truck idling shall be permitted to take place on the street for any business located on the site.

C. FIRE DEPARTMENT

1. Fire Department access shall comply with Section 503 of the Los Angeles County Fire Code.
2. Provide a minimum unobstructed width of 28 feet, exclusive of shoulders, except for approved security gates in accordance with Section 503.2.1.2.1, and an unobstructed vertical clearance “clear to sky” Fire Department vehicular access to within 150 feet of all portions of the exterior walls of the first story of the building.
3. Cross-hatch any on-site Fire Department vehicular access to within 150 of all portions of the exterior walls.
4. Show any existing fire hydrants within 600 feet of the lot frontage.
5. Submit a fire flow availability form, Form 196 along with plans.
6. All fire hydrants shall measure 6” x 4” x 2½”, conforming to AWWA Standard C503-75 or approved equal.
7. Project shall comply with approved plans (Plan# FEPC2020-1317, approved March 9, 2021 and Plan# FEPC2021-1661, approved June 16, 2021).

D. 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. The owner and/or developer shall resurface Azusa Canyon Road (full street width), along the project frontage. All improvements shall be constructed 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.
3. The owner and/or developer shall design, install and construct a meandering sidewalk (5 feet wide minimum) on Azusa Canyon Road along the project frontage, in accordance with proposed site plans. All improvements shall be constructed 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.

Landscaping and tree planting plans shall be reviewed and approved by the Public Services Director.

4. Roadway dedication and pedestrian access easements (20 feet wide minimum) shall be granted to the City along the project frontage on Azusa Canyon Road as directed by the Director of Engineering.
5. The owner/developer shall obtain written authorization or a construction easement from the owner of the private street along the Los Angeles Street project frontage for the construction of the proposed project improvements.
6. The owner and/or developer shall remove and reconstruct all damaged or deficient sidewalk, driveways, curb and gutter as directed by the Director of Engineering.
7. The owner/developer shall install ADA accessible driveway approaches and remove all existing driveways and parkway drains along Azusa Canyon Road. The owner/developer shall install an ADA curb ramp at the northeast corner of the intersection of Azusa Canyon Road and Los Angeles Street. All improvements shall be constructed in accordance with City standards to the satisfaction of the Director of Engineering.
8. The owner and/or developer shall upgrade street lighting fixtures along the Azusa Canyon Road property frontage to LED fixtures in accordance with Los Angeles County standards and to the satisfaction of the Director of Engineering.
9. The owner and/or developer shall reimburse the City for the actual cost for the installation, replacement or modification of street name signs, traffic control signs, striping and pavement markings required in conjunction with the development.
10. 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

11. 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.
12. The owner/developer shall pay for the entire cost for the design, engineering construction and inspection of any upgrade to the water main and connections as required by the serving water company for the proposed development.

13. The owner/developer shall obtain a Storm Drain Connection Permit for the connection to the existing storm drain system.
14. 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.
15. Sanitary sewers shall be constructed in accordance with City specifications to serve the subject development. The plans for the sanitary sewers shall be approved by the Director of Engineering. A sewer study shall be submitted along with the sanitary sewer plans.
16. Prior to the issuance of building permits, the owner/developer shall provide a will-serve letter from the water utility provider to the City.

TRAFFIC

17. In accordance with Mitigation Measure T-1 of the project MND, prior to the issuance of certificates of occupancy, the owner/developer shall construct the following improvements:
 - New crosswalks on the east and west leg of the intersection
 - Restrict on-street parking on the south side of Los Angeles Street, east of Azusa Canyon Road, within 150 feet of the intersection
 - Restrict on-street parking on the east side of Azusa Canyon Road, north of Los Angeles Street, within 150 feet of the intersection
 - Review sight distance and other safety considerations prior to finalization of the proposed driveways
18. Prior to the issuance of building permits, the owner/developer shall pay the projects fair share amount for improvements at the intersection of Arrow Highway and Azusa Canyon Road. Improvements will include the addition of a 3rd westbound through lane and a northbound right turn traffic signal overlap phase.
19. Prior to the issuance of any building permits, the owner/developer shall pay to the City \$550,000 for the installation of a new traffic signal at the intersection of Azusa Canyon Road and Los Angeles Street. The owner shall dedicate any easements necessary for the construction, maintenance, and operation of the traffic signal. Improvements will include modifying the existing striping for the eastbound and westbound approaches to provide the following lane configuration:
 - Eastbound: 1 left turn, 1 shared left/through, 1 right turn
 - Westbound: 1 left turn, 1 shared/through/right

20. Prior to the issuance of any occupancy or tenant improvement permit, the proposed tenant(s) shall provide a site-specific trip generation technical memo demonstrating that the average daily vehicle trips do not exceed 362 daily PCE (passenger car equivalent) trips, 45 PCE AM trips, 46 PCE PM trips, and 197 daily passenger car trips. The City will regularly and continually monitor the actual trips generated by the project and enforce the maximum limit of allowable trips. If the project applicant/owner proposes to exceed any limits, additional traffic analyses and VMT (vehicle miles traveled) analysis shall be reviewed and approved by Director of Engineering. If the VMT exceeds the applicable threshold at the time of subsequent review, the issuance of the respective permit shall be subject to CEQA review. The owner/applicant shall be solely responsible for all costs related to analyses, peer review, monitoring and enforcement.

FEES

21. That the owner/developer shall comply with all requirements of the County Sanitation District, make application for and pay the sewer maintenance fee.
22. That the owner/developer shall pay the connection fee upon application for storm water connection to the County of Los Angeles system.

MISCELLANEOUS

23. The owner/developer, under the direction of a certified land surveyor and at no cost to the City, shall install all required property boundary monuments, centerline ties and City monuments subject to the Director of Engineering's approval.
24. 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.

25. 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.

E. PUBLIC WORKS SERVICES

1. All utilities and signs on the public right-of-way shall meet horizontal and vertical ADA clearance requirements. The utilities and signs in the public right-of-way include: two (2) Edison poles, one (1) anchor support for Edison pole, two (2) fire hydrants, one (1) stop sign, one (1) welcome to Irwindale sign, and two (2) speed limit signs.
2. All pedestrian and approach ramps in the public right-of-way shall meet ADA requirements. Pedestrian ramps shall have brick red truncated domes in the public right-of-way.
3. City of Irwindale requests irrigation and landscaping plans for the public right-of-way and parkways. The plans will be submitted to the Public Works Services Manager for review and approval.
4. Repair underground vault to make flush within the sidewalk adjacent to northern most fire hydrant on Azusa Canyon Road.
5. The owner and/or developer shall remove and reconstruct all damaged, deficient, or substandard sidewalk, driveways, curb, and gutter as directed by the City Engineer and the Public Works Services Manager.
6. The owner and/or developer/applicant is responsible for obtaining encroachment permit(s) prior to any type of work in the public right-of-way.
7. Any work within easements on the project site shall require proper permits from the easement holder (City of Irwindale, County of Los Angeles, etc.).
8. 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 California Environmental Protection Agency's 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 the following website:
www.waterboards.ca.gov/water_issues/programs/stormwater/construction.shtml.

9. 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.
10. 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.
11. No dumping or unpermitted discharges are allowed into the San Gabriel River via Big Dalton Wash, catch basins and storm drains.

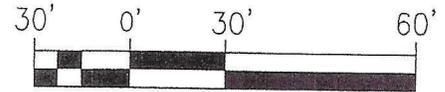
F. BUILDING AND SAFETY

1. Complete Construction Documents include but not limited to Grading, Drainage, Soil Investigation, Architectural, Structural, Electrical, Mechanical, Plumbing, Landscaping...etc., shall be submitted to Irwindale Building & Safety Department for Plan check and Approval Process prior to any Permit Issuance. All Construction Documents shall be prepared by a California Licensed Engineer specialized on the submitted documents based on the current Codes adopted by City of Irwindale.
2. Grading, Drainage, Building and all other trade permits shall be obtained from Irwindale Building and Safety Division by a California licensed contractor(s). All construction shall be in compliance with the current Irwindale Building & Municipal Codes.
3. Other agencies' (Fire, Sanitation...etc.) approvals shall be required prior to any permit issuance. An agency referral sheet shall be provided to the applicant at the time of submittal to Building & Safety.
4. The Owner/Developer/Applicant shall be the sole responsible party for all required Plan Check and Permit fees, as well as any other agencies' fees.
5. All plans submitted shall be subject to the County of Los Angeles (City of Irwindale office) Minimum Plan Submittal Requirements for Non-Residential Construction.

EXHIBIT "D"



SCALE: 1" = 60'



LINE TABLE		
NO.	DISTANCE	BEARING
L1	33.79	S26°10'49"E

Curve Table			
NO.	DISTANCE	RADIUS	DELTA
C1	24.76	2400.00	0°35'28"

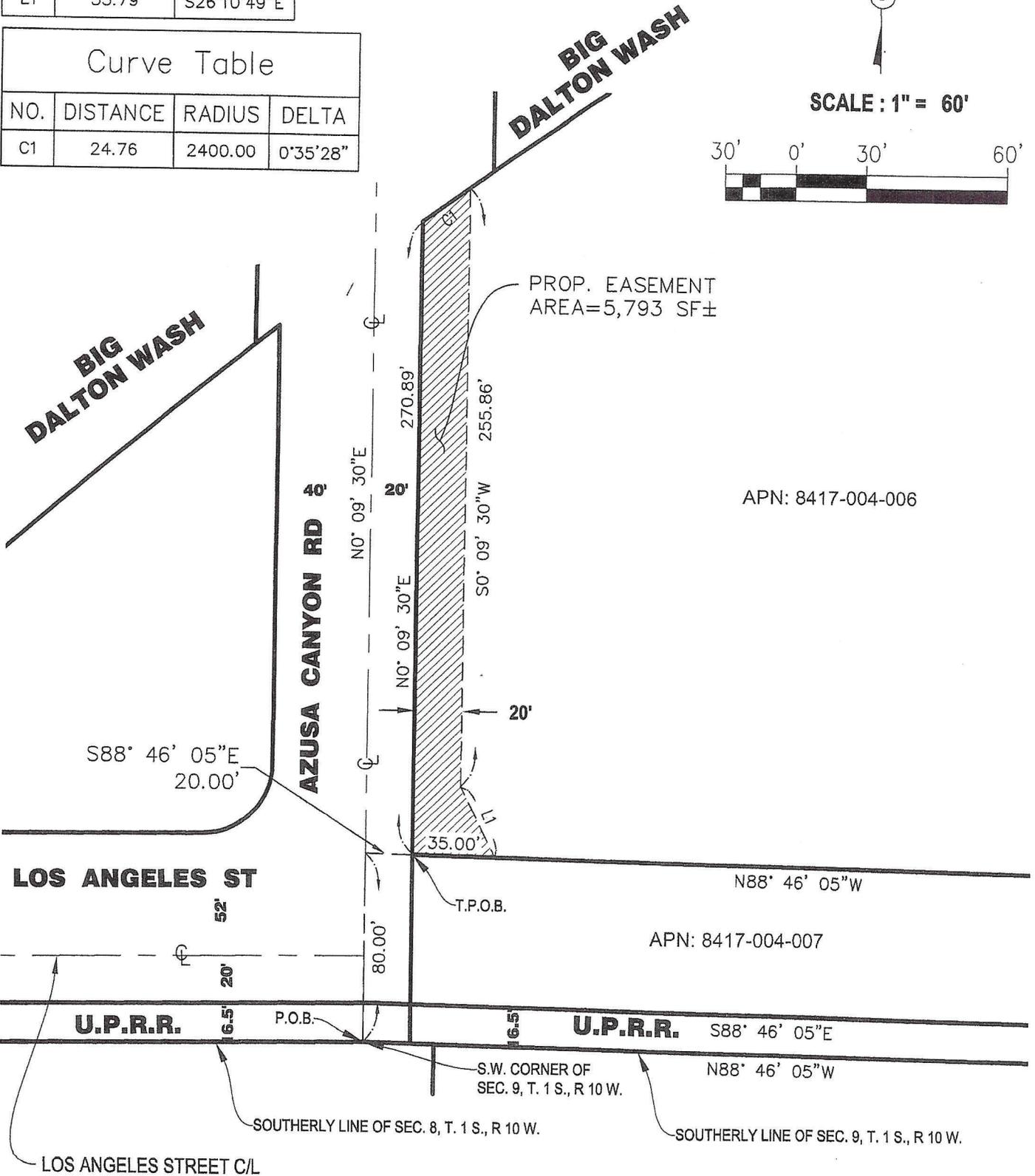


EXHIBIT "B"



Date: March 10, 2022

To: Honorable Chair and Members of the Planning Commission

From: Brandi Jones, Senior Planner
Lisa Chou, Associate Planner

Project: 4416 Azusa Canyon Road
Site Plan & Design Review (DA) No. 04-2020
Speculative 129,830 Square-Foot Concrete Tilt-Up Building

Re: Initial Study/Mitigated Negative Declaration

Summary

The Applicant is requesting a Site Plan and Design Review (DA) for the construction of a ±129,830 square-foot speculative concrete tilt-up building and associated passenger vehicle parking. The above referenced entitlement had been brought before the Planning Commission on February 16, 2022 and will be brought before the Planning Commission once more on March 16, 2022 for a recommendation to the City Council.

In accordance with the California Environmental Quality Act, the City of Irwindale (contracted with Placeworks) has prepared an Initial Study to determine whether the proposed project may have a significant adverse effect on the environment. The Initial Study and Proposed Mitigated Negative Declaration reflect the independent judgment of City of Irwindale Staff.

Due to the depth of the document and appendices, the Initial Study/Mitigated Negative Declaration and technical appendices are available electronically. These files can also be viewed and/or downloaded from the project's dedicated webpage (<https://www.irwindaleca.gov/575/4416-Azusa-Canyon-Road>). A list of active links has been provided. Hard copies are available for viewing at City Hall, Community Development Department – Planning Division, and the Irwindale Public Library. The entire agenda packet will be distributed during the normal timeframe. The environmental consultant will be in attendance and will be available to answer any questions regarding the document and technical studies.

If you have any questions or concerns, please do not hesitate to contact:
Lisa Chou, Associate Planner at LChou@IrwindaleCA.gov or (626) 430-2246
Brandi Jones, Senior Planner at BJones@IrwindaleCA.gov or (626) 430-2260

Documents as of February 10, 2022

Environmental Documents

Initial Study/Mitigated Negative Declaration (IS/MND)

<https://www.irwindaleca.gov/DocumentCenter/View/7118>

Response to Comments

<https://www.irwindaleca.gov/DocumentCenter/View/7236>

Mitigation Monitoring and Reporting Program (MMRP)

<https://www.irwindaleca.gov/DocumentCenter/View/7237>

Technical Appendices

Appendix A - Air Quality (AQ) and Greenhouse Gas (GHG) Background and Modeling

<https://www.irwindaleca.gov/DocumentCenter/View/7119>

Appendix B - Health Risk Assessment (HRA)

<https://www.irwindaleca.gov/DocumentCenter/View/7120>

Appendix C - Cultural and Paleontological Resources Assessment Report

<https://www.irwindaleca.gov/DocumentCenter/View/7121>

Appendix D - Geotechnical Investigation and Results of Infiltration Testing

<https://www.irwindaleca.gov/DocumentCenter/View/7122>

Appendix E - Phase I Environmental Assessment

<https://www.irwindaleca.gov/DocumentCenter/View/7123>

Appendix F - Low Impact Development (LID) Report and Hydrology and Detention Report

<https://www.irwindaleca.gov/DocumentCenter/View/7124>

Appendix G - Noise Background

<https://www.irwindaleca.gov/DocumentCenter/View/7125>

Appendix H - Public Services and Utility Provider Responses

<https://www.irwindaleca.gov/DocumentCenter/View/7126>

Appendix I - Transportation Analysis

<https://www.irwindaleca.gov/DocumentCenter/View/7127>

Appendices Volume I (AQ and GHG, HRA, Cultural and Paleontological Resources, Geotechnical)

<https://www.irwindaleca.gov/DocumentCenter/View/7115>

Appendices Volume II (Phase I)

<https://www.irwindaleca.gov/DocumentCenter/View/7116>

Appendices Volume III (LID, Noise, Public Services and Utility, Transportation)

<https://www.irwindaleca.gov/DocumentCenter/View/7117>

February 2022 | Response to Comments

4416 AZUSA CANYON ROAD

City of Irwindale

Prepared for:

City of Irwindale

Contact: Brandi Jones, Senior Planner
5050 Irwindale Avenue,
Irwindale, California 91706
626.430.2260

Prepared by:

PlaceWorks

Contact: JoAnn C. Hadfield, Principal
3 MacArthur Place, Suite 1100
Santa Ana, California 92707
714.966.9220
info@placeworks.com
www.placeworks.com

1. Response to Comments

Following is a list of agencies and organizations that submitted comments on the Initial Study/Mitigated Negative Declaration (IS/MND) for the 4416 Azusa Canyon Road project during the public review period, which extended from December 21, 2021, through January 19, 2022. Comment letters and specific comments are given letters and numbers for reference purposes.

Number Reference	Commenting Agency/Person	Date of Comment	Page No.
Agencies			
A1	California Department of Transportation (Caltrans)	January 13, 2022	1-3
A2	Los Angeles County Sanitation Districts	January 18, 2022	1-9
Organizations			
O1	Lozeau Drury, LLP – Supporters Alliance for Environmental Responsibility (SAFER)	December 23, 2021	1-17
O2	Teamsters	January 19, 2021	1-21
O3	Lozeau Drury, LLP – Supporters Alliance for Environmental Responsibility (SAFER)	January 19, 2021	1-31

1. Response to Comments

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1. Response to Comments

LETTER A1 – California Department of Transportation (Caltrans) (3 pages)

A-1

STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY GAVIN NEWSOM, Governor

DEPARTMENT OF TRANSPORTATION
DISTRICT 7
100 S. MAIN STREET, MS 16
LOS ANGELES, CA 90012
PHONE (213) 269-1124
FAX (213) 897-1337
TTY 711
www.dot.ca.gov



*Making Conservation
a California Way of Life*

January 13, 2022

Brandi Jones, Senior Planner
City of Irwindale
5050 Irwindale Avenue
Irwindale, CA 91706

RE: 4416 Azusa Canyon Road Project
SCH # 2021 120500
Vic. LA-605/PM 22.163, LA-210/PM
R37.85, LA-10/PM LA-34.47
GTS # LA-2022-03809-MND

Dear Brandi Jones:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the above referenced environmental document. The project site is presently developed with one building, previously occupied by Pepsi Bottling Group. The proposed project includes development of a standalone concrete tilt-up warehouse, office, and manufacturing facility and would involve demolition of the existing building on-site. Prospective tenants would operate out of a proposed building with a footprint of 125,500 square feet. Other project components include vehicular and pedestrian access and circulation improvements; surface parking and utility improvements; and various hardscape and landscape improvements. A1-1

The mission of Caltrans is to provide a safe and reliable transportation network that serves all people and respects the environment. Senate Bill 743 (2013) has codified into CEQA law and mandated that CEQA review of transportation impacts of proposed development be modified by using Vehicle Miles Traveled (VMT) as the primary metric in identifying transportation impacts for all future development projects. You may reference the Governor's Office of Planning and Research (OPR) for more information: A1-2

<http://opr.ca.gov/ceqa/updates/guidelines/>

As a reminder, VMT is the standard transportation analysis metric in CEQA for land use projects after July 1, 2020, which is the statewide implementation date.

Provide a safe and reliable transportation network that serves all people and respects the environment

1. Response to Comments

Brandi Jones, Senior Planner
January 13, 2022
Page 2 of 3

For this project, we encourage the Lead Agency to evaluate the potential of Transportation Demand Management (TDM) strategies and Intelligent Transportation System (ITS) applications in order to better manage the transportation network, as well as transit service and bicycle or pedestrian connectivity improvements. For TDM options, please refer to the Federal Highway Administration's *Integrating Demand Management into the Transportation Planning Process: A Desk Reference* (Chapter 8). This reference is available online at:

<http://www.ops.fhwa.dot.gov/publications/fhwahop12035/fhwahop12035.pdf>

You can also refer to the 2010 *Quantifying Greenhouse Gas Mitigation Measures* report by the California Air Pollution Control Officers Association (CAPCOA), which is available online at:

<http://www.capcoa.org/wp-content/uploads/2010/11/CAPCOA-Quantification-Report-9-14-Final.pdf>

On page I-63/51 of the Azusa Canyon Road Warehouse Transportation Analysis, "The County of Los Angeles Guidelines require VMT analysis for development projects that are estimated to generate a net increase of 110 or more daily vehicle trips. Daily vehicle trips are specifically related to on-road passenger vehicles (cars and light trucks). Heavy trucks are not included in a VMT traffic impact analysis. The passenger car trip generation for the proposed Project is 197 daily trips (see Table 4-1), but the existing baseline site land use passenger car estimated trip generation is 88 daily trips (see Table 4-3). The net proposed Project passenger car trip generation is therefore 109 vehicles per day, which is less than the 110 vehicles per day that would require further VMT analysis." Therefore, proposed project would not require further VMT analysis and would have a less than significant impact.

Since the project passenger car trip is close to the threshold (109 vs. 110), for the City's consideration, Caltrans recommends that a post-development VMT analysis with mitigation measures should be prepared if the project daily net trips exceed 110. A mitigation measure should be implemented when the post-development VMT analysis discloses any traffic significant impact.

As a reminder for construction and operation phases, any transportation of heavy construction equipment and/or materials which requires use of oversized-transport vehicles on State highways will need a Caltrans transportation permit. We recommend large size truck trips be limited to off-peak commute periods.

"Provide a safe and reliable transportation network that serves all people and respects the environment"

A1-2
cont'd

A1-3

A1-4

1. Response to Comments

Brandi Jones, Senior Planner
January 13, 2022
Page 3 of 3

If you have any questions, please feel free to contact Mr. Alan Lin, the project coordinator,
at (213) 269-1124 and refer to GTS # LA-2022-03809AL-MND.

Sincerely,

Miya Edmonson

MIYA EDMONSON
IGR/CEQA Branch Chief

email: State Clearinghouse

"Provide a safe and reliable transportation network that serves all people and respects the environment"

1. Response to Comments

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1. Response to Comments

A1. Response to Comments from Miya Edmonson, IGR/CEQA Branch Chief, Caltrans, dated January 13, 2022.

A1-1 The commenter provides a summary of the existing and proposed uses on the project site. This comment serves as an introduction to the commenter's letter. No further response is necessary.

A1-2 The commenter mentions SB 743 requirements and references the Governor's Office of Planning and Research guidelines as a source for further information. The commenter encourages the City to evaluate the potential of Transportation Demand Management (TDM) strategies and Intelligent Transportation System (ITS) applications in order to better manage the transportation network.

No specific CEQA issue is identified, and no further response is required. The comment is noted and will be forwarded to the decision makers.

A1-3 The commenter notes that the proposed project screened out of a VMT analysis because the net increase in passenger car trips would be 109 trips, which is below the 110-passenger trip threshold in the County of Los Angeles Guidelines. The commenter recommends that because the number of project passenger car trips is so close to the threshold, a post-development VMT analysis with mitigation measures should be prepared if the project daily net trips exceed 110.

Determining traffic generation for a specific project is based on forecasting the amount of traffic that is expected to be attracted to and produced by the specific land uses proposed. The ITE Trip Generation Manual (10th edition, 2017) is a nationally recognized source for estimating site-specific trip generation. To estimate the traffic characteristics of the proposed project, trip-generation statistics published in the ITE Trip Generation Manual for land use codes 150 (Warehousing) and 140 (Manufacturing) were used. These trip generation rates include automobile and truck trip generation. As shown in Table 4-1 of the IS/MND, truck trips were factored further using vehicle mix data from the City of Fontana Truck Trip Generation Study (August 2003). Therefore, the VMT screening analysis indicates that the proposed project, as described in the IS/MND, would screen out of a VMT analysis.

However, there is a Condition of Approval for the proposed project that requires the City of Irwindale to regularly and continually monitor the actual trips generated by the project and enforce the maximum limit of allowable trips according to the IS/MND.

If the project applicant/owner proposes to exceed any limits, additional traffic analyses and VMT analysis shall be reviewed and approved by the Director of Engineering. Prior to the issuance of any occupancy or tenant improvement permit, the proposed tenant(s) shall provide a site-specific trip generation technical memo demonstrating that the average daily vehicle trips do not exceed 362 daily PCE (passenger car equivalent) trips, 45 PCE

1. Response to Comments

AM trips, 46 PCE PM trips, and 197 daily passenger car trips. If the VMT exceeds the applicable threshold at the time of subsequent review, the issuance of the respective permit shall be subject to CEQA review. The City of Irwindale may also request information relating to truck timing, which can then be negotiated with the future occupant.

A1-4 The commenter states that the use of oversized transport vehicles on State highways will need a Caltrans transportation permit.

The commenter does not describe any inadequacies in the CEQA analysis or conclusion in the Initial Study/Mitigated Negative Declaration, and therefore no changes to the Initial Study/Mitigated Negative Declaration are necessary. The project applicant will coordinate with Caltrans to obtain a transportation permit, as needed.

1. Response to Comments

LETTER A2 – Los Angeles County Sanitation Districts (2 pages)



A2

Robert C. Ferrante

Chief Engineer and General Manager

1955 Workman Mill Road, Whittier, CA 90601-1400
Mailing Address: P.O. Box 4998, Whittier, CA 90607-4998
(562) 699-7411 • www.lacsd.org

January 18, 2022

Ref. DOC 6412533

Ms. Brandi Jones and Ms. Lisa Chou
City of Irwindale
5050 Irwindale Ave
Irwindale, CA 91706

Dear Ms. Jones and Ms. Chou:

NOI Response to 4416 Azusa Canyon Road

The Los Angeles County Sanitation Districts (Districts) received a Notice of Intent (NOI) to Adopt a Mitigated Negative Declaration (MND) for the subject project on December 22, 2021. The proposed project is located within the jurisdictional boundaries of District No. 22. We offer the following comments regarding sewerage service:

Intro

1. The proposed project may require a Districts' permit for Industrial Wastewater Discharge. Project developers should contact the Districts' Industrial Waste Section at (562) 908-4288, extension 2900, to reach a determination on this matter. If this permit is necessary, project developers will be required to forward copies of final plans and supporting information for the proposed project to the Districts for review and approval before beginning project construction. For additional Industrial Wastewater Discharge Permit information, go to <https://www.lacsd.org/services/wastewater-programs-permits/industrial-waste-pretreatment-program/industrial-wastewater-discharge-permits>.
2. The proposed project may impact existing and/or proposed Districts' facilities (e.g. trunk sewers, recycled waterlines, etc.) over which it will be constructed. Districts' facilities are located directly under and/or cross directly beneath the proposed project alignment. The Districts cannot issue a detailed response to or permit construction of the proposed project until project plans and specification that incorporate Districts' facilities are submitted for our review. To obtain copies of as-built drawings of the Districts' facilities within the project limits, please contact the Districts' Engineering Counter at engineeringcounter@lacsd.org or (562) 908-4288, extension 1205. When project plans that incorporate our facilities have been prepared, please submit copies to the Engineering Counter for our review and comment.
3. The wastewater flow originating from the proposed project will discharge to a local sewer line, which is not maintained by the Districts, for conveyance to the Districts' Irwindale Section 1 Trunk Sewer, located in Azusa Canyon Road at Los Angeles Street. The Districts' 12-inch diameter trunk sewer has a capacity of 2.9 million gallons per day (mgd) and conveyed a peak flow of 1.3 mgd when last measured in 2015.
4. The expected increase in average wastewater flow from the project site, described in the MND as 17,000 square feet (sf) manufacturing; 103,670 sf warehouse; and 9,160 sf ancillary office space, is 6,256 gallons per day, after the structures on the project site are demolished. For a copy of the Districts' average wastewater generation factors, go to www.lacsd.org, under Services, then Wastewater Program and Permits, select Will Serve Program, and scroll down to click on the [Table 1. Loadings for Each Class of Land Use](#) link.

A2-1

A2-2

A2-3

A2-4

DOC 6433396.D22

1. Response to Comments

Ms. Brandi Jones and Ms. Lisa Chou

2

January 18, 2022

5. The wastewater generated by the proposed project will be treated at the San Jose Creek Water Reclamation Plant located adjacent to the City of Industry, which has a capacity of 100 mgd and currently processes an average flow of 61.2 mgd. A2-5
6. The Districts are empowered by the California Health and Safety Code to charge a fee to connect facilities (directly or indirectly) to the Districts' Sewerage System or to increase the strength or quantity of wastewater discharged from connected facilities. This connection fee is used by the Districts for its capital facilities. Payment of a connection fee may be required before this project is permitted to discharge to the Districts' Sewerage System. For more information and a copy of the Connection Fee Information Sheet, go to www.lacsd.org, under Services, then Wastewater (Sewage) and select Rates & Fees. In determining the impact to the Sewerage System and applicable connection fees, the Districts will determine the user category (e.g. Condominium, Single Family home, etc.) that best represents the actual or anticipated use of the parcel(s) or facilities on the parcel(s) in the development. For more specific information regarding the connection fee application procedure and fees, the developer should contact the Districts' Wastewater Fee Public Counter at (562) 908-4288, extension 2727. If an Industrial Wastewater Discharge Permit is required, connection fee charges will be determined by the Industrial Waste Section. A2-6
7. In order for the Districts to conform to the requirements of the Federal Clean Air Act (CAA), the capacities of the Districts' wastewater treatment facilities are based on the regional growth forecast adopted by the Southern California Association of Governments (SCAG). Specific policies included in the development of the SCAG regional growth forecast are incorporated into clean air plans, which are prepared by the South Coast and Antelope Valley Air Quality Management Districts in order to improve air quality in the South Coast and Mojave Desert Air Basins as mandated by the CAA. All expansions of Districts' facilities must be sized and service phased in a manner that will be consistent with the SCAG regional growth forecast for the counties of Los Angeles, Orange, San Bernardino, Riverside, Ventura, and Imperial. The available capacity of the Districts' treatment facilities will, therefore, be limited to levels associated with the approved growth identified by SCAG. As such, this letter does not constitute a guarantee of wastewater service, but is to advise the developer that the Districts intend to provide this service up to the levels that are legally permitted and to inform the developer of the currently existing capacity and any proposed expansion of the Districts' facilities. A2-7

If you have any questions, please contact the undersigned at (562) 908-4288, extension 2743 or mandyhuffman@lacsd.org.

Very truly yours,

Mandy Huffman

Mandy Huffman
Environmental Planner
Facilities Planning Department

MNH:mnh

cc: J. Chung
L. Smith
A. Howard
R. Paracuelles
Engineering Counter

DOC 6433396.D22

1. Response to Comments

A2. Response to Comments from Mandy Huffman, Environmental Planner, Los Angeles County Sanitation Districts, dated January 18, 2022.

Intro The commenter indicates that the Los Angeles County Sanitation Districts (LACSD) have received the Notice of Intent to adopt the Mitigated Negative Declaration, and that the project site is within the Los Angeles County Sanitation Districts' jurisdictional boundaries of District No. 22.

This comment serves as an introduction to the commenter's letter and no further response is required.

A2-1 The commentor notes that the proposed project may require an LACSD permit for Industrial Wastewater Discharge. The City will impose a Condition of Approval requiring the applicant to submit plumbing plans to the Los Angeles County Sanitation Districts prior to issuance of a building permit. The Districts' Industrial Waste Section staff will review the plumbing plans when they become available.

To reflect this point, the following text in Section 3.19, *Utilities and Service Systems*, and Section 4, *References*, of the IS/MND (pages 143 and 155) has been added/ revised. Changes to the Initial Study are identified here in ~~strikeout~~ text to indicate deletions and underlined text to signify additions. A change made in response to Comment A2-5 is also shown here.

Wastewater Treatment Facilities

Wastewater generated by the land uses in the City is treated by the Sanitation Districts of Los Angeles County (LACSD). Wastewater is collected in the City's local sewer collection system, which tie into one of LACSD's regional trunk sewers. Wastewater from the project site would be treated at the San Jose Creek Water Reclamation Plant (WRP). The San Jose Creek WRP currently provides primary, secondary, and tertiary treatment for a design capacity of 100 million gallons of wastewater per day (mgd). The San Jose WRP currently processes an average flow of ~~66.9~~ 61.2 mgd (~~Irwindale 2020; Ng 2021~~).

Future uses/tenants of the proposed building are still speculative, and there is a possibility that future tenants may discharge industrial wastewater to the sewerage system. Such uses are governed by the Wastewater Ordinance for the LACSD. The applicant would submit plumbing plans to the Los Angeles County Sanitation Districts for revision and approval prior to issuance of a building permit.

References (page 155)

Irwindale, City of. 2021, January. Active Transportation Plan.
<https://www.irwindaleca.gov/DocumentCenter/View/6532/IrwindaleActiveTransportationPlan-012021?bidId=>.

1. Response to Comments

———. 2020, April. Draft Environmental Impact Report, 13131 Los Angeles Street Industrial Project. <https://www.irwindaleca.gov/DocumentCenter/View/6076>.

———. 2012, November 20. City of Irwindale 2012 Hazard Mitigation Plan. <https://www.irwindaleca.gov/DocumentCenter/View/50/Irwindale-Hazmit-Plan-11-20-12---Website?bidId=>.

———. 2008. City of Irwindale General Plan Update. <https://www.irwindaleca.gov/DocumentCenter/View/38/General-Plan?bidId=>.

- A2-2 The commenter notes that the proposed project may impact existing and/or proposed LACSD facilities over which it will be constructed and that LACSD would require review of the proposed project prior to construction. To reflect this point, the following text in Section 3.19, *Utilities and Service Systems*, of the IS/MND (page 144) has been added/revise. Changes to the Initial Study are identified here in ~~strikeout~~ text to indicate deletions and underlined text to signify additions. A change made in response to Comment A2-6 is also shown here.

As a part of the proposed project, a new on-site sewer lateral would connect to the existing private sewer main on Los Angeles Street. No off-site sewer line construction or upsizing would be required to accommodate the proposed project. However, some construction on Los Angeles Street would be required to make the necessary sewer lateral connections to the existing private sewer main. The private sewer main connects to the LACSD sewer trunk main in Azusa Canyon Road. The proposed project may impact existing and/or proposed LACSD facilities over which the proposed project would be constructed. The proposed wastewater system improvements would be designed and constructed in accordance with City and LACSD requirements and would require City and LACSD approval. Additionally, LACSD charges a fee to connect (directly or indirectly) to its sewerage system or to increase the strength or quantity of wastewater discharged from connected facilities. This connection fee is used by LACSD for its capital facilities. The applicant would pay all required connection fees before the proposed project is permitted to discharge to the LACSD sewerage system.

Stormwater Drainage Facilities

See response to Section 3.10.c.iii. As discussed in that section, the proposed project would not require or result in the relocation or construction of new or expanded storm water drainage, and impacts are less than significant.

- A2-3 The commenter notes that the wastewater flow originating from the proposed project will discharge to a local sewer line, which is not maintained by LACSD, for conveyance to the LACSD's Irwindale Section 1 Trunk Sewer, located in Azusa Canyon Road at Los Angeles Street. The IS/MND describes the proposed on-site sewer system as such, and no changes are required.

1. Response to Comments

The commenter further notes that the 12-inch diameter trunk sewer has a capacity of 2.9 million gallons per day (mgd) and conveyed a peak flow of 1.3 mgd when last measured in 2015. This information is used in the response to Comment A2-4.

A2-4 The commenter is proposing the use of wastewater generation rates as shown in Table 1, "Loadings for Each Class of Land Use," posted on the LACSD's webpage (<https://www.lacsd.org/home/showpublisheddocument/3644/637644575489800000>). To reflect this point, the following text in Section 3.19, *Utilities and Service Systems*, and Section 4, *References*, of the IS/MND (pages 143, 144, and 155) has been added/ revised. Changes to the Initial Study are identified here in ~~strikeout~~ text to indicate deletions and underlined text to signify additions.

Wastewater generation due to the existing project ~~development of the proposed project~~ is conservatively assumed to be 90 percent of the indoor water use. As shown in Table 26, the existing project is assumed to have generated 786 gpd of wastewater. Wastewater generation due to the development of the proposed project is conservatively calculated using LACSD average wastewater generation factors (LACSD 2022). The proposed project would comply with the requirements of the 2019 CALGreen (Title 24, California Code of Regulations, Part 11), which establishes mandatory nonresidential measures for water efficiency and conservation under Sections 5.3. The provisions establish the means of conserving water used indoors and include standards for water conserving plumbing fixtures and fittings. With the implementation of these requirements, as ~~As shown in~~ Table 26, the proposed project would have an indoor water demand that is less than the existing bottling plant and a subsequent net decrease of 17 gpd in a net increase in wastewater generation totaling 7,038 gpd. It should be noted that wastewater generation rates used for sewer design are very conservative since they include safety factors for peak flows and ensure that sewer lines are sized so that they do not exceed 50 percent capacity.

The San Jose WRP currently has a residual capacity of 38.8 mgd. Additionally, the LACSD trunk sewer line in Azusa Canyon Road has a capacity of 2.9 mgd and conveyed a peak flow of 1.3 mgd when last measured in 2015. The sewer line has a residual capacity of 1.6 mgd. Therefore, project development would not require the construction of new or expanded wastewater treatment or conveyance facilities. Impacts would be less than significant.

1. Response to Comments

Table 26 Proposed and Former Wastewater Generation

Landscape Square Footage Land Use Type (SF)	Outdoor Water Use (gpd)	Total Water Demand (gpd)	Wastewater Generation Rate (gpd per 1,000 SF)³	Indoor Water Demand (gpd)	Wastewater Generation (gpd)³
Former Land Use					
Landscaping: 1,000 ¹	20 ²	893	=	873	786
Proposed Land Use					
Manufacturing: 17,000	=	=	200	=	3,400
Warehousing: 103,670	=	=	25	=	2,592
Office: 9,160	=	=	200	=	1,832
23,274 ⁴	565	1,419		854	769
Net Increase	545	526		(19)	(17) 7,038

Source: DWR 2017, 2021; LACSD 2022 Scott Peterson Landscape Architect 2021.

Notes: gpd = gallons per day

¹ The existing site includes several mature ornamental trees at the entrance to the northern parking lot along with a few shrubs. The square footage of this area was estimated using Google maps.

² Outdoor water use is based on the California Department of Water Resources' Water Budget Workbook for New and Rehabilitated Non-residential Landscapes. Precipitation for the City of Monrovia was used.

³ Calculated as 90 percent of indoor water demand.

⁴ While the total landscaped area is 27,979 square feet, only 23,274 square feet is irrigated.

References (page 155)

Los Angeles Conservancy (LAC). 2020. Preservation by City: Irwindale. <https://www.laconservancy.org/communities/irwindale>.

Los Angeles County Department of Regional Planning (DRP). 2019. Significant Ecological Areas Program. <http://planning.lacounty.gov/site/sea/maps/>.

Los Angeles County Office of the Assessor (LACOA). 2021, May 29 (accessed). Property Assessment Information System. <https://maps.assessor.lacounty.gov/m/>.

Los Angeles County Sanitation Districts (LACSD). January 31, 2020 (accessed). Table 1, Loadings for Each Class of Land Use. <https://www.lacsd.org/home/showpublisheddocument/3644/637644575489800000>.

A2-5 The commenter notes that the San Jose Creek Reclamation Plant has a capacity of 100 mgd and currently processes an average flow of 61.2 mgd. The text in the IS/MND has been changed accordingly, as shown in the response to Comment A2-1.

A2-6 The commenter notes that LACSD charges a fee to connect to its facilities or to increase the strength or quantity of wastewater discharged from connected facilities and that payment of a connection fee may be required before this project is permitted to discharge to the LACSD's sewer system. The text in the IS/MND has been changed accordingly, as shown in the response to Comment A2-2.

1. Response to Comments

- A2-7 The commenter notes that the capacities of the LACSD's wastewater treatment facilities are based on the regional growth forecast adopted by the Southern California Association of Governments (SCAG) and that all expansions of LACSD's facilities must be sized and service phased in a manner that will be consistent with the SCAG regional growth forecast. That is, LACSD is informing the applicant that the available capacity of the LACSD's treatment facilities will be limited to levels associated with the approved growth identified by SCAG and that LACSD is not guaranteeing wastewater service but intends to provide service up to levels that are legally permitted. No specific CEQA issue is identified, and no further response is required. The comment is noted and will be forwarded to the decision makers.

1. Response to Comments

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1. Response to Comments

LETTER O1 – Lozeau Drury, LLP, Supporters Alliance for Environmental Responsibility (SAFER) (2 pages)



O-1

T 510.836.4200 | 1939 Harrison Street, Ste. 150 | www.lozeaudrury.com
F 510.836.4205 | Oakland, CA 94612 | richard@lozeaudrury.com

Via Email

December 23, 2021

Brandi Jones, Senior Planner
Community Development Department
City of Irwindale
16102 Arrow Highway, Second Floor
Irwindale, CA 91706
BJones@IrwindaleCA.gov

Marilyn Simpson, Director
Community Development Department
City of Irwindale
16102 Arrow Highway, Second Floor
Irwindale, CA 91706
msimpson@IrwindaleCA.gov

Laura Nieto, Chief Deputy City Clerk
City of Irwindale
5050 N. Irwindale Avenue
Irwindale, CA 91706
lnieto@irwindaleca.gov

Re: CEQA and Land Use Notice Request for 4416 Azusa Canyon Road (SCH 2021120500)

Dear Ms. Jones, Ms. Simpson, and Ms. Nieto:

I am writing on behalf of Supporters Alliance for Environmental Responsibility ("SAFER") regarding the project known as 4416 Azusa Canyon Road (SCH 2021120500), including all actions related or referring to the proposed construction of a concrete tilt-up warehouse, office, and manufacturing facility with a footprint of 125,500 square feet, located at the northeastern corner of the Azusa Canyon Road / Los Angeles Street intersection, on APN 8417-004-006, in the City of Irwindale ("Project").

We hereby request that the City of Irwindale ("City") send by electronic mail, if possible or U.S. mail to our firm at the address below notice of any and all actions or hearings related to activities undertaken, authorized, approved, permitted, licensed, or certified by the City and any of its subdivisions, and/or supported, in whole or in part, through contracts, grants, subsidies, loans or other forms of assistance from the City, including, but not limited to the following:

- Notice of any public hearing in connection with the Project as required by California Planning and Zoning Law pursuant to Government Code Section 65091.
- Any and all notices prepared for the Project pursuant to the California Environmental Quality Act ("CEQA"), including, but not limited to:
 - Notices of any public hearing held pursuant to CEQA.
 - Notices of determination that an Environmental Impact Report ("EIR") is required for the Project, prepared pursuant to Public Resources Code Section 21080.4.
 - Notices of any scoping meeting held pursuant to Public Resources Code Section 21083.9.
 - Notices of preparation of an EIR or a negative declaration for the Project, prepared pursuant to Public Resources Code Section 21092.

O1-1

1. Response to Comments

December 23, 2021
CEQA and Land Use Notice Request for 4416 Azusa Canyon Road (SCH 2021120500)
Page 2 of 2

- Notices of availability of an EIR or a negative declaration for the Project, prepared pursuant to Public Resources Code Section 21152 and Section 15087 of Title 14 of the California Code of Regulations.
- Notices of approval and/or determination to carry out the Project, prepared pursuant to Public Resources Code Section 21152 or any other provision of law.
- Notices of any addenda prepared to a previously certified or approved EIR.
- Notices of approval or certification of any EIR or negative declaration, prepared pursuant to Public Resources Code Section 21152 or any other provision of law.
- Notices of determination that the Project is exempt from CEQA, prepared pursuant to Public Resources Code section 21152 or any other provision of law.
- Notice of any Final EIR prepared pursuant to CEQA.
- Notice of determination, prepared pursuant to Public Resources Code Section 21108 or Section 21152.

O1-1
cont'd

Please note that we are requesting notices of CEQA actions and notices of any public hearings to be held under any provision of Title 7 of the California Government Code governing California Planning and Zoning Law. **This request is filed pursuant to Public Resources Code Sections 21092.2 and 21167(f), and Government Code Section 65092**, which require local counties to mail such notices to any person who has filed a written request for them with the clerk of the agency's governing body.

Please send notice by electronic mail or U.S. Mail to:

Richard Drury
Stacey Osborne
Molly Greene
Lozeau Drury LLP
1939 Harrison Street, Suite 150
Oakland, CA 94612
richard@lozeaudrury.com
stacey@lozeaudrury.com
molly@lozeaudrury.com

Please call if you have any questions. Thank you for your attention to this matter.

Sincerely,



Molly Greene
Lozeau | Drury LLP

1. Response to Comments

O1. Response to Comments from Molly Greene, Lozeau Drury LLP, SAFER, dated December 23, 2021.

O1-1 The commenter is requesting that the City send by electronic mail if possible, or U.S. mail, notice of any and all actions or hearings related to activities undertaken, authorized, approved, permitted, licensed, or certified by the City for the proposed project.

The City will notify the commenter, either via electronic mail or U.S. mail, on any and all actions and hearings related to the proposed project as requested.

1. Response to Comments

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1. Response to Comments

LETTER O2 – Teamsters (6 pages)

O-2



Teamsters Local Union No. 396
Package and General Utility Drivers
Affiliated with the
INTERNATIONAL BROTHERHOOD OF TEAMSTERS

Brandi Jones, Senior Planner
(626) 430-2260, bjones@irwindaleca.gov
City of Irwindale
5050 Irwindale Avenue
Irwindale, California 91706

CITY OF IRWINDALE
COMMUNITY DEVELOPMENT

JAN 19 2022
RECEIVED

Lisa Chou, Associate Planner
(626) 430-2246, lchou@irwindaleca.gov
City of Irwindale
5050 Irwindale Avenue
Irwindale, California 91706

Re: 4416 Azusa Canyon Road Project
Assessor's Parcel Number: 8417-004-006
Project Sponsor: Rexford Industrial Realty Consulting Firm
<https://www.irwindaleca.gov/575/4416-Azusa-Canyon-Road>

Dear Ms. Jones and Ms. Chou:

These comments are being submitted on behalf of Teamsters Local 396 regarding the above-captioned project, specifically in response to the project's Initial Study (IS) and the City of Irwindale's determination that a Mitigated Negative Declaration (MND) is necessary to provide CEQA (California Environmental Quality Act) clearance for the project. Please note that we reserve the right to clarify and supplement these comments as permitted by law and do not waive any issue or matter omitted herein as a result of error or omission by the City of Irwindale or the Project Sponsor, to the extent permitted by law.

Teamsters Local 396 represents delivery, sanitation, logistics, recycling and other workers in Los Angeles County. Our members live in Irwindale and other parts of Los Angeles County. As residents, they may be adversely affected by the potential traffic, air quality, noise, public health, and other impacts caused by the project. O2-1

The proposed Mitigated Negative Declaration (MND) is insufficient substantively and as a matter of law and is inappropriate given the likelihood of significant environmental impacts that are not adequately studied or mitigated by the proposed mitigation measures. The City of Irwindale should either reject the proposed IS/MND or send the proposal back to staff and the Project Sponsor to prepare a full Environmental Impact Report (EIR).

The Initial Study describes the project:

The 4416 Azusa Canyon Road project (proposed project) involves the construction and operation of a new warehouse and manufacturing facility on a currently developed site. The warehouse and manufacturing businesses (prospective tenants are unknown at this time) would operate out of a proposed building that would encompass a total of 129,830 square feet, with 17,000 square feet of manufacturing space, 103,670 square feet of warehousing space, and 9,160 square feet of ancillary office space to support the industrial and warehousing tenant(s). The proposed project would also include 18 dock door positions within a secured truck court area on the southeastern side of the site. Other project components include vehicular

O2-2

1. Response to Comments

and pedestrian access and circulation improvements, asphalt parking areas, utility and infrastructure improvements, and various hardscape and landscape improvements.
The project would also involve the demolition of a Pepsi Bottling Group plant which closed in December 2020.

O2-2
cont'd

The Initial Study (Page 8) claims that the ultimate tenant or end user is currently unknown: "Future uses/tenants are described as speculative, and the specific warehousing types have not been defined. Similarly, other industrial or potential manufacturing uses have not been specified."¹

Despite this, it seems likely that the project will be an Amazon "last mile" delivery station:

- An Amazon representative stated last year (during proceedings for a planned last mile delivery station in West Covina) that it was actively looking at 2 Southern California cities – Irwindale and El Monte – as locations for future last mile delivery stations.
 - Amazon is now the largest single developer of warehouses and logistics facilities in the United States. From 2014 to the first half of 2021, the number of last mile delivery stations grew from just 8 to almost 450. Amazon plans to open at least another 250 last mile delivery stations in the U.S. over the next 2 years. The company reportedly plans to open at least 1,500 last mile delivery stations.²
- The Project Sponsor – Rexford Industrial Realty – has a pre-existing relationship with Amazon, leasing multiple properties to it, including facilities in Glendale, CA and Thousand Oaks, CA.³
- The City of Irwindale actively encourages the development of e-commerce-related last mile delivery stations. The official webpage notes that "the City offers a rare abundance of land, especially when incorporating former mining sites and sites that will become available after their mines close, within the core of the Los Angeles Metropolitan Area market. *This presents an irresistible attraction for industrial and commercial uses, especially last-mile distribution, which is needed more than ever with the proliferation of e-commerce.*"
<https://www.irwindaleca.gov/35/Doing-Business>
- The project description fits a last mile delivery station (approximately 100,000 sq. ft. warehouse, open 24 hours per day and 7 days per week⁴, located within a densely populated urban area, etc.).

O2-3

The likelihood that this project is an Amazon last mile delivery station is significant: last mile facilities generate significantly more traffic than other warehouse types. The nature of last mile facilities – which are the starting point of hundreds of daily deliveries into surrounding communities – means that they generate traffic, noise, pollution, and other impacts far beyond the actual facility site.

Traffic Impacts:

Amazon facilities are known to generate traffic problems, leading to congestion and back-ups onto nearby streets, increasing the potential for accidents and contributing to road wear. This was illustrated in 2019-2020 at an Amazon last mile delivery station in Thousand Oaks leased from Rexford Industrial Realty, the sponsor of this project:

In late March, officials in Thousand Oaks scrutinized Amazon's fleet of delivery vans on local roadways after local residents complained about traffic congestion. Acrimony revolved around a bottleneck of vehicles trying to enter Rexford Industrial-owned Conejo Spectrum Business Park in Newbury Park -- where Amazon established a presence in 2018 when it transformed a 55,000-square-foot warehouse at 2405 Conejo Spectrum St. into an Amazon Prime distribution center. According to Thousand Oaks Code Compliance Manager Geoff Ware, who led an investigation of Amazon's driving practices since the first complaint was filed in October, the backup has worsened in the past few months "with the numeric value

O2-4

¹ It is also possible that the Project Sponsor (Rexford Industrial Realty) and/or the City of Irwindale are aware of the specific end user, or at least the specific type of use anticipated. Page 123 of the Initial Study notes that a "similar warehouse project" was used to assess noise levels. What is the "similar warehouse project"? Who decided that it was "similar"? The City? The Project Sponsor? If either entity has any more specific information about the ultimate end user, it must be disclosed and accounted for in order to accurately assess this project's impacts.

² <https://www.freightwaves.com/news/amazon-to-blanket-the-burbs-with-lots-of-delivery-stations>

³ "Glendale: Amazon's mysterious ways," Indian Real Estate News, May 25, 2018, <https://blog.naiop.org/2021/09/the-new-opportunities-in-urban-middle-last-mile/> <https://www.reit.com/news/reit-magazine/january-february-2016/older-buildings-are-prime-sites-rexford-industrial>

⁴ Page 25 of the Initial Study.

1. Response to Comments

and types of traffic patterns involved with the Amazon location.... It was just an overload of vehicles trying to access the site."⁵

The Initial Study's assessment of traffic impacts contained in the Transportation Analysis (Appendix I) does not adequately address traffic issues. It is based on faulty methodology. Page I-75 of the Transportation Analysis states:

In order to estimate the traffic characteristics of the Project, trip-generation statistics published in the Institute of Transportation Engineers (ITE) Trip Generation (10th Edition, 2017) manual for ITE Land Use Code 150 (Warehousing) and 140 (Manufacturing) are utilized. Trip generation rates and resulting calculations for the proposed Project are shown on Table 1. The Project is anticipated to generate 262 trip-ends per day with 29 AM peak hour trips and 35 PM peak hour trips, with the mixture of passenger car and truck trips as shown in Table 1.

The majority of the site is planned for a "stand-alone concrete tilt-up warehouse, office and manufacturing facility" but the particular nature of this use is not defined and the ultimate tenant or end user is unknown. Despite this uncertainty, the Transportation Analysis is based on an assumption that the Institute for Transportation Engineers (ITE) Trip Generation Manual Land Use Code 150 will be applicable. Land Use Code 150 is for a traditional warehouse use, i.e., a place where packages are stored for wholesale distribution or for distribution to producers or manufacturers. This is specifically a "long-term storage" facility, according to the ITE manual.

O2-4
cont'd

The zoning designation, however, is far broader than the specific use associated with Land Use Code 150. Page 29 of the Initial Study states:

The prevailing planning and regulatory plans that govern development and use of the project site are the Irwindale General Plan, Irwindale Zoning Code (Title 17 [Zoning]), and Irwindale Commercial and Industrial Design Guidelines. The general plan land use designation of the project site is Industrial/Business Park, and the site is zoned Light Manufacturing (M-1). Land devoted to Industrial/Business Parks may range in size from 10 acres up to 100 acres, subdivided into smaller lots and developed with industrial buildings of varying sizes.

This is a significant distinction, because of the vast disparity between warehouse/distribution uses in the ITE trip generation manual itself. *The trip-per-unit figure for Code 150 warehouses is 0.19; the trip-per-unit figures for distribution-focused warehouses (such as last mile delivery stations), i.e., codes 155 and 156 are 1.37 and 0.64 respectively, representing significantly higher trip generation characteristics respectively of 7+ times larger than Code 150 and 3+ times larger than Code 150. Since these uses are clearly permitted by the zoning designation, the Transportation Analysis is inadequate both substantively and as a matter of law.*

The Project Sponsor (and the City of Irwindale) have not further defined the precise end user, or even a range of possible end users, for the project site. At the same time, by adopting the MND, the City would be allowing an entire range of "distribution plants and warehouses," including those that fall under Land Use Codes 155 and 156 of the ITE manual. This includes e-commerce-type "last mile" delivery stations that generate far more traffic than traditional warehouses, and traffic of a particular type: vehicle trips into residential areas to make deliveries.

O2-5

The range of uses that will be allowed by adopting this MND would include distribution centers and "last-mile"-type delivery stations, which are more often evaluated as "high-cube" warehouses with significantly higher trip generation characteristics. Importantly, even these ITE Land Use Code designations (155 & 156) are not typically treated as adequate, because of the unique nature of these e-commerce facilities. In other California localities, e-commerce applicants have conducted bespoke studies based on existing facilities in order to provide CEQA-compliant data for purposes of transportation analysis.

The IS/MND transportation analysis falls far short of this requirement. It uses the lowest-level of traffic generation to justify an approval that would allow a significantly more intense type of use. This is precisely what MNDs should *not* do,

⁵ "SPACE FOR E-COMMERCE: With the coronavirus crisis encouraging online shopping, companies from Amazon.com to local businesses are in the market for warehouses (REAL ESTATE QUARTERLY: SPECIAL REPORT)," San Fernando Valley Business Journal, April 27, 2020.

1. Response to Comments

<p>given CEQA's purpose of providing decision-makers and the public with adequate information to make an informed decision on potential environmental impacts. To be adequate, the City of Irwindale needs to study the full range of allowed uses, or, alternatively, condition the approvals to allow only those uses that were actually studied in the IS/MND. This issue alone is sufficient to require a rejection of the IS/MND, or imposition of conditions on the approval that would preclude development on the property of those uses which are more intense but were not studied.</p>	<p>O2-5 cont'd</p>
<p>The faulty methodology of the Transportation Analysis also contributes to other problems in the Initial Study. For example:</p>	
<p>1) The Initial Study's Transportation Analysis does not include a VMT (vehicle miles traveled) analysis, but it should have included one. The Initial Study states that:</p>	<p>O2-6</p>
<p>Under SB 743, a city can decide to screen out certain projects from needing a complete VMT analysis. OPR has advised that certain projects could be cleared from further analysis based on size, type, location, and/or proximity to a major transit stop or high-quality transit. The City of Irwindale adopted its VMT thresholds on November 11th, 2020. Since the City of Irwindale's VMT thresholds do not include screening criteria, the County of Los Angeles' Guidelines were used. The County requires VMT analysis for development projects that are estimated to generate a net increase of 110 or more daily vehicle trips... <i>The passenger car trip generation for the proposed project is 197 daily trips, but the estimated trip generation for the Pepsi bottling plant is 88 daily trips. Therefore, the net increase in the proposed project's passenger car trip generation is 109 vehicles per day, just under the threshold of 110 vehicles per day (see Table 25).</i> Therefore, proposed project would not require further VMT analysis and would have a less than significant impact.</p>	
<p>If the Transportation Analysis calculated passenger car trip generation based on either Land Use Code 155 or 156 used for distribution-based warehouses, the net increase in the proposed project's passenger car trip generation would have far exceeded the threshold of 110 vehicles per day and would have necessitated a VMT analysis.</p>	
<p>2) The Initial Study's discussion of toxic air contaminants notes that "land uses that generate more than 100 truck trips per day have the potential to substantially increase toxic air contaminants (TAC) concentrations and health risks at off-site sensitive land uses within 1,000 feet of the facility" but that "the proposed project would generate an average of only about 65 medium- and heavy-duty truck trips per day."⁶ If this project becomes a last mile delivery station, it is likely to exceed the 100 truck trip threshold, given that Land Use Codes 155 and 156 that cover last mile facilities calculate vehicle trips that are 3+ or 7+ times higher than Land Use Code 150 that covers traditional warehouses. The MND should therefore include an air contaminants analysis that includes this possible scenario.</p>	<p>O2-7</p>
<p><u>The IS/MND Does Not Account for Unique Impacts of Last Mile Delivery Stations:</u> In the possible and even likely event that this project will be a last mile delivery station, traffic, noise and pollution impacts will be particularly acute because they will be spread by delivery vehicles that will travel through residential neighborhoods, bringing congestion, noise and pollutants closer to children, seniors and other "sensitive receptors." Delivery to consumers in neighborhoods means that trucks will be driving slowly and idling near homes, making frequent stops and starts, and otherwise emitting greenhouse gases and other particulates not only at the warehouse, but consistently throughout the day in residential areas that are otherwise not zoned to account for such emissions.</p>	<p>O2-8</p>
<p>Urban planner Daniel Flaming, president of the Economic Roundtable, a Los Angeles-based research non-profit that provides transparent, data-driven policy analysis, notes that last-mile facilities have several negative impacts when situated near residential areas: "It would be horrific if you owned a home next to one of these distribution centers. All those loaded trucks have significant road wear issues as well as congestion issues, noise issues and pollution issues."⁷</p>	
<p>The project is located within 1 mile of the following:</p> <ul style="list-style-type: none"> • Schools: Merwin Elementary School, Manzanita Elementary School, Grovecenter Elementary School, Monte Vista Elementary School, Geddes Elementary School, Margaret Heath Elementary School, Central Elementary 	
<p>⁶ Page 61 of the Initial Study. ⁷ Southland logistics; Amazon shifting to the fast lane. Redlands 6 U.S. Census Bureau. Time Series of California Intercensal Population Estimates by County: April 1, 1990 to April 1, 2000.</p>	

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<p>School, Pleasant View Elementary School, Alice M. Ellington K-8 School, Jerry D. Holland Junior High School, Las Palmas Middle School, Olive Middle School, Baldwin Park High School, North Park High School, Gladstone High School, Covina High School, Jubilee Christian School.</p> <ul style="list-style-type: none"> Residential Buildings: Serrano Apartment, Vincent Village Apartments, Sunset Square Apartments, Heritage Park Villas. The Initial Study (Page 7) also notes that “residential areas are within a 1,000-foot radius to the northeast, southeast, south, and southwest of the project site. The closest sensitive receptors are a single-family residence approximately 550 feet northeast on East Cypress Street and a mobile home park approximately 700 feet to the southwest.” Churches: Our Lady of Guadalupe Church, Christ Community Church, Bethany Church, Faith Church, Church Baldwin Park, Family Christian Church, Pilipino Community Church, Indonesian Good News Church. Recreational Areas: Irwindale Park, Jardin de Roca Park, Hilda L. Solis Park, Del Norte Park, Santa Fe Dam Recreation Area. Hospitals: Kindred Hospital San Gabriel Valley. <p>The Initial Study does not account for the wider impacts inherent in last mile facilities. For example, the Initial Study’s analysis of toxic air contaminants and their health risks addresses only the increased health risk caused by stationary sources on the site itself, ignoring the potential for emissions caused from vehicles that will traverse regularly through residential areas, should the site be developed into a last mile facility. The Initial Study needs to include an analysis of the full scope of impacts generated by last mile facilities.</p>	<p>O2-8 cont'd</p>
<p>Parking Impacts:</p> <p>The project’s allotted parking may be inadequate, if it turns out to be an Amazon facility. This is especially true for facilities that are open 24 hours a day and 7 days a week like this one is expected to be. Parking problems at Amazon facilities have been well documented:</p> <ul style="list-style-type: none"> Insufficient parking spaces and the high volume of last mile delivery vans force workers servicing them to look for parking offsite, taking parking spaces that would otherwise be used by local residents.⁸ Teamsters Union members and staff have observed these problems at numerous Amazon facilities. The need to park offsite has led to conflicts with workers servicing Amazon warehouses: <ul style="list-style-type: none"> Several lawsuits filed against Amazon’s subcontracted van companies that list Amazon as a joint employer have previously alleged violations of wage & hour laws because they were required to park and pick up their delivery vehicles offsite but Amazon did not compensate them for the time spent traveling from their offsite parking locations to their workplaces. The issue was a central grievance that led to a 2019 walkout of workers in an Amazon warehouse in Minnesota.⁹ 	<p>O2-9</p>
<p>Despite these problems, the proposed project will only include 123 parking spaces.¹⁰ This stands in contrast to other Amazon last mile projects currently under development:</p> <ul style="list-style-type: none"> Smithtown, NY: 309 parking spaces, 64,000 sq. ft. Westbury, NY: 237 parking spaces, 40,113 sq. ft. Garden City, NY: 175 parking spaces, 100,000 sq. ft. Peabody, MA: 1,181 parking spaces (313 regular spaces, 868 fleet storage spaces), 183,000 sq. ft. 	
<p>Community Development & Jobs:</p> <p>The Initial Study (on Page 109) discusses the project’s “Community Development Element,” stating that it aligns with the City of Irwindale’s goal to “promote development that will benefit the community as a whole in terms of both jobs and revenue generation.” The Initial Study notes that the project “is anticipated to add approximately 72 new jobs.”¹¹ City officials may be disappointed in the jobs created, if this is a facility run by Amazon, which has become known for poor quality, dangerous jobs:</p>	<p>O2-10</p>
<p>⁸ “Online Spending to Hit a New Record,” CBS News Transcript, December 2, 2019. ⁹ “News Watch,” Labor Notes, September 1, 2019. ¹⁰ Page 25 of the Initial Study. ¹¹ Page 55 of the Initial Study.</p>	

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Negative Impact on Wages:

- According to Bureau of Labor Statistics data for 68 counties where a large Amazon facility was opened, the average compensation for the industry declined more than 6% in the two years after opening.¹²
- A U.S. Government Accountability Office report from October 2020¹³ cited in several articles found that in the nine states covered, more than 4,000 Amazon employees receive SNAP food assistance.
- Pre-pandemic research found that warehouse workers in areas with an Amazon facility earned about 10% less than similar workers elsewhere.¹⁴

O2-10
cont'd

Injury Rates Associated with Amazon Facilities:

- OSHA data for 2020 shows that the serious injury rate at Amazon warehouses – meaning workers were hurt badly enough to miss work or be placed on light duty – was almost 80% higher than the entire warehousing industry at 5.9 serious injuries for every 100 Amazon workers.^{15 16}
- Despite touting millions spent on safety, internal data show that Amazon leaders went to great lengths to hide an ongoing, and worsening, safety crisis at company warehouses across the U.S.¹⁷

Amazon Employment Churn: Data shows that when Amazon moves into a county, turnover rates for the entire county skyrocket – in just 2 years, a new Amazon facility increases the turnover rate for warehousing and storage employees an average of 30%.¹⁸ In California, researchers found that the average turnover rate in “Amazon” counties for warehouse workers more than doubled in the years between 2011 (a year before Amazon’s first fulfillment center opening) and 2017, from 38.1% to 100.9%.¹⁹

Conclusion:

For the foregoing reasons, we respectfully request that the City of Irwindale reject the proposed IS/MND, or impose conditions on the ultimate use of the property that would justify the assumptions in the IS/MND.

O2-11

Sincerely,



Ron Herrera,
Secretary Treasurer
Teamsters Local 396

¹² Bloomberg, [Amazon Has Turned a Middle-Class Warehouse Job into a McCareer](#). December 2020.

¹³ U.S. Government Accountability Office Report to the Ranking Member, Committee on the Budget, U.S. Senate. FEDERAL SOCIAL SAFETY NET PROGRAMS: Millions of Full-Time Workers Rely on Federal Health Care and Food Assistance Program. <https://www.gao.gov/assets/gao-21-45.pdf>. October 2020.

¹⁴ The Economist. [What Amazon does to wages](#). January 2018.

¹⁵ The Washington Post. [Amazon warehouse workers suffer serious injuries at higher rates than other firms](#). June 2021.

¹⁶ Strategic Organizing Center. [Primed for Pain: Amazon's Epidemic of Workplace Injuries](#). May 2021.

¹⁷ Reveal. [How Amazon Hid its Safety Crisis](#), September 2020.

¹⁸ The New York Times. [Inside Amazon's Employment Machine](#). June 2021.

¹⁹ National Employment Law Project. [Amazon's Disposable Workers: High Injury and Turnover Rates at Fulfillment Centers in California](#). March 2020.

1. Response to Comments

O2. Response to Comments from Ron Herrera, Secretary Treasurer, Teamsters, dated January 19, 2022.

O2-1 The commenter asserts that the Mitigated Negative Declaration (MND) is substantively insufficient given the likelihood of significant environmental impacts that are not adequately studied or mitigated by the proposed mitigation measures. The commenter states that the City should either reject the proposed Initial Study/Mitigated Negative Declaration (IS/MND) or prepare a full Environmental Impact Report (EIR).

The IS/MND fully discloses potential environmental impacts and mitigation, as appropriate, and reduces impacts to below significance. See response to comments O2-3 through O2-10, which provide detailed responses to the commenter's specific assertions.

O2-2 The commenter provides a summary of the proposed project. No further response required.

O2-3 The commenter states that despite the Initial Study's description that the future tenant is unknown and speculative, it seems likely that the project will be an Amazon "last mile" delivery station. This assertion is followed by a bullet list of speculative data regarding Amazon delivery stations, Rexford Industrial Realty's operations, and Irwindale's policy regarding e-commerce.

The commenter's suggestion that the proposed project is intended as an Amazon last mile delivery facility is pure speculation and incorrect. As described in the Initial Study, the future tenants and users for the proposed warehouse and manufacturing facility have not been determined. The warehouse has been designed to specifications that fit the project description in the IS/MND. Moreover, the analysis, including the technical analysis for transportation, air quality, greenhouse gas emissions, and noise, have all been prepared consistent with requirements for a "spec" warehouse (see also the responses to Comments A1-3 and O2-4).

Last-mile, e-commerce warehouses require certain structural specifications that are either incorporated in the design of a building prior to construction or require retrofitting to an existing structure. The City also mandates specific parking requirements based on the intended uses of a building. The proposed building is not designed to accommodate an Amazon last-mile facility, and the proposed parking would not comply with the City's requirements for such a facility. The proposed project has been designed and will be constructed to accommodate a warehouse/manufacturing facility, as described in the project description. Future tenants/uses at this point remain speculative.

Furthermore, future occupancy by Amazon or similar e-commerce tenant would require additional permitting by the City. Approval of the IS/MND for the proposed project would not accommodate this kind of use without further review and approval. To address the concerns of this commenter as well as the recommendation from Caltrans (see

1. Response to Comments

Response A1-3) regarding the potential for VMT to exceed the screening level used in the Initial Study, the City will require the following Condition of Approval:

Prior to the issuance of any occupancy or tenant improvement permit, the proposed tenant(s) shall provide a site-specific trip generation technical memo demonstrating that the average daily vehicle trips do not exceed 362 daily PCE (passenger car equivalent) trips, 45 PCE AM trips, 46 PCE PM trips, and 197 daily passenger car trips. The City will regularly and continually monitor the actual trips generated by the project and enforce the maximum limit of allowable trips. If the project applicant/owner proposes to exceed any limits, additional traffic analyses and VMT (vehicle miles traveled) analysis shall be reviewed and approved by Director of Engineering. If the VMT exceeds the applicable threshold at the time of subsequent review, the issuance of the respective permit shall be subject to CEQA review. The owner/applicant shall be solely responsible for all costs related to analyses, peer review, monitoring, and enforcement.

This Condition of Approval would ensure that any environmental impacts that arise from Amazon or similar tenant occupying the proposed project would be evaluated prior to the issuance of any occupancy permits.

- O2-4 Specific information relating to the future occupant / tenant is currently unknown, and the land use data provided by the project team and agreed upon by the City of Irwindale was used in the traffic analysis. See new Condition of Approval in response to Comment O2-3.
- O2-5 Please refer to Responses O2-3 and O2-4.
- O2-6 Specific information relating to the future occupant / tenant is currently unknown, and the land use data provided by the project team and agreed upon by the City of Irwindale was used in the traffic analysis. See the condition of approval in response to Comment O2-3.
- O2-7 The commenter notes that the Health Risk Assessment incorporated as Appendix B of the IS/MND does not reflect toxic air contaminants (TAC) that would arise from the higher truck trips generated from an Amazon last-mile delivery station. The commenter requests that this scenario be analyzed in the IS/MND.

Amazon last-mile facilities generally generate fewer heavy- and medium-duty truck trips than manufacturing and warehousing uses as analyzed in the IS/MND. Heavy- and medium-duty trucks typically use diesel, which generates TACs associated with health impacts to sensitive receptors. An Amazon last-mile delivery station would result in an increase in passenger and light-duty trucks that typical use gasoline or are electric vehicles.

1. Response to Comments

Therefore, the Health Risk Assessment in the IS/MND is a more conservative analysis when it comes to health risk.

Nevertheless, and in reference to the response to comment O2-3, the City will impose a Condition of Approval that would ensure that any environmental impacts that arise from Amazon occupying the proposed project would be evaluated prior to the issuance of any occupancy permit.

The commenter also reiterates the point that ITE codes 155 and 156 should have been used for this project. Please refer to the response to comment O2-4 regarding the traffic analysis methodology.

- O2-8 Please refer to the response to comments O2-3 and O2-7. Additionally, the commenter notes that the analysis of TACs and their health risks in the IS/MND only addresses the increased health risk caused by stationary sources on the site itself, ignoring the potential for emissions caused from vehicles. The Health Risk Assessment considers the health impact to sensitive receptors (including residential uses and schools) from diesel trucks and diesel-fueled off-road equipment (i.e., forklifts and yard trucks) operating on the site. Operational emissions from trucks were evaluated for diesel trucks traveling on-site over the ingress and egress driveways and idling at truck loading areas as well as the emissions from diesel trucks traveling to and from the site along surface streets (Azusa Canyon Road and Los Angeles Street).
- O2-9 The commenter indicates that the proposed project's parking is insufficient. Please see Response O2-3. The commenter is correct in noting that the project would not comply with requirements for an Amazon last-mile facility. The project has not been designed for such use. Nevertheless, CEQA does not require an evaluation of parking impacts.
- O2-10 The commenter states that the proposed project would create poor-quality, dangerous, and lower-paying jobs that may result in work-related injuries and high turnover rates. These are not CEQA-related issues; however, the comment is noted and will be forwarded to decision makers.
- O2-11 Please refer to Responses O2-3 through O2-10.

1. Response to Comments

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1. Response to Comments

LETTER O3 – Lozeau Drury, LLP, Supporters Alliance for Environmental Responsibility (SAFER) (1 page)



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O3

Via Email

January 19, 2022

Brandi Jones, Senior Planner
Community Development Department
City of Irwindale
16102 Arrow Highway, Second Floor
Irwindale, CA 91706
BJones@IrwindaleCA.gov

Re: Comment on Mitigated Negative Declaration, 4416 Azusa Canyon Road (SCH 2021120500)

Dear Ms. Jones:

I am writing on behalf of Supporters Alliance for Environmental Responsibility ("SAFER") regarding the Initial Study and Mitigated Negative Declaration ("IS/MND") prepared for the 4416 Azusa Canyon Road Project (SCH 2021120500), including all actions related or referring to the proposed construction of a concrete tilt-up warehouse, office, and manufacturing facility with a footprint of 125,500 square feet, located at the northeastern corner of the Azusa Canyon Road / Los Angeles Street intersection, on APN 8417-004-006, in the City of Irwindale ("Project").

After reviewing the IS/MND, we conclude the IS/MND fails as an informational document, and that there is a fair argument that the Project may have adverse environmental impacts. Therefore, we request that the City of Irwindale ("City") prepare an environmental impact report ("EIR") for the Project pursuant to the California Environmental Quality Act ("CEQA"), Public Resources Code section 21000, et seq.

We reserve the right to supplement these comments, including but not limited to at public hearings concerning the Project. *Galante Vineyards v. Monterey Peninsula Water Management Dist.*, 60 Cal. App. 4th 1109, 1121 (1997).

O3-1

Sincerely,

A handwritten signature in blue ink, appearing to read "Richard Drury".

Richard Drury

1. Response to Comments

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1. Response to Comments

O3. Response to Comments from Richard Drury, Lozeau Drury LLP, SAFER, dated January 19, 2022.

O3-1 The commenter states that the Initial Study/Mitigated Negative Declaration (IS/MND) fails as an informational document and there is a fair argument that the proposed project may have adverse environmental impacts, and therefore, an Environmental Impact Report should be prepared.

The commenter's statement is unsubstantiated. Since the commenter does not describe specific areas of inadequacies in the CEQA analysis or conclusions, it is not possible to address this allegation. Therefore, no changes to the Initial Study/Mitigated Negative Declaration are necessary.

1. Response to Comments

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February 2022 | Mitigation Monitoring and Reporting Program

4416 AZUSA CANYON ROAD

City of Irwindale

Prepared for:

City of Irwindale

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Mitigation Monitoring and Reporting Program

1. PURPOSE OF MITIGATION MONITORING AND REPORTING PROGRAM

This Mitigation Monitoring and Reporting Program has been developed to provide a vehicle by which to monitor mitigation measures and conditions of approval outlined in the 4416 Azusa Canyon Road Initial Study/Mitigated Negative Declaration (IS/MND), State Clearinghouse No. 2021120500. The Mitigation Monitoring and Reporting Program (MMRP) has been prepared in conformance with Section 21081.6:

- (a) When making findings required by paragraph (1) of subdivision (a) of Section 21081 or when adopting a mitigated negative declaration pursuant to paragraph (2) of subdivision (c) of Section 21080, the following requirements shall apply:
 - (1) The public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation. For those changes which have been required or incorporated into the project at the request of a responsible agency or a public agency having jurisdiction by law over natural resources affected by the project, that agency shall, if so requested by the lead or responsible agency, prepare and submit a proposed reporting or monitoring program.
 - (2) The lead agency shall specify the location and custodian of the documents or other material which constitute the record of proceedings upon which its decision is based.

The State CEQA Guidelines Section 15097 provides clarification of mitigation monitoring and reporting requirements and guidance to local lead agencies on implementing strategies. The reporting or monitoring program must be designed to ensure compliance during project implementation. The City of Irwindale is the lead agency for the 4416 Azusa Canyon Road project and is therefore responsible for implementing the MMRP. The MMRP has been drafted to meet the requirements of Public Resources Code Section 21081.6 as a fully enforceable monitoring program.

The MMRP consists of the mitigation program and the measures to implement and monitor the mitigation program. The MMRP defines the following for the mitigation measure outlined in Table 1, *Mitigation Monitoring Requirements*:

- **Definition of Mitigation.** The mitigation measure contains the criteria for mitigation, either in the form of adherence to certain adopted regulations or identification of the steps to be taken in mitigation.
- **Responsible Party or Designated Representative.** Unless otherwise indicated, the project applicant is the responsible party for implementing the mitigation, and the City of Irwindale or a designated

Mitigation Monitoring and Reporting Program

representative is responsible for monitoring the performance and implementation of the mitigation measures. To guarantee that the mitigation measure will not be inadvertently overlooked, a supervising public official acting as the Designated Representative is the official who grants the permit or authorization called for in the performance. Where more than one official is identified, permits or authorization from all officials shall be required.

- **Time Frame.** In each case, a time frame is provided for performance of the mitigation measure or review of evidence that mitigation has taken place. The performance points selected are designed to ensure that impact-related components of project implementation do not proceed without establishing that the mitigation is implemented or ensured. All activities are subject to the approval of all required permits from local, state, and federal agencies with permitting authority over the specific activity.

The numbering system in Table 1 corresponds with the numbering system used in the IS/MND. The last column of the MMRP table will be used by the parties responsible for documenting when implementation of the mitigation measure has been completed. The ongoing documentation and monitoring of mitigation compliance will be completed by the City of Irwindale. The completed MMRP and supplemental documents will be kept on file at the City of Irwindale Community Development Department.

2. PROJECT LOCATION

The approximately 5.89-acre project site is in the southeastern portion of Irwindale in Los Angeles County. The city is approximately 20 miles east of downtown Los Angeles, with neighboring cities of West Covina, Baldwin Park, the unincorporated area of Vincent, Azusa, Duarte, El Monte, North El Monte, and Monrovia. The project site is at the northeastern corner of the Azusa Canyon Road/Los Angeles Street intersection. It is bound by Big Dalton Wash to the north, Los Angeles County Metro (LA Metro) railroad and Los Angeles Street to the south, a railroad spur to the east, and Azusa Canyon Road to the west. The project site's Assessor's Parcel Number is 8417-004-006.

Regional access to the project site is from Interstate 10 (I-10), approximately 1.4 miles to the south via North Orange Avenue, West San Bernardino Road, and Azusa Canyon Road, and from I-605 approximately 2.5 miles to the northwest via Live Oak Avenue, Arrow Highway, and Azusa Canyon Road. State Route 39 (SR-39) also provides regional access to the project site and is approximately 2 miles east of the site. Local access to the project site is via Azusa Canyon Road and Los Angeles Street.

3. PROJECT SUMMARY

The project applicant proposes to develop the 5.89-acre project site with a stand-alone concrete tilt-up warehouse, office, and manufacturing facility at the project site. The warehouse and manufacturing businesses would operate out of a proposed building that would encompass a total of 129,830 square feet, with 17,000 square feet of manufacturing space, 103,670 square feet of warehousing space, and 9,160 square feet of ancillary office space to support the industrial and warehousing tenant(s). The proposed project would also include 18 dock door positions within a secured truck court area on the southeastern side of the site. Other project components include vehicular and pedestrian access and circulation improvements, asphalt parking areas, utility and infrastructure improvements, and various hardscape and landscape improvements.

Mitigation Monitoring and Reporting Program

4. MITIGATION MONITORING

Table 1 Mitigation Monitoring Requirements

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)	
3.3 Air Quality					
AQ-1	<p>Prior to issuance of a business license, if a prospective business tenant has the potential to emit nuisance odors beyond the property line, an odor management plan shall be prepared by the prospective business tenant, subject to review and approval by the City of Irwindale Community Development Department or Planning Commission. Types of uses that have the potential to generate nuisance odors include, but are not limited to:</p> <ul style="list-style-type: none"> • Wastewater treatment plants • Composting, green waste, or recycling facilities • Fiberglass manufacturing facilities • Painting/coating operations • Large-capacity coffee roasters • Food-processing facilities <p>The odor management plan shall show compliance with the SCAQMD's Rule 402 for nuisance odors. The odor management plan shall identify the best available control technologies for toxics (T-BACTs) that will be utilized to reduce potentially odors to acceptable levels, including appropriate enforcement mechanisms. T-BACTs may include but are not limited to scrubbers (i.e., air pollution control devices) at the industrial facility.</p>	Prospective Business Tenant	Prior to the issuance of a business license	City of Irwindale Community Development Department	
3.5 Cultural Resources					
CUL-1	<p>If construction personnel, including the Native American monitor, identify cultural resources during ground-breaking activities, they shall inform the site construction superintendent who shall notify the City and project applicant. The project applicant shall then contact a qualified archaeologist and all work must halt within 50 feet of the find until the archaeologist can determine the</p>	Project Applicant, Qualified Archaeologist	During ground-breaking activities	City of Irwindale Community Development Department Building and Safety	

Mitigation Monitoring and Reporting Program

Table 1 Mitigation Monitoring Requirements

	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)	
<p>Mitigation Measure</p> <p>significance. No soil shall be exported from within the 50-foot buffer around the find until a determination of significance is made. The qualified archaeologist will also determine if archaeological monitoring is warranted.</p> <p>If the qualified archaeologist determines that the find qualifies as a significant cultural resource, the archeologist shall make recommendations on the treatment and disposition of the deposits, which shall be developed in accordance with all applicable provisions of California Public Resource Code Section 21083.2 and State CEQA Guidelines Sections 15064.5 and 15126.4. If significant cultural resources are discovered and avoidance cannot be ensured, the archaeologist shall develop a Monitoring and Treatment Plan. The archaeologist shall prepare a final report describing monitoring methods and results that includes a catalog of all cultural resources identified for submission to the City. The City shall determine disposition of collected cultural resources, which may include return to landowner/applicant, transfer to a consulting Native American group, donation to school or museum, or long-term curation at an approved curation facility. The applicant shall be financially responsible for costs associated with cultural resources monitoring, including artifact curation, up to the limits imposed by Public Resources Code Section 21083.2.</p>					
3.7 Geology and Soils					
GEO-1	<p>If construction personnel, including the Native American monitor, identify paleontological resources during ground-disturbing activities, they shall inform the site construction superintendent who will notify the City and project applicant. The project applicant shall then contact a qualified paleontologist and all ground-disturbing activity shall cease in the immediate area of the find (within a 50-foot buffer) until the paleontologist can evaluate the find.</p> <p>If the discoveries are determined to be significant, full-time paleontological monitoring will be recommended for the remainder</p>	Project Applicant, Qualified Paleontological	During ground-disturbing activities	City of Irwindale Community Development Department Building and Safety	

Mitigation Monitoring and Reporting Program

Table 1 Mitigation Monitoring Requirements

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)	
<p>of ground disturbance for the project. Paleontological monitoring shall entail the visual inspection of excavated or graded areas and trench sidewalls. If a paleontological resource is discovered, the monitor shall have the authority to temporarily divert the construction equipment around the find until it is assessed for scientific significance and collected. Monitoring efforts can be reduced or eliminated at the discretion of the project paleontologist.</p> <p>Upon completion of fieldwork, all significant fossils collected shall be prepared in a properly equipped paleontology laboratory to a point ready for curation. Preparation shall include the careful removal of excess matrix from fossil materials and stabilizing and repairing specimens, as necessary. Following laboratory work, all fossil specimens shall be identified to the most specific taxonomic level possible, cataloged, analyzed, and delivered by the Natural History Museum of Los Angeles County for permanent curation and storage. The cost of curation is assessed by the repository and shall be the responsibility of the project applicant. At the conclusion of laboratory work and museum curation, a final Paleontological Monitoring Report shall be prepared describing the results of the paleontological mitigation monitoring efforts associated with the project. The report shall include a summary of the field and laboratory methods, an overview of the project area geology and paleontology, a list of taxa recovered, an analysis of fossils recovered and their scientific significance, and recommendations. A copy of the report shall be submitted to the Natural History Museum of Los Angeles County.</p>					
3.9 Hazards and Hazardous Materials					
HAZ-1	Any subsurface materials exposed during construction activities that appear suspect for contamination, either from visual staining or odors, shall require immediate cessation of excavation activities. Soils suspected of contamination shall be tested for potential contamination. If contamination is found to be present per the	Project Applicant, Construction Contractor	During construction activities	City of Irwindale Community Development Department Building and Safety	

Mitigation Monitoring and Reporting Program

Table 1 Mitigation Monitoring Requirements

	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)	
<p>Mitigation Measure</p> <p>Department of Toxic Substances Control Screening Levels for industrial/commercial land use (DTSC-SLi) and the EPA Regional Screening Levels for industrial/commercial land use (EPA-RSLi), contaminated soils shall be transported and disposed of per state regulations to an appropriately permitted landfill.</p>					
3.17 Transportation					
T-1	<p>Prior to the issuance of occupancy permits, the project applicant shall provide the following improvements at the intersection of Azusa Canyon Road and Los Angeles Street:</p> <ul style="list-style-type: none"> • A new crosswalk on the east leg of the intersection. • A new crosswalk on the west leg of the intersection. • Restrict on-street parking on the south side of Los Angeles Street, east of Azusa Canyon Road, within 150 feet of the intersection. • Restrict on-street parking on the east side of Azusa Canyon Road, north of Los Angeles Street within 150 feet of the intersection. • Review sight distance and other safety considerations prior to finalization of the proposed driveways. 	Project Applicant	Prior to issuance of occupancy permits	City of Irwindale Public Works/Engineering Department	
3.18 Tribal Cultural Resources					
TCR-1	<p>The City of Irwindale shall notify the Gabrielino Tongva Indians of California Tribal Council if prehistoric materials, including Native American burial remains, are found. Any notification by the City of Irwindale to the Tribe of the discovery of burial remains shall be separate from the Native American Heritage Commission (NAHC) process and shall occur regardless of whether the NAHC designates the Tribe as Most Likely Descendant. If Native American burial remains are found, the Tribe shall engage the City of Irwindale in formal Native American consultation.</p>	City of Irwindale	In the event that prehistoric and/or burial remains are found	City of Irwindale Community Development Department	

Mitigation Monitoring and Reporting Program

Table 1 Mitigation Monitoring Requirements

	Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
TCR-2	<p>A Native American monitor from the Gabrieleño Band of Mission Indians – Kizh Nation shall be retained prior to commencement of ground-disturbing activities:</p> <ul style="list-style-type: none"> The project applicant shall retain a Native American monitor (or approved by) the Gabrieleño Band of Mission Indians – Kizh Nation the direct lienal descendants of the project location. The monitor shall be retained prior to the commencement of any ground-disturbing activity for the subject project, at all project locations (i.e., both onsite and any off-site locations that are included in the project description and/or required in connection with the project such as public improvement work). Ground-disturbing activity includes, but is not limited to, pavement removal, potholing, auguring, grubbing, tree removal, boring grading, excavation, drilling, trenching. A copy of the executed monitoring agreement shall be provided to the City of Irwindale prior to the commencement of any ground-disturbing activity for the project, or the issuance of permit necessary to commence a ground-disturbing activity. The project applicant shall provide the Tribe with a minimum of 30 days advance written notice of the commencement of any project ground-disturbing activity so that the Tribe has sufficient time to secure and schedule a monitor for the project. The project applicant shall hold at least one pre-construction sensitivity/educational meeting prior to the commencement of any ground-disturbing activities, where a senior member of the Gabrieleño Band of Mission Indians – Kizh Nation shall inform and educate the project’s construction and managerial crew and staff members (including any project subcontractors and consultants) about the tribal cultural resources mitigation measures and compliance obligations, as well as places of significance located on the project site (if any), the appearance of potential tribal cultural resources, and other informational and 	Project Applicant, Native American Monitor	Prior to commencement of ground-disturbing activities	City of Irwindale Community Development Department	

Mitigation Monitoring and Reporting Program

Table 1 Mitigation Monitoring Requirements

	Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
	<p>operational guidance to aid in the project's compliance with the mitigation measures.</p> <ul style="list-style-type: none"> The Native American Monitor shall complete daily monitoring logs that shall provide descriptions of the relevant ground disturbing activities, the type of construction activities performed; locations of ground-disturbing activities; soil types; cultural-related materials; and any other facts, conditions, materials, or discoveries of significance to the Tribe. Monitor logs shall identify and describe any discovered tribal cultural resources, including but not limited to, Native American cultural and historical artifacts, remains, places of significance, etc., as well as any discovered Native American (ancestral) human remains and burial goods. Copies of monitor logs shall be provided to the project applicant and/or lead agency upon written request. Native American monitoring for the project shall conclude upon the latter of the following: (1) written confirmation from a designated project point of contact to the Tribe that all ground-disturbing activities and all phases that may involve ground-disturbing activities on the project site and at any off-site project location are complete; or (2) written notice by the Tribe to the project applicant/lead agency that no future, planned construction activity and/or development/construction phase (known by the Tribe at that time) at the project site and at any off-site project location possess the potential to impact tribal cultural resources. 				
TCR-3	<p>Discovery of tribal cultural resources, human remains, and or grave goods:</p> <ul style="list-style-type: none"> Upon the discovery of a tribal cultural resource, all construction activities in the immediate vicinity of the discovery (i.e., not less than surrounding 50 feet) shall cease. The Gabrieleño Band of Mission Indians – Kizh Nation shall be immediately informed of the discovery, and the Kizh monitor shall promptly report to the 	Project Applicant, Construction Contractor	Upon discovery of tribal cultural resources, human remains, or grave goods	City of Irwindale Community Development Department	

Mitigation Monitoring and Reporting Program

Table 1 Mitigation Monitoring Requirements

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<p>location of the discovery to evaluate the tribal cultural resource and advise the project manager regarding the matter, protocol, and any mitigating requirements. No project construction activities shall resume in the surrounding 50 feet of the discovered tribal cultural resource unless and until the Tribe has completed its assessment, evaluation and recovery of the discovered tribal cultural resource and surveyed the surrounding area.</p> <ul style="list-style-type: none"> • The Tribe shall recover and retain all discovered tribal cultural resources in the form and/or manner the Tribe deems appropriate in its sole discretion, and for any purpose the Tribe deems appropriate, including but not limited to, educational, cultural and/or historic purposes. • If Native American human remains and/or grave goods are discovered or recognized on the project site or at any off-site project location, then all construction activities shall immediately cease. Native American human remains are defined to include an inhumation or cremation, and in any state of decomposition or skeletal completeness (Pub. Res. Code § 5097.98(d)(1)). Funerary objects, referred to as associated grave goods, shall be treated in the same manner and with the same dignity and respect as human remains. (Pub. Res. Code § 5097.98(a), (d)(1) and (2). • Any discoveries of human skeletal material or human remains shall be immediately reported to the County Coroner (Health & Safety Code § 7050.5(c); 14 Cal. Code Regs. §15064.5(e)(1)(B)), and all ground-disturbing project ground-disturbing activities on site and in any other areas where the presence of human remains and/or grave goods are suspected to be present, shall immediately halt and remain halted until the coroner has determined the nature of the remains (14 Cal. Code Regs. § 15064.5(e)). If the coroner recognizes the human remains to be those of a Native American or has reason to believe they are Native American, he or she shall contact, within 				

Mitigation Monitoring and Reporting Program

Table 1 Mitigation Monitoring Requirements

	Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
	<p>24 hours, the Native American Heritage Commission, and Public Resources Code Section 5097.98 shall be followed.</p> <ul style="list-style-type: none"> • Thereafter, construction activities may resume in other parts of the project site at a minimum of 200 feet away from discovered human remains and/or grave goods, if the Tribe determines in its sole discretion that resuming construction activities at that distance is acceptable and provide the project manager express consent of that determination (along with any other mitigation measures the Tribal monitor and/or archaeologist deems necessary) (14 Cal. Code Regs. § 15064.5(f)). Preservation in place (i.e., avoidance) is the preferred manner of treatment for discovered human remains and/or grave goods. • Any historic archaeological material that is not Native American in origin shall be curated at a public, non-profit institution with a research interest in the materials, such as the Natural History Museum of Los Angeles County or the Fowler Museum, if such an institution agrees to accept the material. If no institution accepts the archaeological material, it shall be offered to a local school or historical society in the area for educational purposes. • Any discovery of human remains and/or grave goods discovered and/or recovered shall be kept confidential to prevent further disturbance. 				
TCR-4	<ul style="list-style-type: none"> • Procedures for burials, funerary remains, and grave goods: • As the Most Likely Descendant (“MLD”), the Koo-nas-gna Burial Policy shall be implemented for all discovered Native American human remains and/or grave goods. Tribal traditions include, but are not limited to, the preparation of the soil for burial, the burial of funerary objects and/or the deceased, and the ceremonial burning of human remains. • If the discovery of human remains includes four or more burials, the discovery location shall be treated as a cemetery and a separate treatment plan shall be created. The prepared soil and 	Project Applicant, Construction Contractor, Native American Monitor, Qualified Archaeologist	In the event that Native American remains and/or grave goods are discovered	City of Irwindale Community Development Department	

Mitigation Monitoring and Reporting Program

Table 1 Mitigation Monitoring Requirements

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<p>cremation soils are to be treated in the same manner as bone fragments that remain intact. Associated grave goods are objects that, as part of the death rite or ceremony of a culture, are reasonably believed to have been placed with individual human remains either at the time of death or later, as well as other items made exclusively for burial purposes or to contain human remains. Cremations shall either be removed in bulk or by means necessary to ensure complete recovery of all sacred materials.</p> <ul style="list-style-type: none"> • In the case where discovered human remains cannot be fully recovered (and documented) on the same day, the remains shall be covered with muslin cloth and a steel plate that can be moved by heavy equipment placed over the excavation opening to protect the remains. If this type of steel plate is not available, a 24-hour guard should be posted outside of working hours. The Tribe shall make every effort to divert the project while keeping the remains in situ and protected. If the project cannot be diverted, it may be determined that burials shall be removed. • In the event preservation in place is not possible despite good faith efforts by the project applicant/developer and/or landowner, before ground-disturbing activities may resume on the project site, the landowner shall arrange a designated site location within the footprint of the project for the respectful reburial of the human remains and/or ceremonial objects. The site of reburial/repatriation shall be agreed upon by the Tribe and the landowner and shall be protected in perpetuity. • Each occurrence of human remains and associated grave goods shall be stored using opaque cloth bags. All human remains, grave goods, funerary objects, sacred objects and objects of cultural patrimony shall be removed to a secure container on site if possible. These items shall be retained and shall be reburied within six months of recovery. 				

Mitigation Monitoring and Reporting Program

Table 1 Mitigation Monitoring Requirements

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<ul style="list-style-type: none"> The Tribe shall work closely with the project's qualified archaeologist to ensure that the excavation is treated carefully, ethically and respectfully. If data recovery is approved by the Tribe, documentation shall be prepared and shall include (at a minimum) detailed descriptive notes and sketches. All data recovery data recovery-related forms of documentation shall be approved in advance by the Tribe. If any data recovery is performed, once complete, a final report shall be submitted to the Tribe and the NAHC. The Tribe does NOT authorize any scientific study or the utilization of any invasive and/or destructive diagnostics on human remains. 				



MEMORANDUM

DATE **3/7/2021**

TO **Brandi Jones, Senior Planner**

ADDRESS **Community Development Department
5050 Irwindale Avenue
Irwindale, California 91706**

FROM **Dina El Chammas Gass, Senior Associate**

SUBJECT **Response to Lozeau Drury – Supporters Alliance for Environmental Responsibility (SAFER) Letter
Dated February 16, 2022**

PROJECT NAME **4416 Azusa Canyon Road Project (IRW-03.0)**

Lozeau Drury, on behalf of the Supporters Alliance for Environmental Responsibility (SAFER), submitted comments on the Initial Study/Mitigated Negative Declaration (IS/MND) for the 4416 Azusa Canyon Road project on February 16, 2022. The comment was submitted after the public review period ended. The public review period extended from December 21, 2021, through January 19, 2022.

This memorandum includes the comment letter with specific comments numbered for reference purposes. Responses to each comment are also provided.



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SENT VIA EMAIL

February 16, 2022

Brandi Jones, Senior Planner
Community Development Department
City of Irwindale
16102 Arrow Highway, Second Floor
Irwindale, CA 91706
BJones@irwindaleca.gov

Lisa Chou, Associate Planner
City of Irwindale
5050 Irwindale Avenue
Irwindale, CA 91706
Lchou@irwindaleca.gov

Re: Comment on Mitigated Negative Declaration, 4416 Azusa Canyon Road (SCH 2021120500), Site Plan & Design Review DA No. 04-2020, and Resolution No. 813(22) and Resolution No. 814(22).

Dear Ms. Jones, Ms. Chou, and Honorable Planning Commissioners:

I am writing on behalf of Supporters Alliance for Environmental Responsibility (“SAFER”) regarding the Initial Study and Mitigated Negative Declaration (“IS/MND”) prepared for the 4416 Azusa Canyon Road Project (SCH 2021120500), including all actions related or referring to the proposed construction of a 129,830 square-foot speculative concrete tilt-up warehouse, office, and manufacturing facility with associated passenger vehicle parking, located at the northeastern corner of the Azusa Canyon Road/Los Angeles Street intersection, on APN 8417-004-006, in the City of Irwindale (“Project”).

After reviewing the IS/MND, we conclude the IS/MND fails as an informational document, and that there is a fair argument that the Project may have adverse environmental impacts. Therefore, we request that the City of Irwindale (“City”) prepare an environmental impact report (“EIR”) for the Project pursuant to the California Environmental Quality Act (“CEQA”), Public Resources Code section 21000, et seq.

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I. PROJECT BACKGROUND AND DESCRIPTION

The proposed Azusa Canyon Road Project is for the construction of a 129,830 square-foot speculative concrete tilt-up building and associated passenger vehicle parking. The building consists of 9,160 square feet of office space, 17,000 square feet of manufacturing space, and 103,670 square feet of warehousing space. The property has a gross square footage of 256,664 square feet (5.89 acres) and a net square footage of 251,096 square feet (5.76 acres). There is a required street dedication along Azusa Canyon Road of 5,568 square feet (.13 acres). According to the City of Irwindale Planning Commission Staff Report for the Project (“Staff Report”), there is no prospective user at this time. (Staff Report, p. 4.) The Project is located at 4416 Azusa Canyon Road (APN: 8417-004-006) in Irwindale, California.

The Project Applicant is requesting a Site Plan and Design Review (DA) for the construction of the building and associated parking. The Project site is designated in the General Plan as Industrial/Business Park and Residential. The property is currently zoned M-1 (Light Manufacturing). The site is surrounded by Industrial Businesses (M-2, Heavy Manufacturing) to the north, south, and east, and the Public Works Yard & Olive Pit (M-1, Light Manufacturing & Q, Quarry) to the west. (Staff Report, p. 2.)

The Staff Report provided the following background information and history about the site:

Based on a review of historical information, the project site appears to have been used as an orchard from at least 1928 until around 1952, when the site became vacant. The current main building was constructed in 1956 and was used by PepsiCo as a bottling plant. The site is presently developed with one building of approximately 62,713 square feet in the western half of the site, a large metal shed north of the building, and a loading dock and large truck yard on the eastern portion of the site (LACOA 2021). The building is a single-story structure of concrete tilt-up construction on a concrete slab floor. The bottling plant ceased operation in December 2020 and the site has remained vacant. (Staff Report, p. 2.)

The construction of the new industrial building will require the demolition of the existing building located on the site.

The City’s Community Development Department Planning Division is recommending that the Planning Commission:

- 1) Adopt Resolution No. 813(22) entitled “ A Resolution of the Planning Commission of the City of Irwindale Recommending that the City Council adopt the Mitigated Negative Declaration (MND) and Mitigation Monitoring and Reporting Program (MMRP) for the Construction of one (1) Speculative Industrial Tilt-Up Building Totaling ±129,830 Square Feet For Property Located at 4416 Azusa Canyon Road, Irwindale, CA 91706 (APN: 8417-004-006) in the M-1 (Light Manufacturing) Zone and Making Certain Findings of Fact, Pursuant to the California Environmental Quality Act[; and]

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- 2) Adopt Resolution No. 814(22) entitled, “A Resolution of the Planning Commission of the City of Irwindale Recommending that the City Council approve Site Plan and Design Review (DA) No. 04-2020) for the Construction of one (1) Speculative Industrial Tilt-Up Building Totaling ±129,830 Square Feet For Property Located at 4416 Azusa Canyon Road, Irwindale, CA 91706 (APN: 8417-004-006) in the M-1 (Light Manufacturing) Zone and Making Certain Findings of Fact; subject to the City Council adoption of the MND and MMRP and subject to the attached Conditions of Approval.

Pursuant to CEQA’s environmental review requirements, the City prepared an IS to determine whether the Project may have a significant adverse effect on the environment, and based on its findings, prepared an MND to mitigate those significant adverse effects on the environment from the Project. (Staff Report, pp. 2-3.) According to the Staff Report, the impacts of the proposed Project would be mitigated to less-than-significant levels with the implementation of mitigation measures for the following areas:

- Air Quality
- Cultural Resources
- Geology and Soils
- Hazards and Hazardous Materials
- Transportation
- Tribal Cultural Resources
- Mandatory Findings of Significance

Based on the information provided in the IS/MND and associated appendices, however, we recommend that the Planning Commission not adopt Resolution Nos. 813(22) and 814(22) until the City prepares an EIR to adequately analyze and mitigate the air quality, greenhouse gas, hazards and hazardous materials, and transportation impacts related to the proposed Project.

II. LEGAL STANDARD

As the California Supreme Court has held, “[i]f no EIR has been prepared for a nonexempt project, but substantial evidence in the record supports a fair argument that the project may result in significant adverse impacts, the proper remedy is to order preparation of an EIR.” (*Communities for a Better Env’t v. South Coast Air Quality Mgmt. Dist.* (2010) 48 Cal.4th 310, 319-320 (“*CBE v. SCAQMD*”) (citing *No Oil, Inc. v. City of Los Angeles* (1974) 13 Cal.3d 68, 75, 88; *Brentwood Assn. for No Drilling, Inc. v. City of Los Angeles* (1982) 134 Cal.App.3d 491, 504–505).) “Significant environmental effect” is defined very broadly as “a substantial or potentially substantial adverse change in the environment.” (Pub. Res. Code (“PRC”) § 21068; see also 14 CCR § 15382.) An effect on the environment need not be “momentous” to meet the CEQA test for significance; it is enough that the impacts are “not trivial.” (*No Oil, Inc.*, 13 Cal.3d at 83.) “The ‘foremost principle’ in interpreting CEQA is that the Legislature intended the act to be read so as to afford the fullest possible protection to the environment within the reasonable scope of the statutory language.” (*Communities for a Better Env’t v. Cal. Res. Agency*

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(2002) 103 Cal.App.4th 98, 109 (“*CBE v. CRA*”).)

The EIR is the very heart of CEQA. (*Bakersfield Citizens for Local Control v. City of Bakersfield* (2004) 124 Cal.App.4th 1184, 1214 (“*Bakersfield Citizens*”); *Pocket Protectors v. City of Sacramento* (2004) 124 Cal.App.4th 903, 927.) The EIR is an “environmental ‘alarm bell’ whose purpose is to alert the public and its responsible officials to environmental changes before they have reached the ecological points of no return.” (*Bakersfield Citizens*, 124 Cal.App.4th at 1220.) The EIR also functions as a “document of accountability,” intended to “demonstrate to an apprehensive citizenry that the agency has, in fact, analyzed and considered the ecological implications of its action.” (*Laurel Heights Improvements Assn. v. Regents of Univ. of Cal.* (1988) 47 Cal.3d 376, 392.) The EIR process “protects not only the environment but also informed self-government.” (*Pocket Protectors*, 124 Cal.App.4th at 927.)

An EIR is required if “there is substantial evidence, in light of the whole record before the lead agency, that the project may have a significant effect on the environment.” (PRC § 21080(d); see also *Pocket Protectors*, 124 Cal.App.4th at 927.) In very limited circumstances, an agency may avoid preparing an EIR by issuing a negative declaration, a written statement briefly indicating that a project will have no significant impact thus requiring no EIR (14 CCR § 15371), only if there is not even a “fair argument” that the project will have a significant environmental effect. (PRC §§ 21100, 21064.) Since “[t]he adoption of a negative declaration . . . has a terminal effect on the environmental review process,” by allowing the agency “to dispense with the duty [to prepare an EIR],” negative declarations are allowed only in cases where “the proposed project will not affect the environment at all.” (*Citizens of Lake Murray v. San Diego* (1989) 129 Cal.App.3d 436, 440.)

Mitigation measures may not be construed as project design elements or features in an environmental document under CEQA. The MND must “separately identify and analyze the significance of the impacts . . . before proposing mitigation measures . . .” (*Lotus vs. Department of Transportation* (2014) 223 Cal.App.4th 645, 658.) A “mitigation measure” is a measure designed to minimize a project’s significant environmental impacts, (PRC § 21002.1(a)), while a “project” is defined as including “the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.” (CEQA Guidelines § 15378(a).) Unlike mitigation measures, project elements are considered prior to making a significance determination. Measures are not technically “mitigation” under CEQA unless they are incorporated to avoid or minimize “significant” impacts. (PRC § 21100(b)(3).)

To ensure that the project’s potential environmental impacts are fully analyzed and disclosed, and that the adequacy of proposed mitigation measures is considered in depth, mitigation measures that are not included in the project’s design should not be treated as part of the project description. (*Lotus*, 223 Cal.App.4th at 654-55, 656 fn.8.) Mischaracterization of a mitigation measure as a project design element or feature is “significant,” and therefore amounts to a material error, “when it precludes or obfuscates required disclosure of the project’s environmental impacts and analysis of potential mitigation measures.” (*Mission Bay Alliance v. Office of Community Investment & Infrastructure* (2016) 6 Cal.App.5th 160, 185.)

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commenced, from both a local and regional perspective. This environmental setting will normally constitute the baseline physical conditions by which a Lead Agency determines whether an impact is significant.

(See *Save Our Peninsula Committee v. County of Monterey* (2001) 87 Cal.App.4th 99, 124-25 (“*Save Our Peninsula*”).) As the court of appeal has explained, “the impacts of the project must be measured against the ‘real conditions on the ground,’” and not against hypothetical permitted levels. (*Id.* at 121-23.)

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III. DISCUSSION

There is a fair argument that the project may have unmitigated adverse environmental impacts. An EIR is therefore required to adequately analyze and mitigate the impacts from the proposed Project.

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A. There is Substantial Evidence of a Fair Argument that the Project Will Have Significant Soil Contamination Impacts.

The IS/MND contains substantial evidence of a fair argument that the Project may have significant health and environmental impacts due to contaminated soil, and the evidence in the record does not support that the potential impacts will be mitigated to a level of significance.

Specifically, the IS/MND provides evidence that there may be significant impacts from soil contamination on the Project site, but fails to adequately analyze or mitigate those impacts. For example, the IS/MND states:

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The project site had three 10,000-gallon underground storage tanks (UST) that were installed in 1975 and removed in 1995, and one 12,000-gallon diesel UST that was installed in 1990 and removed in 2013. The three 10,000-gallon USTs were removed under the oversight of the Los Angeles County Underground Storage Tank Program and the RWQCB. The 12,000-gallon UST was removed under the oversight of the LACFD. The former USTs are considered historical RECs.

Based on the lack of closure documentation from the regulatory agencies for the 12,000-gallon UST, there is a small chance for the potential release of petroleum products, and a vapor risk may be present at the site. Therefore, potential impacts could occur as a result of excavation and handling of on-site soils. However, with the implementation of Mitigation Measure HAZ-1, impacts would be reduced to a less than significant level. (IS/MND, pp. 89-90 (emphasis added).)

Moreover, the IS/MND states:

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The site was identified on the State Water Resources Control Board's Leaking Underground Storage Tank Information System as a leaking UST (or LUST) site. The project site is listed due to a leak of gasoline reported on July 22, 1991. Currently, the case is listed as completed. The RWQCB indicates case closure for the three former 10,000-gallon USTs, **but documentation of agency closure was not found on the RWQCB or Los Angeles County websites for the 12,000-gallon diesel UST that was installed in 1990.**

Based on the lack of closure documentation from the regulatory agencies for the 12,000-gallon UST, there is a small chance for the potential release of petroleum products, and a vapor risk may be present at the site. However, compliance with applicable laws and regulations and implementation of mitigation measure HAZ-1 would reduce impacts to a less than significant level. (IS/MND, p. 92 (emphasis added).)

As such, this identification of potentially significant soil contamination impacts as result of the Project is substantial evidence of a fair argument that the Project involves significant risks to public health and the environment from soil contamination. (See, e.g., 89-90, 92.) Additionally, the IS/MND's mitigation measure HAZ-1 addressing the potential significant impacts from the contaminated soil at the Project site, although inadequate, also provides substantial evidence that the Project could cause significant health and environmental impacts. (*Id.*, p. 91.) Thus, the Project requires an EIR that includes adequate analysis and mitigation measures of soil contamination impacts.

CEQA requires that an environmental document include a description of the project's environmental setting or "baseline" at the time environmental review commences. (CEQA Guidelines § 15063(d)(2).) Every CEQA document must start from a "baseline" assumption. The CEQA "baseline" is the set of environmental conditions against which to compare a project's anticipated impacts. (*Communities for a Better Environment v. S. Coast Air Qual. Mgmt. Dist.* (2010) 48 Cal. 4th 310, 321.) Section 15125(a) of the CEQA Guidelines (14 CCR, § 15125(a)) states in pertinent part that a lead agency's environmental review under CEQA:

... must include a description of the physical environmental conditions in the vicinity of the project, as they exist at the time [environmental analysis] is commenced, from both a local and regional perspective. This environmental setting will normally constitute the baseline physical conditions by which a Lead Agency determines whether an impact is significant."

(See, *Save Our Peninsula Committee v. County of Monterey* (2001) 87 Cal.App.4th 99, 124-25 ("Save Our Peninsula").) As the court of appeal has explained, "the impacts of the project must be measured against the 'real conditions on the ground,'" and not against hypothetical permitted levels. (*Save Our Peninsula*, 87 Cal.App.4th 99, 121-23.) As the court has explained, using such a skewed baseline "mislead(s) the public" and "draws a red herring across the path of public input." (*San Joaquin Raptor Rescue Center v. County of Merced* (2007) 149 Cal.App.4th 645, 656; *Woodward Park Homeowners v. City of Fresno* (2007) 150 Cal.App.4th 683, 708-11.)

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However, the IS/MND fails to consider baseline conditions for soil vapor. (See, IS/MND, p. 90 (“Based on the lack of closure documentation from the regulatory agencies for the 12,000-gallon UST, there is a small chance for the potential release of petroleum products, and a vapor risk may be present at the site.”); 92 (same).) Thus, the IS/MND relies on a baseline for soil contamination that will exist in the future, rather than the current baseline of potentially heavily contaminated conditions. Therefore, the IS/MND for the Project is in violation of CEQA.

In addition, the IS/MND relies on deferred mitigation of soil contamination impacts. (See, IS/MND, p. 91; see also, MMRP, pp. 5-6 (“Any subsurface materials exposed during construction activities that appear suspect for contamination, either from visual staining or odors, shall require immediate cessation of excavation activities.”); see, *Citizens for Responsible Equitable Environmental Development v. City of Chula Vista* (2011) 197 Cal.App.4th 327, 331-332 (“*CREED*”) (holding that an agency may not rely on a corrective action plan to mitigate potential impacts of site contamination when the plan’s mitigation measures for contaminated soil are not disclosed in the record).) Therefore, the Project relies for mitigation on measures that are not set forth in the IS/MND and not required as mitigation measures. CEQA prohibits this type of “deferred mitigation.”

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A study conducted after approval of a project will inevitably have a diminished influence on decisionmaking. Even if the study is subject to administrative approval, it is analogous to the sort of post hoc rationalization of agency actions that has been repeatedly condemned in decisions construing CEQA. (*Sundstrom v. County of Mendocino* (1988) 202 Cal.App.3d 296, 307.)

[R]eliance on tentative plans for future mitigation after completion of the CEQA process significantly undermines CEQA’s goals of full disclosure and informed decisionmaking; and[,] consequently, these mitigation plans have been overturned on judicial review as constituting improper deferral of environmental assessment. (*Communities for a Better Environment v. City of Richmond* (2010) 184 Cal.App.4th 70, 92.)

The IS/MND relies on such “tentative plans for future mitigation” that were rejected in the cases of *CREED*, *Sundstrom*, and *CBE v. Richmond*. As such, the IS/MND fails to comply with CEQA. Thus, a new document, such as an EIR, must be prepared setting forth base conditions and specific mitigation measures that will be implemented.

B. The IS/MND Fails to Adequately Analyze and Mitigate the Project’s Transportation Impacts.

The IS/MND and its associated Transportation Analysis, included as Appendix I to the IS/MND, fail to adequately address transportation impacts for two reasons. First, the IS/MND’s Transportation Analysis does not include a vehicle miles traveled (“VMT”) analysis, even though it was required to under CEQA. Second, the IS/MND’s Transportation Analysis improperly relies on the City of Fontana Truck Trip Generation Study (August 2003) to determine the Project’s operational emissions.

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1. The IS/MND's Transportation Analysis Fails to Adequately Evaluate and Mitigate the Project's VMT Impacts.

The IS/MND and its Transportation Analysis fail to properly evaluate VMT impacts related to the Project. According to the Project's Transportation Analysis:

The County of Los Angeles Guidelines require VMT analysis for development projects that are estimated to generate a net increase of 110 or more daily vehicle trips. Daily vehicle trips are specifically related to on-road passenger vehicles (cars and light trucks). Heavy trucks are not included in a VMT traffic impact analysis. (IS/MND, Appx. I, p. I-63).

Based on the County of Los Angeles Guidelines and the IS/MND Transportation Analysis's evaluation of VMT impacts, the IS/MND determined the following:

Under SB 743, a city can decide to screen out certain projects from needing a complete VMT analysis. OPR has advised that certain projects could be cleared from further analysis based on size, type, location, and/or proximity to a major transit stop or high-quality transit. The City of Irwindale adopted its VMT thresholds on November 11th, 2020. Since the City of Irwindale's VMT thresholds do not include screening criteria, the County of Los Angeles' Guidelines were used. The County requires VMT analysis for development projects that are estimated to generate a net increase of 110 or more daily vehicle trips...*The passenger car trip generation for the proposed project is 197 daily trips, but the estimated trip generation for the Pepsi bottling plant is 88 daily trips. Therefore, the net increase in the proposed project's passenger car trip generation is 109 vehicles per day, just under the threshold of 110 vehicles per day* (see Table 25). Therefore, proposed project would not require further VMT analysis and would have a less than significant impact. (IS/MND, p. 134 (emphasis added).)

However, the Transportation Analysis relies on a faulty methodology to determine that the City is not required to analyze VMT impacts for the proposed Project. To determine trip generation, the Transportation Analysis for the Project relies on the following flawed methodology:

In order to estimate the traffic characteristics of the Project, trip-generation statistics published in the Institute of Transportation Engineers (ITE) Trip Generation (10th Edition, 2017) manual for ITE Land Use Code 150 (Warehousing) and 140 (Manufacturing) are utilized.... The Project is anticipated to generate 262 trip-ends per day with 29 AM peak hour trips and 35 PM peak hour trips, with the mixture of passenger car and truck trips as shown in Table 1. (IS/MND, Appx. I, p. I-75 (emphasis added).)

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Even though the majority of the Project site is planned for a “stand-alone concrete tilt-up warehouse, office, and manufacturing facility,” the use of the Institute of Transportation Engineers (ITE) Trip Generation Land Use Code 150 (Warehousing) is improper because the particular nature of the Project’s use is not defined and the tenant or end user is ultimately unknown. (IS/MND, pp. 8, 25 (“The specific business(es) and/or tenant(s) that would ultimately occupy the proposed building are unknown at this time.”).) Regardless of this uncertainty, the Transportation Analysis continues to base its evaluation of VMT impacts for the Project on the assumption that the ITE Trip Generation Manual Land Use Code 150 will be applicable. “Warehousing” is defined by the ITE generically as: “A warehouse is primarily devoted to the storage of materials, but it may also include office and maintenance areas.” According to the ITE manual, this is specifically considered a “long-term storage facility.” However, the zoning designation for the Project is considerably broader than the specific land use associated with Land Use Code 150. According to the IS/MND:

The prevailing planning and regulatory plans that govern development and use of the project site are the Irwindale General Plan, Irwindale Zoning Code (Title 17 [Zoning]), and Irwindale Commercial and Industrial Design Guidelines. The general plan land use designation of the project site is Industrial/Business Park, and the site is zoned Light Manufacturing (M-1). Land devoted to Industrial/Business Parks may range in size from 10 acres up to 100 acres, subdivided into smaller lots and developed with industrial buildings of varying sizes. (IS/MND, p. 29.)

Based on the zoning designation for the Project site, the future tenant is permitted to implement land uses other than those described as “warehousing” in the ITE trip generation manual (Land use Code 150). For example, the zoning designation for the Project site could also include ITE Land Use Code 155 (High-Cube Fulfillment Center Warehouse) and 156 (High-Cube Parcel Hub Warehouse), which are considered distribution-focused centers/warehouses. However, there is a major distinction between warehousing and distribution land uses in the ITE trip generation manual. The “trips per unit” rate for Land Use Code 150 (Warehousing) is 0.19, while the “trips per unit” rate for Land Use Code 155 (High-Cube Fulfillment Center Warehouse) and 156 (High-Cube Parcel Hub Warehouse) are 1.37 and 0.64, respectively.¹ Hence, the trip generation rates of Land Use Code 155 and 156 would be significantly higher than that of Land Use Code 150. Because the zoning designation permits such distribution centers/warehouses, the IS/MND’s Transportation Analysis should have considered the VMT impacts of the full range of allowed uses for the Project site in case the future tenant or user decides to operate the facility pursuant to Land Use Codes 155 and 156, rather than Land Use Code 150. By using the lowest-level of trip generation to justify not including a VMT analysis of the proposed Project, the IS/MND fails to adequately evaluate transportation impacts of the

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¹ For the ITE Trip Generation Manual (10th Edition) “Trips Per Unit” rates for Industrial Land Use Codes, see:
https://www.troutdaleoregon.gov/sites/default/files/fileattachments/public_works/page/966/ite_land_use_list_10th_edition.pdf.

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Project. Thus, an EIR should be prepared to adequately analyze and mitigate VMT impacts of the Project.

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2. The IS/MND Incorrectly Relies on the Fontana Truck Trip Study to Estimate the Project's Operational Emissions.

The IS/MND and Transportation Analysis rely on the City of Fontana's August 2003 Truck Trip Generation Study ("Fontana Study") to determine the operational passenger car and truck trip generation rates for the Project. (See, IS/MND, Appx. I, pp. 1-40-1-43, Tables 4-1-4-4; see also, Response to Comments, p. 1-7 ("As shown in Table 4-1 of the IS/MND, truck trips were factored further using vehicle mix data from the City of Fontana Truck Trip Generation Study (August 2003).")) However, the South Coast Air Quality Management District ("SCAQMD") has determined that the Fontana Study has limited applicability to warehouse projects, and therefore the Fontana Study should not be relied on to determine the Project's operational mobile-source emissions.

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Specifically, the SCAQMD staff found the following issues with the Fontana Study²:

- The overall trip rate is based on only four warehouses total, which includes two warehouses with zeros. In other words, the results of the Fontana Study were based on only two data points. As is disclosed in the Fontana Study, the daily trip rate was only based on data from a Target warehouse and a TAB warehouse.³
- The Fontana Study does not report any 24-hour daily truck trip rates. According to the Fontana Study, "[t]rip generation statistics for daily truck trips were not calculated because vehicle classifications counts could not be obtained from the driveway 24-hour counts."⁴

As such, the IS/MND's Transportation Analysis should not rely on the Fontana Study to estimate the Project's operational truck trip generation, and a revised Transportation Analysis

² "Warehouse Truck Trip Study Data Results and Usage" Presentation. SCAQMD Mobile Source Committee, July 2014, *available at*: <http://www.aqmd.gov/docs/default-source/ceqa/handbook/high-cube-warehouse-trip-rate-study-for-air-quality-analysis/finaltrucktripstudymsc072514.pdf>, p. 10.

³ "Truck Trip Generation Study," City of Fontana, County of San Bernardino, State of California, August 2003, *available at*: <https://tampabayfreight.com/pdfs/Freight%20Library/Fontana%20Truck%20Generation%20Study.pdf>; p. 35.

⁴ "Truck Trip Generation Study," City of Fontana, County of San Bernardino, State of California, August 2003, *available at*: <https://tampabayfreight.com/pdfs/Freight%20Library/Fontana%20Truck%20Generation%20Study.pdf>, p. 6.

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should be prepared and included in an EIR to adequately assess the Project's air quality and greenhouse gas impacts from transportation

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C. The IS/MND Failed to Adequately Analyze and Mitigate the Project's Air Quality and Greenhouse Gas Impacts.

1. The IS/MND Relied on Unsubstantiated Input Parameters to Estimate Project Emissions and Thus the Project May Result in Significant Air Quality Impacts.

After reviewing the IS/MND and Air Quality and GHG Background and Modeling's CalEEMod output files, included as Appendix A to the IS/MND, several model inputs used to generate a project's construction and operation emissions were found to not be consistent with information disclosed in the IS/MND. As a result, the Project's construction and operational emissions are underestimated. An EIR should be prepared to include an updated air quality analysis that adequately evaluates the impacts that construction and operation of the Project will have on local and regional air quality.

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Specifically, several values used in the IS/MND and the Air Quality and GHG Background and Modeling's air quality analysis were found to be either inconsistent with information provided in the IS/MND or otherwise unjustified, including:

1. Failure to Model All Proposed Land Use Types;
2. Incorrect Land Use Type;
3. Unsubstantiated Reduction to Parking Land use Size; and
4. Incorrect Application of Construction-Related Mitigation Measures.

As a result of these errors in the IS/MND, the Project's construction and operational emissions were underestimated and cannot be relied upon to determine the significance of the Project's air quality impacts. Thus, an EIR is needed to adequately address the air quality impacts of the proposed Project, and to mitigate those impacts accordingly.

2. The IS/MND Failed to Adequately Evaluate Health Risks from Diesel Particulate Matter Emissions and Thus the Project May Result in Significant Health Impacts as a Result of Diesel Particulate Matter Emissions.

An EIR should be prepared to evaluate the significant health impacts to individuals and workers from the Project's construction-related diesel particulate matter (DPM) emissions as a result of the proposed Project. The IS/MND's evaluation of the proposed Project's potential health risk impacts, as well as its subsequent conclusion that the Project would have a less-than-significant health risk impact is incorrect for two reasons. (See, IS/MND, pp. 58-62).

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First, by failing to prepare a quantified construction health risk assessment ("HRA"), the Project is inconsistent with CEQA's requirement to correlate the increase in emissions that the Project would generate to the adverse impacts on human health caused by those emissions. The

Comment on MND, 4416 Azusa Canyon Road
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IS/MND's conclusion is also inconsistent with the most recent guidance published by the Office of Health Hazard Assessment ("OEHHA"). (See, "Risk Assessment Guidelines: Guidance Manual for Preparation of Health Risk Assessments." OEHHA, February 2015, *available at*: <https://oehha.ca.gov/media/downloads/cnr/2015guidancemanual.pdf>.)

Second, while the IS/MND includes an operational HRA, the HRA fails to evaluate the cumulative lifetime cancer risk to nearby, existing receptors as a result of Project construction and operation together. This is incorrect and, as a result, the IS/MND's evaluation cannot be relied upon to determine Project significance. OEHHA guidance requires that the excess cancer risk be calculated separately for all sensitive receptor age bins, then summed to evaluate the total cancer risk posed by all Project activities. Therefore, the IS/MND should have quantified the Project's construction and operational health risks, as well as compared the combined construction and operational health risks to the SCAQMD threshold of 10 in one million.

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cont'd

Thus, to more accurately determine the health risks associated with construction-related DPM emissions from the Project, an EIR should be prepared that includes updated health risk calculations using correct guidance.

3. The IS/MND Failed to Adequately Analyze Greenhouse Gas Impacts and Thus the Project May Result in Significant Greenhouse Gas Emissions.

Review of the IS/MND and Air Quality and GHG Background and Modeling, included as Appendix A to the IS/MND, found that the IS/MND fails to adequately evaluate the GHG impacts of the proposed Project. The IS/MND estimates that the Project would generate net annual GHG emissions of 2,223 metric tons of carbon dioxide equivalents per year ("MT CO₂e/year"), which would not exceed the SCAQMD threshold of 3,000 MT CO₂e/year. (IS/MND, pp. 84-85, Table 13). Furthermore, the IS/MND's analysis relies upon the Project's consistency with the CARB Scoping Plan and SCAG 2020-2045 RTP/SCS to conclude that the Project would result in a less-than-significant GHG impact (*Id.*, pp. 85-87). However, the IS/MND's analysis, as well as the subsequent less-than-significant impact conclusion, is incorrect for three reasons.

11

First, the IS/MND's analysis relies upon a flawed air model, as discussed above. As a result, GHG emissions are underestimated and the IS/MND's quantitative GHG analysis should not be relied upon to determine Project significance. We will remodel emissions and compare emissions to the applicable thresholds.

Second, the IS/MND utilizes an outdated GHG threshold. When compared to the correct quantitative threshold, the Project's GHG emissions are demonstrably significant.

Third, the IS/MND fails to consider the performance-based standards underlying SCAG's RTP/SCS and CARB's Scoping Plan. As a result, the IS/MND's GHG significance determination regarding the Project's consistency with applicable plans and policies should not be relied upon. Instead, an EIR should be prepared that includes a quantitative consistency evaluation utilizing the appropriate standards as well as mitigation measures intended to reduce GHG emissions to less-than-significant levels.

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IV. CONCLUSION

For the foregoing reasons, the IS/MND is inadequate and an EIR is required to analyze and mitigate the Project's potentially significant environmental impacts. SAFER reserves the right to supplement these comments in advance of and during public hearings concerning the Project. (*Galante Vineyards v. Monterey Peninsula Water Management Dist.*, 60 Cal. App. 4th 1109, 1121 (1997).) Thank you for your attention to these comments.

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Sincerely,



Victoria Ann Yundt
LOZEAU | DRURY LLP

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Response to Comments from Victoria Ann Yundt, Lozeau Drury LLP, SAFER, dated February 16, 2022.

Comment 1 The commenter states that the Initial Study/Mitigated Negative Declaration (IS/MND) fails as an informational document and there is a fair argument that the proposed project may have adverse environmental impacts, and therefore, an Environmental Impact Report (EIR) should be prepared.

The IS/MND fully discloses potential environmental impacts and mitigation, as appropriate, and reduces impacts to below significance. See responses to comments 5 through 11, which provide detailed responses to the commenter's specific assertions.

Comment 2 The commenter provides a summary of the existing and proposed uses on the project site and the CEQA process and findings as outlined in the IS/MND and the Staff Report dated February 16, 2022. The commenter asserts that the IS/MND does not adequately analyze and mitigate air quality, greenhouse gas, hazards and hazardous materials, and transportation impacts and requests the preparation of an EIR.

The IS/MND fully discloses potential environmental impacts and mitigation, as appropriate, and reduces impacts to below significance. See responses to comments 5 through 11, which provide detailed responses to the commenter's specific assertions. An EIR is not required for this project.

Comment 3 The commenter summarizes the findings of numerous court cases but does not directly relate these cases to alleged inadequacies of the proposed project's IS/MND. The discussion notes that preparation of an EIR is required when substantial evidence supports a fair argument that a project may result in significant adverse impacts. The cases listed also relate to the inappropriate definition of mitigation measures as project design features and the use of existing physical conditions as baseline to determine a project's environmental impacts. None of these assertions are substantiated with specific information or inadequacies in the proposed project's IS/MND, and therefore, no further response is required.

Please refer to responses to comments 5 through 11, which provide detailed responses to the commenter's specific assertions.

Comment 4 The commenter states that there is a fair argument that the project may have unmitigated adverse environmental impacts and requests the preparation of an EIR. The IS/MND fully discloses potential environmental impacts and mitigation, as appropriate, and reduces impacts to below significance. See responses to comments 5 through 11, which provide detailed responses to the commenter's specific assertions.

Comment 5 The commenter states that the project will have significant soil contamination impacts because of the lack of closure documentation for one of the former USTs at the site.

Historically, the site had four USTs—three of the USTs were installed in 1975 and removed in 1995 following a reported leak, which received regulatory agency closure. The fourth UST was a 12,000-gallon fiberglass tank installed in 1990 that was removed under the oversight of the Los Angeles County Department of Public Works (LACDPW) Certified Unified Program Agency (CUPA) in 2013. The tank-closure report documents that during tank removal they did not find soil contamination above screening levels and that the 12,000-gallon UST was in good condition with no holes or damage. LACDPW referred the closure to the Los Angeles Regional Water Quality Control Board (LARWQCB) in 2015.

After the completion of the IS/MND, the GeoTracker website was updated to reflect closure of the case related to the 12,000-gallon UST. The No Further Action letter issued by LARWQCB is included as Attachment 1 and can be accessed at https://geotracker.waterboards.ca.gov/profile_report.asp?global_id=T10000006507. As noted in the No Further Action letter, LARWQCB determined that residual concentrations of fuel constituents found in samples collected at the former 12,000-gallon UST location, pose a low threat to human health, and soil and groundwater quality beneath the site and no further action is required to pursue any further soil and/or groundwater investigation at the site.

Furthermore, the likelihood that a potential source of vapor migration currently exists beneath the site from off-site is low; that the former UST does not appear to pose a significant vapor intrusion risk; and additionally, the proposed structure does not overlie the former UST area.

Therefore, the IS/MND adequately evaluated health risks from the former UST associated with the project, and no changes to the Initial Study/Mitigated Negative Declaration are necessary.

Comment 6 The commenter notes that the transportation analysis fails to adequately address transportation impacts since it does not include a VMT analysis and because it relies on the City of Fontana Trip Generation Study to determine the project’s operational emissions. See responses to comments 7 and 8, which provide detailed responses.

Comment 7 The commenter asserts that the transportation analysis fails to adequately evaluate and mitigate the project’s VMT impacts.

The review for the proposed project appropriately screened out a VMT analysis because the net increase in passenger car trips would be 109 trips, which is below the 110-passenger trip threshold in the County of Los Angeles Guidelines.

Project-related traffic generation is based on an estimate of vehicle trips expected to be attracted to and produced by the specific land uses proposed. The ITE Trip Generation Manual (10th edition, 2017) is a nationally recognized source for estimating site-specific

trip generation. To estimate the traffic characteristics of the proposed project, automobile and truck trip-generation rates published in the ITE Trip Generation Manual for land use codes 150 (Warehousing) and 140 (Manufacturing) were used. As shown in IS/MND Table 4-1, truck trips were factored further using vehicle mix data from the City of Fontana Truck Trip Generation Study (August 2003). The resultant trip generation resulted in a projected project-related VMT below the trip threshold for further VMT analysis.

As described in the Initial Study, the future tenants and users of the proposed warehouse and manufacturing facility have not been determined. The warehouse design specifications are consistent with the IS/MND project description. Moreover, the analysis, including the technical transportation analysis, has been prepared consistent with requirements for a “spec” warehouse.

In response to Caltrans’s request, however, a condition of approval has been added that requires the City of Irwindale to monitor the actual trips generated by the project and enforce the maximum limit of allowable trips according to the IS/MND.

The following condition of approval is also imposed on the project:

Prior to the issuance of any occupancy or tenant improvement permit, the proposed tenant(s) shall provide a site-specific trip generation technical memo demonstrating that the average daily vehicle trips do not exceed 362 daily PCE (passenger car equivalent) trips, 45 PCE AM trips, 46 PCE PM trips, and 197 daily passenger car trips. The City will regularly and continually monitor the actual trips generated by the project and enforce the maximum limit of allowable trips. If the project applicant/owner proposes to exceed any limits, additional traffic analyses and VMT (vehicle miles traveled) analysis shall be reviewed and approved by Director of Engineering. If the VMT exceeds the applicable threshold at the time of subsequent review, the issuance of the respective permit shall be subject to CEQA review. The owner/applicant shall be solely responsible for all costs related to analyses, peer review, monitoring, and enforcement.

Comment 8

The commenter states that the project incorrectly relies on the Fontana Truck Trip study to estimate the project’s operational emissions.

Specific information relating to the future occupant/tenant is currently unknown, and the land use data provided by the project team and agreed upon by the City of Irwindale was used in the traffic analysis. The traffic study was prepared under the City’s traffic study guidelines, and the Fontana truck factors were agreed upon during the scoping process.

As shown in Table 4-1, the Transportation Analysis estimates that the project would generate a total of 65 truck trips per day (40 truck trips for warehousing use and 25 truck trips for manufacturing use). In comparison, the South Coast Air Quality Management

District (AQMD) truck rate for noncold storage is 0.53 daily truck trips. By multiplying 0.53 by 129.83 thousand square feet (tsf), approximately 69 daily truck trips would be generated. This is an increase of approximately 4 daily truck trips (6.2 percent of the trucks evaluated). Trucks are not included in the VMT analysis (VMT for nonresidential uses is based on employment), so a slight increase in truck traffic is irrelevant to the CEQA VMT traffic analysis. Regarding air quality and greenhouse gas, operational health risks and criteria air pollutant emissions in addition to overall project GHG emissions are sufficiently below the South Coast AQMD's thresholds that an increase of 4 trucks per day would not cause an exceedance of the significance thresholds and would not affect the disclosed significance determinations.

As detailed in Response No. 7, a Condition of Approval on the proposed project requires the City of Irwindale to regularly and continually monitor (at the owner/applicant's expense) the actual trips generated by the project and enforce the maximum limit of allowable trips.

Comment 9

The commenter states the IS/MND fails to adequately analyze and mitigate the air quality and greenhouse gas (GHG) emissions impact of the proposed project. Specifically, the commenter generally states that the inputs for the emissions modeling were inconsistent with information disclosed in the IS/MND. Additionally, the commenter states the modeling 1) failed to model all proposed land use types; 2) used an incorrect land use type; 3) included an unsubstantiated reduction in parking land use size; and 4) incorrectly applied construction-related mitigation measures. While the commenter makes these general claims, the commenter does not provide any substantive content or basis to support them. For example, the commenter fails to provide details on what land use types may be missing, why the land use type modeled is incorrect, what is meant by an unsubstantiated reduction in parking land use size, and exactly what construction-related mitigation measure might have been incorrectly applied.

Comment 10

The commenter states that the Initial Study/Mitigated Negative Declaration (IS/MND) failed to adequately evaluate construction-related health risks from diesel particulate matter (DPM) emissions, and thus the project may result in significant health impacts as a result.

The commenter's assertion that a quantified construction health risk assessment is required is not correct. The South Coast AQMD does not currently require health risk assessments to be conducted for short-term emissions from construction equipment. Instead, South Coast AQMD has promulgated a specific methodology to address localized impacts from construction to nearby sensitive receptors analysis as an indicator of potential health risk. The screening-level localized significance thresholds (LST) methodology and results are presented on pages 58 and 59 of the IS/MND. As described on page 58 of the IS/MND, the LSTs are the amount of project-related construction emissions at which localized pollutant concentrations would exceed State air quality

standards, based on project site and distance to nearest receptor. Additionally, as described on page 59 of the IS/MND, the LSTs are designed to protect sensitive receptors most susceptible to respiratory diseases. As shown in Table 6 of the IS/MND, maximum daily construction emissions would not exceed the screening-level LSTs, and impacts would be less than significant.

As described in the air quality section (page 7 of the IS/MND) and the Health Risk Assessment (HRA) prepared for the project, the nearest sensitive receptor to the project site is a single residence 550 feet north of the project site along Cypress Street. Typically, emissions from long-term construction projects can significantly impact sensitive receptors if the receptor is adjacent to or within 200 to 300 feet of the project site. At a distance of 550 feet, emissions from an eight-month construction project would not result in significant health risk impacts. For instance, the residential health risk results of the operational HRA at the resident 550 feet to the north, which are calculated over a period of 30 years, were determined to be well below South Coast AQMD's significance thresholds (i.e., residential cancer risk 1.4 per million, which is below threshold of 10 in a million; noncancer risk < 0.001 hazard index, which is below threshold of 1.0). The operational HRA prepared for the project was conducted with the most recent guidance from the Office of Health Hazard Assessment (OEHHA). Because project emissions over 30 years would not result in significant health risks to nearby residents, the likelihood is very low that construction emissions over an eight-month period would result in significant risks to the same residents more than 500 feet from the site. Similarly, because operational health risks are well below the South Coast AQMD thresholds, it is unlikely the cumulative risks from construction and operation together would exceed significance thresholds.

Therefore, the IS/MND adequately evaluated health risks from DPM associated with the project, and no changes to the Initial Study/Mitigated Negative Declaration are necessary.

Comment 11

The commenter states that the proposed project may result in significant greenhouse gas (GHG) emissions impacts because the IS/MND failed to adequately analyze GHG emissions impact. Three reasons are given by the commenter for the inadequacy of the GHG emissions analysis.

First, the commenter states that the emissions modeling is flawed due to the reasons in Comment 9, and therefore the GHG emissions are underestimated and should not be used to determine the project significance. See the response to Comment 9—i.e., the commenter provides no basis or substantive content for the claim that the modeling is flawed.

Second, the commenter states that the IS/MND uses an outdated GHG threshold, and that if project GHG emissions were compared to the correct threshold, project GHG emissions impacts would be significant. However, the commenter does not provide any

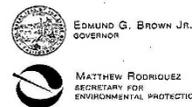
basis for the claim that the GHG threshold in the IS/MND is outdated, and does not identify a “correct” threshold that should be used.

Last, the commenter states that the IS/MND fails to consider the performance-based standards under SCAG’s RTP/SCS and CARB’s Scoping Plan and that an environmental impact report should be prepared that includes a quantitative consistency evaluation. As stated on page 85 of the IS/MND, the Scoping Plan is applicable to state agencies but is not directly applicable to cities and/or individual development projects. Regulatory actions taken at the state, regional, or local levels would result in direct and/or indirect compliance by the project where applicable. For example, as stated on page 86 of the IS/MND, new buildings are required to comply with the Building Energy Efficiency Standards and the California Green Building Standards Code adopted and approved by the California Energy Commission and California Building Standards Commission, respectively.

Regarding SCAG’s RTP/SCS, as stated on page 86 of the IS/MND, the RTP/SCS does not require that local general plans, specific plans, or zoning be consistent with it. Instead, the RTP/SCS provides incentives to governments and developers to be consistent with it. Also, in general, the RTP/SCS incorporates local land use projections from city and county general plans as part of its development. The proposed project would result in a use that is consistent with the industrial zoning and General Plan land use designations for the project site. Thus, the proposed project would not change the underlying land use assumption for the project site.

Comment 12 Please refer to responses to Comments 5 through 11.

ATTACHMENT 1



Los Angeles Regional Water Quality Control Board

June 23, 2015

Mr. Sung Song
Pepsi Cola West
4416 Azusa Canyon Road
Irwindale, California 91706-2740

**UNDERGROUND STORAGE TANK PROGRAM – CASE REFERRAL RESPONSE
PEPSI COLA COMPANY
4416 AZUSA CANYON ROAD, IRWINDALE, CALIFORNIA
(GLOBAL ID NO.: T0603702929)**

Dear Mr. Song:

On February 26, 2015, the County of Los Angeles Department of Public Works (LADPW) transmitted this case to our agency due to concerns regarding soil and groundwater impacts from the subject site (Site). The California Regional Water Quality Control Board, Los Angeles Region (Regional Board), is the public agency with primary responsibility for the protection of ground and surface water quality for all beneficial uses within the Los Angeles and Ventura counties. As such, we are the lead regulatory agency for overseeing corrective action (assessment and/or monitoring activities) and cleanup of releases from leaking underground storage tank (UST) systems at the Site.

We have received the following documents for the Site:

- > "Underground Storage Tank Closure Report" dated June 13, 2013, by Stantec
- > "Closure/Site Assessment Report" review dated February 26, 2015 by LADPW

Based on our review of the submitted documents, we have the following comments:

- On April 24, 2013, one 12,000-gallon UST used to store diesel fuel as well as two associated dispensers and product piping was removed from the Site under observation of a Los Angeles County Fire Department Inspector.
- Following UST, dispenser and piping removal, confirmation soil samples were collected; two from three to four feet beneath the UST invert and four from three to five feet beneath the removed dispensers. No confirmation samples were collected from beneath the removed piping or from the excavated gravel stockpile.
- Soil samples were analyzed for total petroleum hydrocarbons as diesel (TPH_D) by EPA Method 8015B, and volatile organic compounds (VOCs) including benzene, toluene, ethylbenzene, xylenes (BTEX), methyl tertiary butyl ether (MTBE), tertiary butyl alcohol (TBA), di-isopropyl ether (DIPE), ethyl tertiary butyl ether (ETBE), and tertiary amyl methyl ether (TAME), by EPA Method 8260B.

CHARLES STRINGER, CHAIR | SAMUEL UNGER, EXECUTIVE OFFICER

320 West 4th St., Suite 200, Los Angeles, CA 90013 | www.waterboards.ca.gov/losangeles



PEPSI COLA COMPANY

-2-

June 23, 2015

- The laboratory reported TPH_D only in the samples collected from beneath the removed UST at concentrations of 26 milligrams per kilogram (mg/kg) and 6.3 mg/kg, respectively. Benzene was the only other analyte reported by the laboratory. The two samples collected from three feet beneath the removed dispenser's detected benzene at concentrations of 1.1 micrograms per kilogram (µg/kg) and 1.3 µg/kg, respectively. Two additional samples were then collected from five feet beneath the removed dispensers. No concentrations of benzene or other VOCs were reported in the samples by the laboratory.

Based on the information available to us, Regional Board staff determined that residual concentrations of fuel constituents pose a low threat to human health, and soil and groundwater quality beneath the Site. Therefore, no further action is required to pursue any further soil and/or groundwater investigation at the Site. No Regional Board case for the Site will be opened at this time.

If you have any questions, please contact Mr. Gregg Kwey at (213) 576-6702 or email him at gregg.kwey@waterboards.ca.gov

Sincerely,



Yue Rong, Ph. D.
Program Manager
Underground Storage Tank Program

cc: Mr. Tim Smith, Los Angeles County, Department of Public Works

CHARLES STRINGER, CHAIR | SAMUEL UNGER, EXECUTIVE OFFICER

320 West 41st St., Suite 200, Los Angeles, CA 90013 | www.waterboards.ca.gov/losangeles

♻️ RECYCLED PAPER



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



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

To: Honorable Chair and Members of the Planning Commission

From: Marilyn Simpson, AICP, Community Development Director

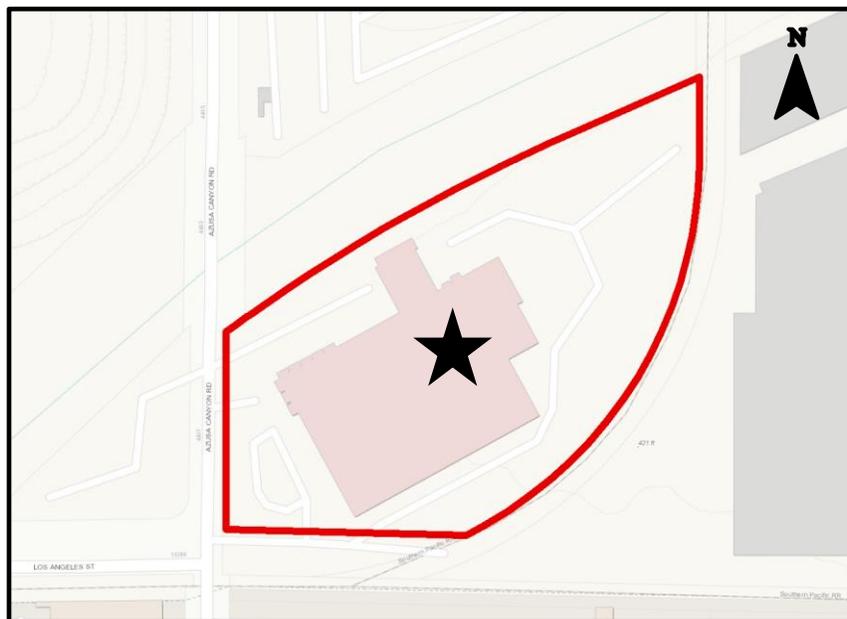
Project Planner: Brandi Jones, Senior Planner

Project: Site Plan & Design Review (DA) No. 04-2020
Speculative 129,830 Square-Foot Concrete Tilt-Up Building

Applicant: Michael Ramirez, Rexford Industrial Realty, LLC

Property Owner: Rexford Industrial Realty, LLC

Project Location: 4416 Azusa Canyon Road (APN: 8417-004-006)



Map Date February 2022
Source: ESRI, City of Irwindale

Staff Recommendation: That the Planning Commission:

1) Adopt Resolution No 813(22) entitled “ A Resolution of the Planning Commission of the City of Irwindale Recommending that the City Council adopt the Mitigated Negative Declaration (MND) and Mitigation Monitoring and Reporting Program (MMRP) for the Construction of one (1) Speculative Industrial Tilt-Up Building Totaling ±129,830 Square Feet For Property Located at 4416 Azusa Canyon Road, Irwindale, CA 91706 (APN: 8417-004-006) in the M-1 (Light Manufacturing) Zone and Making Certain Findings of Fact, Pursuant to the California Environmental Quality Act

2) Adopt Resolution No. 814(22) entitled, “A Resolution of the Planning Commission of the City of Irwindale Recommending that the City Council approve Site Plan and Design Review (DA) No. 04-2020) for the Construction of one (1) Speculative Industrial Tilt-Up Building Totaling ±129,830 Square Feet For Property Located at 4416 Azusa Canyon Road, Irwindale, CA 91706 (APN: 8417-004-006) in the M-1 (Light Manufacturing) Zone and Making Certain Findings of Fact; subject to the City Council adoption of the MND and MMRP and subject to the attached Conditions of Approval.

REQUEST

The Applicant is requesting a Site Plan and Design Review (DA) for the construction of a ±129,830 square-foot concrete tilt-up building and associated parking.

BACKGROUND/HISTORY

Based on a review of historical information, the project site appears to have been used as an orchard from at least 1928 until around 1952, when the site became vacant. The current main building was constructed in 1956 and was used by PepsiCo as a bottling plant. The site is presently developed with one building of approximately 62,713 square feet in the western half of the site, a large metal shed north of the building, and a loading dock and large truck yard on the eastern portion of the site (LACOA 2021). The building is a single-story structure of concrete tilt-up construction on a concrete slab floor. The bottling plant ceased operation in December 2020 and the site has remained vacant.

GENERAL PLAN AND ZONING

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

Direction	Existing Land Use	Zoning District
North	Industrial Businesses	M-2, Heavy Manufacturing
South	Industrial Businesses	M-2, Heavy Manufacturing
East	Industrial Businesses	M-2, Heavy Manufacturing
West	Public Works Yard & Olive Pit	M-1, Light Manufacturing & Q, Quarry

ENVIRONMENTAL REVIEW

In accordance with the California Environmental Quality Act, the City of Irwindale prepared an Initial Study to determine whether the proposed project may have a

significant adverse effect on the environment. Based on the Initial Study and subsequent analysis, staff has determined that the project as proposed qualifies for a Mitigated Negative Declaration according to the California Environmental Quality Act (CEQA), pursuant to Section 15074 of the CEQA Guidelines.

Specifically, the impacts of the proposed project would be mitigated to less-than-significant levels with the implementation of the Mitigation Measures for the following areas:

- Air Quality
- Cultural Resources
- Geology and Soils
- Hazards and Hazardous Materials
- Transportation
- Tribal Cultural Resources
- Mandatory Findings of Significance

The Initial Study, Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program are on file in the Community Development Department/Planning Division, City Hall and the Irwindale Public Library. The IS/MND (Exhibit “E”) was posted and circulated for the required thirty (30) days for public review and comments (December 21, 2021 through January 19, 2022). (A copy of the above referenced documents are posted on the City’s website at <https://www.irwindaleca.gov/575/4416-Azusa-Canyon-Road>).

The specific details of the mitigation methods are included in the Mitigation Monitoring and Report Program (MMRP).

A total of four (4) letters were received. These comments were provided by: State of California Department of Transportation (Caltrans), Los Angeles County Sanitation District, Lozeau Drury, LLP and Teamsters Local Union No. 396. The comment letters and responses to comments have been included in the MND.

Site Plan and Design Review

Pursuant to the provisions of Chapter 17.70 (Site Plan and Design Review) of the Irwindale Municipal Code (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.”

Development Standards

Development Standard	Minimum Requirement	Project Proposal
Front Yard Setback	20'-0"	69'-0" – 105'-0"
Side Yard Setback	20'-0"	25'-0" – 160'-0"
Rear Yard Setback	N/A	48'-5" – 108"-11"
Floor Area Ratio (F.A.R.)	1.0:1.0	.52:1.0
Building Height ¹	35'-0"	39'-0"
Landscaping	10%	11%
Parking	116	123
Truck/Trailer Parking	N/A	N/A

PROJECT DESCRIPTION

The proposed project is for the construction of a ±129,830 square-foot speculative concrete tilt-up building and associated passenger vehicle parking. The building consists of ±9,160 square feet of office, ±17,000 square feet of manufacturing and ±103,670 square feet of warehousing. The property has a gross square footage of 256,664 square feet (5.89 acres) and a net square footage of 251,096 square feet (5.76 acres). There is a required street dedication along Azusa Canyon Road of 5,568 square feet (.13 acres). At this time, there is no prospective user.

Tribal Consultation

On May 10, 2021, the following tribes were notified pursuant to AB 52:

Gabrieleno Band of Mission Indians–Kizh Nation
Gabrieleno/Tongva San Gabriel Band of Mission Indians
Gabrielino/Tongva Nation
Gabrielino/Tongva Indians of California Tribal Council
Gabrielino-Tongva Tribe
Santa Rosa Band of Cahuilla Indians
Soboba Band of Luiseno Indians

Three (3) responses were received. The Gabrielino/Tongva Indians of California Tribal Council requested that the tribe be notified if prehistoric materials or burial remains are found during construction. If burial remains are found, the tribe wants to engage in formal consultation. The Gabrieleno Band of Mission Indians–Kizh Nation provided tribal archive information identifying the high cultural sensitivity of the project site. To avoid impacting or destroying tribal cultural resources that may be inadvertently unearthed during the project's ground disturbing activities the tribe provided the City with measures to mitigate or avoid a significant effect on tribal cultural resources. The Santa Rosa Band of Cahuilla Indians responded that the tribe did not have any comments.

¹ Per IMC subsection 17.08.085 "Building Height" means the vertical distance from the finished grade of the lot to the highest average point of the building or structure.

Building Design/Design Guidelines

The proposed project is a single-story building located on the former PepsiCo Bottling plant. The proposed tilt-up building incorporates many of the desired design elements from the Commercial and Industrial Design Guidelines. The layout, landscaping and design of the site also incorporated encouraged design principles. For example, the use of an authentic period style compatible with City context, new buildings that draw upon the fundamental characteristics of existing buildings in the City, façade depth of plans and variations on all sides, including varied rooflines, berms, meandering sidewalks and multi-layered landscaping.

The building incorporates tower elements as focal points and breaks up the expansive exterior walls with architectural projections and details around the windows. The vertical and horizontal reveals, arched parapets and multi-color palette also work to add depth and character to the building. The design is similar to many of the recently approved developments, which have been designed to closely adhere to the guidelines, while maintaining function and aesthetic uniqueness.

Operation

The prospective use is currently unknown but there are many potential uses that are permitted by right due to the current zoning designation. However, certain uses would not be allowed or would be subject to a Conditional Use Permit. These uses would require Planning Commission approval and be subject to a set of Conditions of Approval and a signed Affidavit of Acceptance from the property owner and tenant acknowledging and agreeing to abide by the imposed conditions. Cold storage have been expressly prohibited for this site without further future environmental analysis. The overwhelming majority of new industrial development in the City is speculative.

Landscaping, Project Fencing and Screening

Approximately 27,979 square feet (11%) of the project site is proposed to be landscaped in compliance with the “City of Irwindale Commercial and Industrial Design Guidelines” and the Zoning Code requirements for parking area landscaping. The proposed landscape plan is comprised of a combination of parking lot shade trees, shrubs, and groundcover.

Access and Circulation

Ingress and egress to the site are provided via a three (3) driveways, one fronting onto Azusa Canyon Road and the other two (2) fronting on Los Angeles Street. The proposed building is setback approximately 69’-0”, which will also accommodate projected queuing, thus avoid overflow onto Azusa Canyon Road and Los Angeles Street. A 20”-0” wide street dedication along Azusa Canyon Road is required.

Parking

IMC Subsection 17.64.030.P(2) “Offices not providing customer service on the premises” requires a minimum one (1) parking space for each two (2) employees on the maximum (most workers) working shift or one (1) space for each 350 square feet of gross floor area, whichever is the greater and IMC Subsection 17.64.030(V) “Warehouse and storage

buildings” requires one (1) parking space for each 1,000 square feet of the first 20,000 square feet of gross floor area, one (1) space for each 2,000 square feet for the next 20,000 square feet of gross floor area and one (1) space for each 4,000 square feet for all floor area over 40,000 square feet of gross floor area.

Based on the proposed square footage, the project requires 116 stalls and 123 stalls are being proposed [five (5) ADA stalls, ninety-seven (97) standard stalls and twenty-one (21) compact stalls]. There are no designated trailer stalls. All parking is surface parking; there are no proposed parking structures or subterranean lots.

Building Height

The maximum building height in the M-1 (Light Manufacturing) zone is 35’-0”. Per IMC subsection 17.08.085 “Building Height” means the vertical distance from the finished grade of the lot to the highest average point of the building or structure. The rooflines vary from approximately 30”-7” to 35”-0” and the parapet walls, including the architectural features extend to a maximum height of 39’-0”. IMC subsection 17.68.010 “Height of Penthouses and Roof Structures” allows parapet walls to be erected above the height limits prescribed.

Signage

IMC Section 17.56.050 “Signs” provides the maximum allowable sign area for freestanding and wall signs. Based on the approximate square footage of the medical office building, the allowable amount of wall signage would equate to ±1,298 square feet. Freestanding signs would be limited to 150 square feet regardless of building size. Like other recently approved, large-scale projects, Staff incorporates a Condition of Approval that requires the applicant to prepare a comprehensive sign program. The sign program includes but is not be limited to sign type, square footage allowances, placement, illumination, quantity, colors and materials.

ANALYSIS

Site Plan & Design Review 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 subject site is zoned M-1 (Light Manufacturing) and has a General Plan land use designation of Industrial/Business Park and Residential. The existing General Plan and Zoning designations are consistent, which eliminates the need for any legislative action such a Zone Change or General Plan Amendment. The project also meets the minimum development standards for the applicable zones, such as setbacks, height, floor area ratio (F.A.R), parking and aesthetic design without the need for a Zone

Variance to accommodate a deviation from any measurable standards. The prospective use is currently unknown but there are many potential uses that are permitted by right due to the current zoning designation, however certain uses would be not be allowed or would be subject to a Conditional Use Permit.

2. The proposed project is 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 effect on surrounding properties:

- a) Facilities and improvements,

The proposed building is setback approximately 69'-0" from vehicle ingress to accommodate projected queuing, thus avoiding overflow onto Azusa Canyon Road and Los Angeles Street. All structures and infrastructure improvements will be constructed to current code and completed prior to issuance of the Certificate of Occupancy.

- b) Pedestrian and vehicular ingress, egress, and internal circulation,

There is no proposed through-site access. The site is bordered by industrial buildings to the north, south, and east and the City's Public Works yard and Olive Pit to the west. Azusa Canyon Road and Los Angeles Street serve as the vehicular access to the site. There is also a required 20'-0" street dedication on Los Angeles Street.

- c) Setbacks,

The project has been designed to comply with and exceed the minimum required setbacks for the M-1 (Light Manufacturing) zone. The proposed front yard setbacks range from 20'-0" to 105'-0", exceeding the minimum requirement of 20'-0". The proposed side yard setbacks range from 25'-0" to 160'-0", exceeding the minimum requirement of 20'-0". The proposed rear yard setbacks range from 48'-5" to 108'-11", and there is no required rear yard setback when abutting non-residentially zoned properties.

- d) Height of buildings,

The maximum building height in the M-1 (Light Manufacturing) zone is 35'-0". Per IMC subsection 17.08.085 "Building Height" means the vertical distance from the finished grade of the lot to the highest average point of the building or structure. Per IMC subsection 17.68.010, parapet walls may be erected above the height limits. The rooflines vary from approximately 30"-7" to 35"-0" and the parapet

walls, including the architectural features extend to a maximum height of 39'-0". Nonetheless, the proposed buildings have been designed to complement the massing and height of the existing buildings in the area.

e) Signs,

Based on the approximate square footage of the speculative industrial building, the allowable amount of wall signage would equate to ±1,298 square feet. Freestanding signs would be limited to 150 square feet regardless of building size. Like other recently approved, large-scale projects, staff incorporates a Condition of Approval that requires the applicant to prepare a comprehensive sign program. The sign program includes, but is not limited to, sign type, square footage allowances, placement, illumination, quantity, colors and materials.

f) Mechanical and utility service equipment,

Site has been designed to attractively screen all rooftop and surface level mechanical equipment and storage area. The parapet roof will provide adequate screening of any proposed rooftop equipment. During the permitting process, a line of sight study is required to substantiate proper screening. Mechanical equipment and storage areas are screened, out of public view and often with solid walls and landscaping.

g) Landscaping,

The landscaping requirement has been met through considered choices of plantings appropriate to the location, building type, and building scale. Approximately 27,979 square feet (11%) of the project site is proposed to be landscaped in compliance with the "City of Irwindale Commercial and Industrial Design Guidelines" and the Zoning Code requirements for parking area landscaping. The proposed landscape plan is comprised of a combination of parking lot shade trees, shrubs, and groundcover.

h) Grading,

Project has been designed to take advantage of the existing topography, thus reducing grading activities on site. A grading permit will be required and issued from Building and Safety.

i) Lighting,

All lighting is designed to complement the structures and oriented to properly illuminate the site as not to create "dark pockets" that could support nefarious activities or spill onto other properties, creating a nuisance. The premises will be secured with appropriate security lighting, to obtain a minimum of 1-foot candles over the entire site. A photometric lighting plan shall be submitted, subject to the review and approval of the Community Development Department and the Police Department.

j) Parking,

IMC Subsection 17.64.030.P(2) “Offices not providing customer service on the premises” requires a minimum one (1) parking space for each two (2) employees on the maximum (most workers) working shift or one (1) space for each 350 square feet of gross floor area, whichever is the greater and IMC Subsection 17.64.030(V) “Warehouse and storage buildings” requires one (1) parking space for each 1,000 square feet of the first 20,000 square feet of gross floor area, one (1) space for each 2,000 square feet for the next 20,000 square feet of gross floor area and one (1) space for each 4,000 square feet for all floor area over 40,000 square feet of gross floor area. Based on the proposed square footage, the project requires 116 stalls and 123 stalls are being proposed [five (5) ADA stalls, ninety-seven (97) standard stalls and twenty-one (21) compact stalls]. All parking is surface parking; there are no proposed parking structures or subterranean lots.

k) Drainage,

A Water Quality Management Plan (WQMP) has been prepared to address hydrology and drainage.

l) Intensity of land use.

The project is located on a flat, irregularly shaped lot. It had been used as an orchard from at least 1928 until around 1952, when the site became vacant. The current main building was constructed in 1956 and was used by PepsiCo as a bottling plant. The site is presently developed with one building of approximately 62,713 square feet in the western half of the site, a large metal shed north of the building, and a loading dock and large truck yard on the eastern portion of the site (LACOA 2021). The building is a single-story structure of concrete tilt-up construction on a concrete slab floor. The metal shed was part of the old truck wash area that is connected to the building by an overhang. The bottling plant ceased operation in December 2020 and the site has remained vacant. The proposed industrial warehouse building is consistent with the General Plan designation of Industrial/Business Park and Zoning designation of M-1 (Light Manufacturing), as well as adjacent industrial land uses.

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.

The proposed tilt-up building incorporates many of the desired design elements from the Commercial and Industrial Design Guidelines including but not limited façade elements, roofs and parapets, materials and colors. The layout, landscaping and design of the site also incorporated encouraged design principles. For example, the use of an authentic period style compatible with City context, new buildings that draw upon the fundamental characteristics of existing buildings in the City, façade depth of plans and variations on all sides, including varied rooflines, berms, meandering sidewalks and multi-layered landscaping.

CONCLUSION

It is recommended that the Planning Commission take the following action:

1. Adopt Resolution No. 813(22) recommending that the City Council adopt the Mitigated Negative Declaration (MND) and Mitigation Monitoring and Reporting Program (MMRP);
2. Adopt Resolution No. 814(22) recommending that the City Council approve Site Plan and Design Review (DA) No. 04-2020 subject to the proposed Conditions of Approval to permit the proposed improvements as presented herein.

Alternative Actions:

3. 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
4. Request that the applicant revise the project and continue the hearing to a date certain.

ATTACHMENTS

- Exhibit A: Resolution No. 813(22)
Exhibit B: Resolution No. 814(22) with Conditions of Approval
Exhibit C: Project Plans
Exhibit D: Street Dedication Exhibit
Exhibit E: Memo to Planning Commission, dated February 10, 2022 with links to:
Initial Study/Mitigated Negative Declaration (IS/MND) and Technical Appendices – Electronic Files also available via:
<https://www.irwindaleca.gov/575/4416-Azusa-Canyon-Road>
Exhibit F: Response to Comments
Exhibit G: Mitigation Monitoring and Reporting Program (MMRP)