CITY OF IRWINDALE

5050 N. IRWINDALE AVE., IRWINDALE CA 91706 • PHONE: (626) 430-2200 • FACSIMILE: 962-2018

ARTHUR R. TAPIA
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PATRICIA GONZALES
VICE-CHAIR

ROBERT E. HARTMAN
COMMISSIONER

RICHARD CHICO
COMMISSIONER

LORETTA CORPIS
COMMISSIONER

AGENDA FOR THE REGULAR MEETING OF THE

PLANNING COMMISSION

MARCH 16, 2016

6:30 P.M.

IRWINDALE CITY HALL / COUNCIL CHAMBER

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

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

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

Note: Staff reports are available for inspection at the Planning Department Counter, City Hall, 5050 N. Irwindale Avenue, during regular business hours (8:00 a.m. to 6:00 p.m., Monday through Thursday).

Code of Ethics

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

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

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

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

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

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

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

IRWINDALE PLANNING COMMISSION

A. CALL TO ORDER

B. PLEDGE OF ALLEGIANCE

C. INVOCATION

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

SPONTANEOUS COMMUNICATIONS

This is the time set aside for members of the audience to speak on items not on this agenda. State law prohibits any Commission discussion or action on such communications unless 1) the Commission by majority vote finds that a catastrophe or emergency exists; or 2) the Commission by at least four votes finds that the matter (and need for action thereon) arose within the last five days. Since the Commission cannot (except as stated) participate it is requested that all such communications be made in writing so as to be included on the next agenda for full discussion and action. If a member of the audience feels he or she must proceed tonight, then each speaker will be limited to 2 minutes and each subject limited to 6 minutes, unless such time limits are extended.

1. CONSENT CALENDAR

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

A. Minutes

Recommendation: Approve the following minutes:

1. Regular meeting of February 17, 2016

2. NEW BUSINESS

3. OLD BUSINESS

4. PUBLIC HEARINGS

A. CONDITIONAL USE PERMIT NO. 04-2013; ZONE VARIANCE NO. 01-2016 (JOSHUA ELLEDGE, DESIGN GROUP FACILITY SOLUTIONS)
A Request for a Conditional Use Permit and Zone Variance to Legalize a Satellite Parking Lot on Property Located at 4401 Irwindale Avenue in the C-M (Commercial Manufacturing) Zone.

Recommendation: Adopt Resolution No. 671(16), Entitled:
A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF IRWINDALE APPROVING CONDITIONAL USE PERMIT NO. 04-2013 FOR THE CONSTRUCTION OF A GROUND LEVEL, EMPLOYEE PARKING LOT ON A VACANT PARCEL LOCATED AT 4401 IRWINDALE AVENUE IN THE C-M (COMMERCIAL MANUFACTURING) ZONE, SUBJECT TO CONDITIONS AS SET FORTH HEREIN AND MAKING FINDINGS IN SUPPORT THEREOF

Recommendation: Adopt Resolution No. 672(16), Entitled:
A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF IRWINDALE APPROVING ZONE VARIANCE NO. 01-2016 TO EXCEED THE MAXIMUM DISTANCE FROM A PARKING FACILITY TO THE BUILDING IT SERVES FOR A GROUND LEVEL, EMPLOYEE PARKING LOT ON A VACANT PARCEL LOCATED AT 4401 IRWINDALE AVENUE IN THE C-M (COMMERCIAL MANUFACTURING) ZONE, SUBJECT TO CONDITIONS AS SET FORTH HEREIN AND MAKING FINDINGS IN SUPPORT THEREOF

B. CONDITIONAL USE PERMIT NO. 08-2012 (LORRAINE NORIEGA)
A Request for a Conditional Use Permit to Continue the Operation of One (1) Existing Automobile Dismantling Operation on a Single, ±43,866 Square-Foot Parcel Located at 722 Alpha Street in the Automobile Dismantling Planned Development Overlay Zone/M-2 (Heavy Manufacturing) Zone.

Recommendation: Adopt Resolution No. 673(16), Entitled:
A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF IRWINDALE APPROVING CONDITIONAL USE PERMIT NO. 08-2012 TO ALLOW FOR THE CONTINUED OPERATION OF ONE (1) EXISTING AUTOMOBILE DISMANTLING BUSINESS ON A SINGLE PARCEL LOCATED AT 722 ALPHA STREET (APN 8533-013-036), IRWINDALE IN THE AUTOMOBILE DISMANTLING PLANNED DEVELOPMENT OVERLAY ZONE/M-2 (HEAVY MANUFACTURING) ZONE, SUBJECT TO CONDITIONS AS SET FORTH HEREIN AND MAKING FINDINGS IN SUPPORT THEREOF

C. CONDITIONAL USE PERMIT NO. 04-2015 (LORRAINE NORIEGA)
A Request for a Conditional Use Permit to Continue the Operation of One (1) Existing Automobile Dismantling Operation on a Single, ±43,538 Square-Foot Parcel Located at 734 Alpha Street in the Automobile Dismantling Planned Development Overlay Zone/M-2 (Heavy Manufacturing) Zone.

Recommendation: Adopt Resolution No. 674(16), Entitled:
A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF IRWINDALE APPROVING CONDITIONAL USE PERMIT NO. 04-2015 TO ALLOW FOR THE CONTINUED OPERATION OF ONE (1) EXISTING AUTOMOBILE DISMANTLING BUSINESS ON A SINGLE PARCEL LOCATED AT 734 ALPHA STREET (APN 8533-013-035), IRWINDALE IN THE AUTOMOBILE DISMANTLING PLANNED DEVELOPMENT OVERLAY ZONE/M-2 (HEAVY MANUFACTURING) ZONE, SUBJECT TO CONDITIONS AS SET FORTH HEREIN AND MAKING FINDINGS IN SUPPORT THEREOF

D. CONDITIONAL USE PERMIT NO. 09-2012 (JAMES LAURITSON)
A Request for a Conditional Use Permit to Continue the Operation of Two (2) Existing Automobile Dismantling Operations on a Single, ±43,568 Square-Foot Parcel Located at 740 Alpha Street in the Automobile Dismantling Planned Development Overlay Zone/M-2 (Heavy Manufacturing) Zone.

Recommendation: Adopt Resolution No. 675(16), Entitled:
A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF IRWINDALE APPROVING CONDITIONAL USE PERMIT NO. 09-2012 TO ALLOW FOR THE CONTINUED OPERATION OF TWO (2) EXISTING AUTOMOBILE DISMANTLING BUSINESSES ON A SINGLE PARCEL LOCATED AT 740 AND 744 ALPHA STREET (APN 8533-013-034), IRWINDALE IN THE AUTOMOBILE DISMANTLING

PLANNED DEVELOPMENT OVERLAY ZONE/M-2 (HEAVY MANUFACTURING) ZONE, SUBJECT TO CONDITIONS AS SET FORTH HEREIN AND MAKING FINDINGS IN SUPPORT THEREOF

5. DISCUSSION ITEMS

6. COMMISSIONER COMMENTS

7. CITY MANAGER'S REPORT

8. COMMUNITY DEVELOPMENT DIRECTOR'S REPORT

9. ADJOURN

AFFIDAVIT OF POSTING

I, Cathy Huicochea, Administrative Secretary, certify that I caused the agenda for the regular meeting of the Irwindale Planning Commission to be held on March 16, 2016 to be posted at the City Hall, Library, and Post Office on March 10, 2016.

Cathy Huicochea

Cathy Huicochea
Administrative Secretary

IRWINDALE COUNCIL CHAMBER **FEBRUARY 17, 2016**
5050 N. IRWINDALE AVENUE **WEDNESDAY**
IRWINDALE, CALIFORNIA 91706 **6:30 P.M.**

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

ROLL CALL:

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

Also present: Gustavo Romo, Community Development Director; Adrian Guerra, Assistant City Attorney; William Tam, Director of Public Works/City Engineer; Brandi Jones, Associate Planner; Cathy Huicochea, Administrative Secretary

SPONTANEOUS COMMUNICATIONS
There were no Spontaneous Communications to report.

1. CONSENT CALENDAR

A. APPROVAL OF MINUTES

The floor was opened for review and approval of the minutes of January 20, 2016. There were no changes and Commissioner Hartman motioned to approve the minutes as presented.

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

2. NEW BUSINESS

A. Kare Youth League Annual Development Progress Report – January 25, 2016
Community Development Director Gus Romo shared the following progress report for the Kare Youth League (League) youth sports facility located at the northeast corner of Arrow Highway and the I-605 Freeway:

- The report was due in September of 2015, and every year since the discretionary approvals of the youth sports facility, staff has given a report to the Planning Commission outlining the status of the project. Staff will bring forth another report in September of 2016 to catch up on the annual reports and at that time staff expects there to be more progress on the project.

- Since the time the last annual report was given, groundbreaking has taken place and the grading operation is under way.

- The League is currently seeking additional funding in the form of sponsorships and grants to be able to develop the whole site as originally planned. Phase 1 project costs have increased from an estimated $5 million in August of 2014 to a current estimate of $9.4 million. The League also reports that their fundraising has kept pace with increased costs, with 90% of the $9.4 million already raised.

- Staff had been working with the League for freeway oriented signage; however the Army Corps of Engineers does not approve of a billboard and prefers not to have this type of facility on their property, which the Corps is leasing to the League. In response to an inquiry by Chair Tapia, Community Development Director Romo explained why the Army Corps of Engineers is against having the billboard on the property and indicated that the League is instead moving forward with a pylon sign.

- No changes have been made in terms of the Site Plan and Design Review and the League still identifies a four phase development.

- In response to an inquiry by Chair Tapia, Community Development Director Romo replied that no permits have expired as the League is already vested. As long as the work continues and there are calls for inspections, all permits shall remain valid.

- The finance update included in the staff report was referenced and it was pointed out that the League's "Single Phase, Getting to Grass" plan was estimated at $2.5 million which has now grown to $5 million.

Community Development Director Romo concluded the report and added that if the League is able to obtain the additional funding they will be able to build out the project much sooner. There were no other questions and the Planning Commission accepted staff's recommendation to receive and file the progress report.

3. <u>OLD BUSINESS</u>

There were no Old Business items to report.

4. <u>PUBLIC HEARINGS</u>

A. CONDITIONAL USE PERMIT NO. 04-2013 (JOSHUA ELLEDGE, DESIGN GROUP FACILITY SOLUTIONS)

Associate Planner Brandi Jones reported that this proposal is a request to legalize an existing satellite parking lot for Ready Pac Produce on property located at 4401 Irwindale Avenue at the corner of Edna Place and Irwindale Avenue. She stated that Community Development staff is requesting at this time a continuance of the public hearing in order to confer with the Applicant on permanent site improvements.

The floor was opened for inquiries and the following issues were addressed:

- The satellite parking lot has been designated only for Ready Pac Produce employees. It is currently being used for that purpose and needs to be legalized.

- The applicant will have to submit for various permits, including a grading permit, and it shall be up to the Building Department to determine if the applicant will be subject to penalty fees since the parking lot has already been constructed and is in use. There are no penalty fees for discretionary permits and the applicant has only been required to pay the standard Conditional Use Permit application fees.

- Staff has gone back and forth on this particular project and when the application was originally submitted, staff had not determined at that time if the use would require a discretionary or administrative review. Staff continued their research and found that the use was required to go through the discretionary review process. The applicant was then informed that a Conditional Use Permit would be necessary. During that time,

however, work on the parking lot began and it was paved and fenced in without the City's approval. Many changes in personnel had also taken place and staff is not certain how the message got misconstrued that the parking lot was permitted.

- As previously mentioned, a grading permit will be required and is listed as a Public Works Condition of Approval.

- If the parking lot is not up to code, the applicant may have to demonstrate that it adheres to the Municipal Code. If it does not adhere, the applicant will be required to bring it into compliance.

- Staff was asked about the property owner's name and although staff could not remember how to pronounce the name, they did confirm that the property owner is not Ready Pac Produce or the owner of the building between the parking lot and Ready Pac Produce.

There were no further issues to discuss and the public hearing was opened. Seeing no public input the floor was opened for a motion and Commissioner Corpis motioned to leave the public hearing open and to continue it to the next regular scheduled meeting of March 16, 2016.

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

5. <u>DISCUSSION ITEMS</u>

There were no Discussion Items to report.

6. <u>COMMISSIONER COMMENTS</u>

Commissioner Hartman:

- Public Works Director William Tam gave an update on the sogginess at the center of El Nido Park that was brought up by Commission Hartman at the January 20, 2016 meeting. In addition to the update, Director Tam also responded to few inquiries and provided information on the installation of a rock drainage pit at the center of the park, past renovation of the entire drainage of the site, and work that was done to redo the park's grading.

- Public Works Director Tam also gave an update on the repair work of damaged fencing near El Nido Park that was brought up by Commissioner Hartman at the January 20, 2016 meeting.

Commissioner Chico:

- Asked to have mining updates presented at a future meeting for United Rock Pit II and the Vulcan Reliance II Pit. He asked that the updates be similar to the update presented for the Manning Pit and to also include percentage of completion, integrity of the fill and, if possible, the estimated time of completion.

- Asked for confirmation that there are reclamation plans on file for the two pits he asked to be reported on and if they have been approved by the State Mining and Geology Board. Public Works Director Tam replied that one of the three United Rock pits is actually a processing plant operation and the other two have approved reclamation plans, which the City relies on for ongoing monitoring and inspections. He added that this is very much the same situation for the Vulcan Reliance II Pit.

Chair Tapia:

- Asked for an update on the vans that are parked in the parking lot near the Santa Fe Importers Deli. Community Development Director Romo replied that Code Enforcement has been working with the Police Department to ensure the van owners are being cited. It also needs to be established that there is an overnight continuous stay which is currently under review. He will have the City's Code Enforcement officer provide a written update for the March 16, 2016 meeting. Additional discussions were also held regarding fleet storage, illegal parking, public parking restrictions and parking on private property. Assistant City Attorney Guerra suggested that to avoid issues with the Brown Act no further discussions should be held on the matter. He stated that parking on public streets is generally governed by the State Vehicle Code and cannot be regulated by the City; in addition, the City also has no restrictions in place to enforce parking on private property. However, if the parking lot is being used for vehicle storage on the property, Code Enforcement can possibly get involved. Staff will continue to look into the matter and report back at the next meeting.

7. <u>CITY MANAGER'S REPORT</u>

There were no items to report by the City Manager's office but Chair Tapia did ask legal counsel if he had anything to add and if the outline on public hearing protocols is available. Assistant City Attorney Guerra replied that the outline will be ready for the next meeting when the next public hearings are held. Community Development Director Romo suggested that since the City Manager does not visit on a regular basis it may no longer be necessary to leave the "City Manager's Report" on the agenda and asked if any steps needed to be taken to remove it from future agendas. Assistant City Attorney Guerra replied that it would be up to the Planning Commission to make the decision and Chair Tapia suggested that maybe it can be changed so that the Planning Commission can receive reports from legal counsel instead. With that being said, Commissioner Chico suggested keeping the City Manager on the agenda and to change the agenda item title to "City Manager/Legal Counsel's Report" which was accepted by Assistant City Attorney Guerra.

8. <u>COMMUNITY DEVELOPMENT DIRECTOR'S REPORT</u>

Community Development Director Romo shared the following updates:

- Last year the City Council authorized staff to move forward with obtaining a grant application with the City of South Pasadena to seek funding for an event called the 6.26 Golden Streets which will be held on June 26, 2016. The event will be comprised of 17+ miles of open streets and will link six Foothill Gold Line stations and seven San Gabriel Valley cities from South Pasadena to Azusa. The event will be similar to a CicLAvia event and will extend east on Huntington Drive, stopping at the six Gold Line stations, and will continue down Foothill Boulevard. The event is a great opportunity to showcase the City of Irwindale and the City anticipates having its own large hub at the Irwindale Gold Line Station. An Ad Hoc Committee has been created to organize the event and announcements have been mailed to businesses and residents which includes an invitation to participate on the Committee. Most participants will be bicycling but other activities will also be held such as embarking on and off the Gold Line trains. At least 50,000 people are expected to attend

throughout the day and a 13K half marathon from South Pasadena to the City of Duarte will also be held, including a bonus round to the City of Azusa. Details advertising the event will continue to be shared as they become available.

- A groundbreaking ceremony for a new bell tower at the Our Lady of Guadalupe church will be held on Friday, February 18th at 8:00 a.m. in front of the church. Planning staff approved the expansion of the new tower last year which fell into the thresholds for an Administrative Site Plan and Design Review Permit. The tower is similar to the original tower with the exception of a children's area on the bottom floor connected to the sanctuary.

9. ADJOURNMENT

There being no further business to conduct the meeting was adjourned at 7:07 pm.

_____
Chair Arthur R. Tapia

ATTEST:

_____
Cathy Huicochea, Administrative Secretary

Approved as presented at the meeting held March 16, 2016.

CITY OF IRWINDALE
PLANNING COMMISSION STAFF REPORT

COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION

Date: March 16, 2016 **Agenda Item No. 4-A**

To: Honorable Chair and Members of the Planning Commission

From: Gustavo Romo, Community Development Director

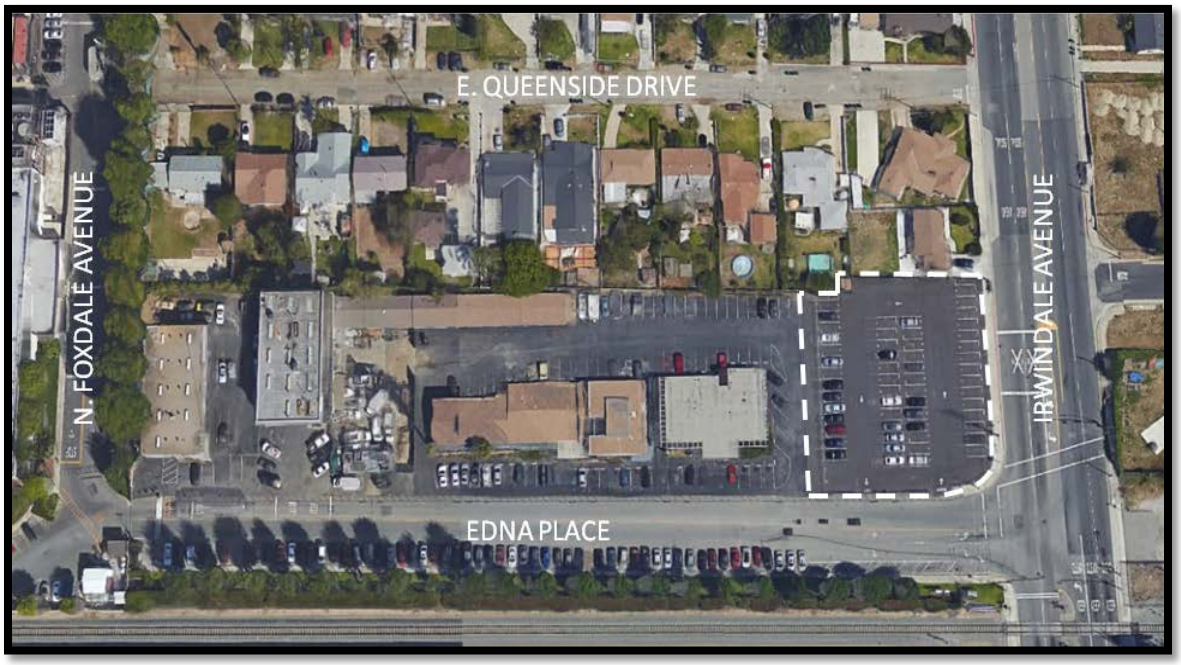
Project Planner: Brandi Jones, Associate Planner

Project: Conditional Use Permit No. 04-2013
Zone Variance No. 01-2016;
Ready Pac Produce Ground Level Parking Lot

Applicant: Joshua Elledge, Design Group Facility Solutions

Property Owner: Chris Hemaratanatorn, Colo-Greenwood LLC

Project Location: 4401 Irwindale Avenue (APN 8417-006-046)



Staff Recommendation: That the Planning Commission adopt Resolution No. 671(16) approving Conditional Use Permit No. 04-2013 and Resoution No. 672(16) approving Zone Variance No. 01-2016, subject to the attendant Conditions of Approval.

REQUEST

The Applicant is requesting a Conditional Use Permit No. 04-2013 to legalize a satellite parking lot for Ready Pac Produce. The use is located within the C-M (Commercial Manufacturing) zone and, therefore, requires a Conditional Use Permit per IMC Subsection 17.36.015(1) – Parking lots, commercial; provided, that where such parking lots are not to be enclosed within a building, and where such facilities abut properties zoned for residential or agricultural uses, there shall be erected a six-foot decorative masonry wall adjacent to the property line between such parking lot and residential or agricultural zone. A Zone Variance is required to exceed the maximum distance of 300'-0" from a parking facility to the building it serves per IMC Subsection 17.64.130(C).

LOCATION AND SITE HISTORY

The parking lot currently occupies an existing ±23,086 square foot (±0.53 acre) lot. There is one previously approved discretionary entitlement on file in the Planning Department. Site Plan & Design Review (DA) No. 5-03 was approved by the City Council on May 4, 2004 by Resolution No. 2004-22-1966. This Site Plan & Design Review approved the construction of 9,360 square foot development that included a warehouse and office facility on property that is located at 4417 Irwindale Avenue. The Site Plan & Design Review expired because construction did not commence within one (1) year of project approval.

The subject property is currently occupied with an asphalt, ground level parking lot. The applicant, Ready Pac Produce, Inc. originally applied for a Site Plan/Design Review SP&DR(AA) No. 01-2013 for a temporary employee parking lot on May 9, 2013. Planning staff had completed the analysis of the submitted Site Plan/Design Review (AA) and it was determined that a Conditional Use Permit was required. The parking lot has since been built and the Applicant is now seeking to legalize it to comply with the Zoning Ordinance and no longer considers it a "temporary" use.

Situs Address

Previous approvals were addressed as 4417 Irwindale Avenue; however, historical permits for the vacant lot were issued using 4401 Irwindale Avenue.

GENERAL PLAN AND ZONING

The site is designated in the General Plan as Commercial/Industrial and zoned C-M (Commercial Manufacturing).

The site is surrounded by the following zones and uses:

Direction	Existing Land Use	Zoning District
North	Single-Family Homes	A-1-6000 (Light Agricultural) LA County Unincorporated/East Irwindale
South	Railroad Tracks; Self-Storage Facility	M-1 (Light Manufacturing)
East	Single-Family Homes	A-1-6000 (Light Agricultural) LA County Unincorporated/East Irwindale
West	Offices; Ready Pac Produce Facility	C-M (Commercial Manufacturing)/ M-1 (Light Manufacturing)

ENVIRONMENTAL REVIEW

Staff has determined that the project as proposed is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15311 (Class 11; Accessory Structures) of the CEQA Guidelines, which exempts construction, or replacement of minor accessory structures to (appurtenant to) existing commercial, industrial or institutional facilities, including but not limited to small parking lots. A Notice of Exemption (NOE) will be filed with the county clerk upon final action by the Planning Commission.

PROJECT DESCRIPTION

The proposal consists of the legalization of a ground level parking lot. The parking lot provides 55 additional, standard-sized parking stalls and is currently enclosed by a 5'-0" chain link fence with locking gates at the ingress and egress. The parking area shall consist of 3'' asphaltic pavement materials and the parking stalls will be properly striped and maintained per IMC 17.64.190. The parking lot meets the minimum required driveway width (18'-0"), parking stall size (9'-0"x19'-0") and landscaping (468 square feet).

Subsection 17.36.015(1) requires the construction of a 6'-0" decorative masonry wall where such facilities abut properties zoned for residential or agricultural uses. Although the properties north of the subject property are not within the City of Irwindale, they are zoned A-1-6000 (Light Agricultural) and occupied by residential uses. The adjacent residential properties have screening in the form of chain link fencing with slats, but the Municipal Code calls for a 6'-0" decorative block wall along the length of the northern property line, which has been included as a condition of approval.

Pursuant to IMC Section 17.64.030, the tabulation of the number of parking spaces required, as well as the total number of parking spaces currently provided, for Ready Pac Produce is shown in the following table:

Ready Pac Produce Inc. Parking Requirements:

Use	Square Feet	Parking Requirement	Number of Spaces Required
Manufacturing	215,479	10,000 sf @ 1/350 40,000 sf @ 1/500 50,000 sf @ 1/1000 115,479 sf @ 1/2000 Total 1space/2 Employees	28.5 80 50 57.7 217[1] 363
Warehouse	246,387	20,000 sf @ 1/1,000 sf 20,000 sf @ 1/2,000 sf 206,387 sf @ 1/4,000 sf	82
Office	24,179	1/350 sf 1 space/2 Employees	70 363
Total Parking Spaces Required per Square Feet			369
Total Parking Spaces Required per Employees & Square Feet			808
Total Parking Spaces Currently Provided			**728[2]**

Since there is no proposed change to the occupancy of the Ready Pac facility, the required parking does not change.

ANALYSIS

Conditional Use Permit

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

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

The site is a square-shaped, ±23,086 square-foot parcel and has adequate area for on-site circulation, parking ingress and egress. The additional proposed parking will have adequate backup and turning areas.

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

[1] Where the application of these schedules results in a fractional space, then the fraction shall be rounded to the higher whole number.
[2] Total includes the new 55 parking stalls.

Primary ingress and egress are provided via one (1), one-way driveway on Edna Place. The driveway meets the minimum 18'-0" width for a single point of ingress and egress and the backup of 26'-0" meets the minimum requirement. No additional square footage or increase in employees is proposed that could generate additional traffic.

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

Adjacent properties will not be affected because the existing use will not be altered in any significant way. The existing sensitive uses to the north already have screening but the Applicant will be required to construct a 6'-0" decorative masonry wall. The parking lot is paved with asphaltic material, which mitigates dust. There are also locking gates on the driveway, which can limit times of use of the lot. In addition, the proposed use is less intense than many uses permitted by right or conditionally in the C-M (Commercial Manufacturing) zone, including the previously approved warehouse and repair and restoration business. Therefore, the impact of the facility on the surrounding properties is expected to be insignificant.

Zone Variance

Before any zone variance shall be granted, the applicant must show, to the satisfaction of the commission or the council, all of the following facts. Staff has determined that the findings can be made based on the analysis shown:

A. That there are exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use of such property, such as size, shape, topography location or surroundings, which are not applicable to other properties similarly situated.

All of the facilities, including the parking lot, are existing. There is a separate, legal parcel located between the Ready Pac building and the parking lot; this parcel is occupied with an office building and parking lot. There are no options to have the parking directly adjacent to the Ready Pac building, as the entire area is already developed. Adjacent properties include commercial lots with employee parking and arterial and property access roads.

B. That such variance is necessary for the preservation and enjoyment of a substantial property right possessed by other property similarly situated, but which is denied to the property in question.

This variance is necessary to accommodate Ready Pac's additional parking needs. This existing facility utilizes this overflow parking to account for the increase in employees. The existing on-site parking lot has been restriped on at least two (2) occasions to provide additional parking stalls; however, there is still a need. There is also existing parking along Edna Place that is used.

C. That the granting of the variance will not be materially detrimental to the public welfare or injurious to the adjacent property.

The granting of the variance will not be detrimental to the public welfare or injurious to the adjacent property because the development incorporates performance standards such as the construction of a block wall adjacent to sensitive receptors. The wall acts as a barrier for noise as well as blocking headlights from vehicles. For many years, this lot was vacant and unimproved. The lot is now paved, which reduces dust and new, permanent landscaping is proposed along Irwindale Avenue provides aesthetic appeal.

D. That the granting of the variance will not adversely affect the general intent and purpose of this title.

The granting of the variance will not adversely affect the general intent and purpose of this title. A stand-alone parking lot requires a Conditional Use Permit, which is being processed concurrently with this Zone Variance. The distance between the parking lot and the Ready Pac building does exceed the maximum distance of 300’-0” due to the size of the property. However, there are parking areas on the Ready Pac site that are further away that the parking lot is.

RECOMMENDATION

That the Planning Commission adopt Resolution No. 671(16) approving Conditional Use Permit No. 04-2013 and Resolution No. 672(16) approving Zone Variance No. 01-2016 for the proposed ground level parking lot located more than 300’-0’ from the building it serves subject to the attendant Conditions of Approval.

ATTACHMENTS

Exhibit A: Resolution No. 671(16) with Conditions of Approval
Exhibit B: Resolution No. 672(16) with Conditions of Approval
Exhibit C: Site Plan

RESOLUTION NO. 671(16)

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF IRWINDALE APPROVING CONDITIONAL USE PERMIT NO. 04-2013 FOR THE CONSTRUCTION OF A GROUND LEVEL, EMPLOYEE PARKING LOT ON A VACANT PARCEL LOCATED AT 4401 IRWINDALE AVENUE IN THE C-M (COMMERCIAL MANUFACTURING) ZONE, SUBJECT TO CONDITIONS AS SET FORTH HEREIN AND MAKING FINDINGS IN SUPPORT THEREOF

A. RECITALS.

(i) Joshua Elledge, Design Group Facility Solutions (on behalf of Ready Pac Foods), 4401 Foxdale Avenue, Irwindale, CA 91706, has made a request for a Conditional Use Permit pursuant to Section 17.36.015 of the Irwindale Municipal Code, to allow the construction of an employee parking lot on a vacant site. **(This Conditional Use Permit is being processed concurrently with Zoning Variance No. 01-2016)**

(ii) The Subject Property is zoned C-M (Commercial Manufacturing). Hereinafter in this Resolution, the subject Conditional Use Permit shall be referred to as the "Application."

(iii) On February 17, 2016, the Planning Commission conducted a duly noticed public hearing, as required by law, on the Application, took testimony on the Application, and continued the public hearing to the March 16, 2016 Planning Commission meeting.

(iv) On March 16, 2016, the Planning Commission conducted a duly noticed public hearing, as required by law, on the Application and conditionally approved the Application at that same meeting subject to the approval of this Resolution, which details the specific Conditions under which the Application was approved.

(v) All legal prerequisites to the adoption of this Resolution have occurred.

B. RESOLUTION.

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

1. The Planning Commission hereby specifically finds that all of the facts set forth in Recitals, Part A, of this Resolution are true and correct.

2. Based upon substantial evidence presented to this Planning Commission during the public hearing conducted with regard to the Application, including written staff

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

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

The site is a square-shaped, ±23,086 square-foot parcel and has adequate area for on-site circulation, parking ingress and egress. The proposed parking will have adequate backup and turning areas.

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

Primary ingress and egress are provided via one (1), one-way driveway on Edna Place. The driveway meets the minimum 18'-0" width for a single point of ingress and egress and the backup of 26'-0" meets the minimum requirement. No additional square footage or increase in employees is proposed that could generate additional traffic.

c. That the proposed use, as conditioned herein, will not have an adverse effect upon adjacent properties.

Adjacent properties will not be affected because the existing use will not be altered in any significant way. The existing sensitive uses to the north already have screening but the Applicant will be required to construct a 6'-0" decorative masonry wall. The parking lot is paved with asphaltic material, which mitigates dust. There are also locking gates on the driveway, which can limit times of use of the lot. In addition, the proposed use is less intense than many uses permitted by right or conditionally in the C-M (Commercial Manufacturing) zone, including the previously approved warehouse and repair and restoration business. Therefore, the impact of the facility on the surrounding properties is expected to be insignificant.

3. The City, as the Lead Agency, determined that the project as proposed is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15311 (Class 11) of the CEQA Guidelines (Accessory Structures), which exempts construction, or replacement of minor accessory structures to (appurtenant to) existing commercial, industrial or institutional facilities, including but not limited to small parking lots. A Notice of Exemption will be filed.

4. Based upon the substantial evidence and conclusions set forth herein above, this Planning Commission hereby approves the Application subject to the conditions set forth in Exhibit "A" attached hereto and by this reference incorporated herein, which conditions are deemed necessary to protect the public health, safety and general welfare and are reasonable and proper in accordance with the intent and purposes of Title 17 of the Irwindale Municipal Code.

5. The Secretary shall:

a. Certify to the adoption of this Resolution; and

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

ADOPTED AND APPROVED this 16th day of March 2016.

_____
Chairman

ATTEST:

_____
Secretary

I, Gustavo Romo, 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 2016, by the following vote:

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

_____
Secretary

EXHIBIT "A"

PLANNING COMMISSION RESOLUTION NO. 671(16)

Conditional Use Permit No. 04-2013
Ready Pac Produce Inc.
4401 Irwindale Avenue

FINAL CONDITIONS OF APPROVAL

A. GENERAL CONDITIONS

1. The activities authorized by this Conditional Use Permit are for the construction of a surface level, employee parking lot, which shall commence within twelve (12) months from the date of approval. Thereafter, if the activities have been abandoned for ninety (90) or more days, the Conditional Use Permit approval shall expire and become null and void, unless a written request for extension is received by the Community Development Director at least thirty (30) days prior to such expiration or abandonment. The granting body, upon good cause shown by the Applicant, may extend the time limitations imposed by this section for a period not to exceed one (1) year.

2. The Applicant shall agree and consent, in writing, to each and every condition of permit approval set forth herein within twenty (20) days from the adoption of this Resolution by the Planning Commission approving the Conditional Use Permit.

3. The signed Final Conditions of Approval shall be photocopied and included as a sheet in the plans.

4. Plans for any proposed site improvements shall be submitted to the Los Angeles County Fire Department and City Building Department for review and approval prior to the issuance of Building Permits.

5. All graffiti shall be adequately and completely removed or painted over within 48 hours of notification to Ready Pac Produce Inc. of such graffiti being affixed on any structure or fence at the site.

6. This Conditional Use Permit and Zone Variance being processed concurrently may be revoked for any violation of or noncompliance with any of these conditions or other codes, regulations of standards enforced by or beneficial to the City of Irwindale in accordance with IMC Section 17.80.140.

7. The Applicant shall defend, indemnify and hold harmless the City of Irwindale, its agents, officers, or employees from any claims, damages, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void or annul, and approval of the City, its advisory agencies, appeal boards, or

legislative body concerning Conditional Use Permit No. 04-2013. The City will promptly notify the permittee of any such claim, action or proceeding against the City and will cooperate fully in the defense.

8. City inspectors shall have access to the site to reasonably inspect the site during normal working hours to assure compliance with these conditions and other codes with a 48-hour notification to Ready Pac Produce to ensure complete accessibility.

9. The facility and use thereof shall be maintained in full compliance with all codes, standards, policies and regulations imposed by the City, County, State or Federal agencies with jurisdiction over the facility.

10. Any and all fees required to be paid to any public agency shall be paid prior to obtaining any permit for this project.

11. All appropriate practices shall be adopted to control dust, odor and vermin.

12. Upon receipt of a complaint related to any condition of approval imposed by this Conditional Use Permit, the City shall notify the Applicant of the alleged violation, and the Applicant shall commence to cure within ten (10) days after the receipt of the notice.

13. The Subject Site shall be maintained free and clear of any accumulations of trash, debris, waste, and combustible and/or flammable materials, other than the related materials specifically authorized under this Conditional Use Permit.

14. The use and improvements authorized by this Conditional Use Permit shall conform to the plans as finally approved by the City as conditioned herein, and any appreciable modification as determined by the Community Development Director shall require the prior approval of the Planning Commission.

B. <u>COMMUNITY DEVELOPMENT DEPARTMENT</u>

1. The project shall substantially conform to submitted plans date-stamped March 10, 2016, except as modified herein. Future modifications that are not in substantial conformance, as determined by the Community Development Director, shall require modification of this approval subject to the provisions of IMC Section 17.80.160 “Modification”.

2. This Conditional Use Permit is for the authorization of a surface level parking lot only.

3. The parking lot shall be used exclusively for Ready Pac employees and visitors.

4. Standard parking stalls shall measure a minimum of 9’-0” x 19’-0”.

5. No sign of any kind, other than one designating entrances, exits or conditions of use, shall be maintained on the parking lot. No such sign shall exceed more than eight square feet in area.

6. The parking lot shall be covered with asphaltic material having a thickness of 3 inches of coverage throughout the parking lot or as determined appropriate by the Building Department.

7. The premises will be secured with appropriate security lighting, to obtain a minimum of 2-foot candle, evenly distributed at ground level. A photometric lighting plan shall be submitted, subject to the review and approval of the Planning Department and the Police Department.

8. The lighting source shall emanate from subject property. The minimum foot-candle cannot be obtained from streetlights or adjacent parking areas.

9. The lighting shall not spill onto the adjacent properties.

10. All plant material, including trees, shall be maintained in good condition and replaced in the event they dry out or other unforeseen circumstance.

11. A minimum of 468 square feet of permanent, irrigated landscaping shall be provided on-site.

12. One (1) set of landscaping plans shall be submitted identifying the proposed plant material to be used and showing the proposed location, which shall be subject to the approval of the Community Development Director. The landscaping plans and specifications shall include an automatic irrigation system. The approved irrigation system shall be at all times maintained in working order.

13. Visual clearance shall be maintained at all vehicle entrances and exits.

14. The parking lot shall comply with all development standards of the Irwindale Municipal Code, including the construction of a 6’-0” decorative masonry wall adjacent to the residential areas to the north.

15. A final inspection conducted by the Community Development Department shall be required prior to the issuance of a Certificate of Occupancy.

C. <u>PUBLIC WORKS DEPARTMENT</u>

1. The applicant shall obtain a grading permit for the construction of this parking lot. A grading and drainage plan shall be submitted to the Building and Safety Division for review and approval.

2. The applicant 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). Parking lots 5,000 square feet or more of impervious surface area or with 25 or more parking spaces are required to compile with LA County NPDES and the requirements of Low Impact Development ("LID"). The NPDES/LID requirements will include implementation of Post Construction BMPs to infiltrate the first 3/4" of runoff from all storm events and to control peak-flow discharges. 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.

3. The location of the proposed easterly driveway shall be deleted and the proposed westerly driveway shall be widened to serve as the main access to this parking lot.

RESOLUTION NO. 672(16)

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF IRWINDALE APPROVING ZONE VARIANCE NO. 01-2016 TO EXCEED THE MAXIMUM DISTANCE FROM A PARKING FACILITY TO THE BUILDING IT SERVES FOR A GROUND LEVEL, EMPLOYEE PARKING LOT ON A VACANT PARCEL LOCATED AT 4401 IRWINDALE AVENUE IN THE C-M (COMMERCIAL MANUFACTURING) ZONE, SUBJECT TO CONDITIONS AS SET FORTH HEREIN AND MAKING FINDINGS IN SUPPORT THEREOF

A. RECITALS.

(i) Joshua Elledge, Design Group Facility Solutions (on behalf of Ready Pac Foods), 4401 Foxdale Avenue, Irwindale, CA 91706, has made a request for a Zone Variance pursuant to Section 17.80.010 of the Irwindale Municipal Code, to exceed the maximum distance from a parking facility to the building it serves for an employee parking lot on a vacant site. **(This Zone Variance is being processed concurrently with Conditional Use Permit No. 01-2016)**

(ii) The Subject Property is zoned C-M (Commercial Manufacturing). Hereinafter in this Resolution, the subject Zone Variance shall be referred to as the "Application."

(iii) On March 16, 2016, the Planning Commission conducted a duly noticed public hearing, as required by law, on the Application and conditionally approved the Application at that same meeting subject to the approval of a Resolution, which would detail the specific Conditions under which the Application was approved.

(iv) All legal prerequisites to the adoption of this Resolution have occurred.

B. RESOLUTION.

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

1. The Planning Commission hereby specifically finds that all of the facts set forth in Recitals, Part A, of this Resolution are true and correct.

2. Based upon substantial evidence presented to this Planning Commission during the public hearing conducted with regard to the Application, including written staff reports, verbal testimony, site plans and Conditions of Approval attached hereto as Exhibit "A," this Planning Commission hereby specifically finds as follows:

a. That there are exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use of such property, such as size, shape, topography location or surroundings, which are not applicable to other properties similarly situated:

There is a separate, legal parcel located between the Ready Pac building and the parking lot; this parcel is occupied with an office building and parking lot. There are no options to have the parking directly adjacent to the Ready Pac building, as the entire area is already developed. Adjacent properties include commercial lots with employee parking and arterial and property access roads.

b. That such variance is necessary for the preservation and enjoyment of a substantial property right possessed by other property similarly situated, but which is denied to the property in question:

This variance is necessary to accommodate Ready Pac's additional parking needs. This existing facility utilizes this overflow parking to account for the increase in employees. The existing on-site parking lot has been restriped on at least two (2) occasions to provide additional parking stalls; however, there is still a need. There is also existing parking along Edna Place that is used.

c. That the granting of the variance will not be materially detrimental to the public welfare or injurious to the adjacent property:

The granting of the variance will not be detrimental to the public welfare or injurious to the adjacent property because the development incorporates performance standards such as the construction of a block wall adjacent to sensitive receptors. The wall acts as a barrier for noise as well as blocking headlights from vehicles. For many years, this lot was vacant and unimproved. The lot is now paved, which reduces dust and new, permanent landscaping is proposed along Irwindale Avenue provides aesthetic appeal.

d. That the granting of the variance will not adversely affect the general intent and purpose of this title:

The granting of the variance will not adversely affect the general intent and purpose of this title. A stand-alone parking lot requires a Conditional Use Permit, which is being processed concurrently with this Zone Variance. The distance between the parking lot and the Ready Pac building does exceed the maximum distance of 300'-0" due to the size of the property. However, there are parking areas on the Ready Pac site that are further away than the subject parking lot.

3. The City, as the Lead Agency, determined that the project as proposed is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15311 (Class 11) of the CEQA Guidelines (Accessory Structures), which exempts construction, ore replacement of minor accessory structures to (appurtenant to) existing commercial, industrial or institutional facilities, including but not limited to small parking lots. A Notice of Exemption will be filed.

4. Based upon the substantial evidence and conclusions set forth herein above, this Planning Commission hereby approves the Application subject to the conditions set forth in Exhibit "A" attached hereto and by this reference incorporated herein, which conditions are deemed necessary to protect the public health, safety and general welfare and are reasonable and proper in accordance with the intent and purposes of Title 17 of the Irwindale Municipal Code.

5. The Secretary shall:

a. Certify to the adoption of this Resolution; and

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

ADOPTED AND APPROVED this 16th day of March 2016.

_____
Chairman

ATTEST:

_____
Secretary

I, Gustavo Romo, 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 2016, by the following vote:

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

_____
Secretary

EXHIBIT "B"

PLANNING COMMISSION RESOLUTION NO. 672(16)

Zone Variance No. 01-2016
Ready Pac Produce Inc.
4401 Irwindale Avenue

FINAL CONDITIONS OF APPROVAL

This Zone Variance is being processed concurrently with Conditional Use Permit No. 04-2013. Therefore, these Conditions of Approval will run and be in effect concurrently with the Conditions of Approval for Conditional Use Permit No. 04-2013 and Resolution No. 671(16).

A. COMMUNITY DEVELOPMENT DEPARTMENT

1. The Applicant shall defend, indemnify and hold harmless the City of Irwindale, its agents, officers, or employees from any claims, damages, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void or annul, any approval of the City, its advisory agencies, appeal boards, or legislative body concerning Zone Variance No. 01-2016. The City will promptly notify the permittee of any such claim, action, or proceeding against the City and will cooperate fully in the defense.

CITY OF IRWINDALE
PLANNING COMMISSION STAFF REPORT

COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION

Date: March 16, 2016 **Agenda Item No. 4-B**

To: Honorable Chair and Members of the Planning Commission

From: Gustavo Romo, Community Development Director

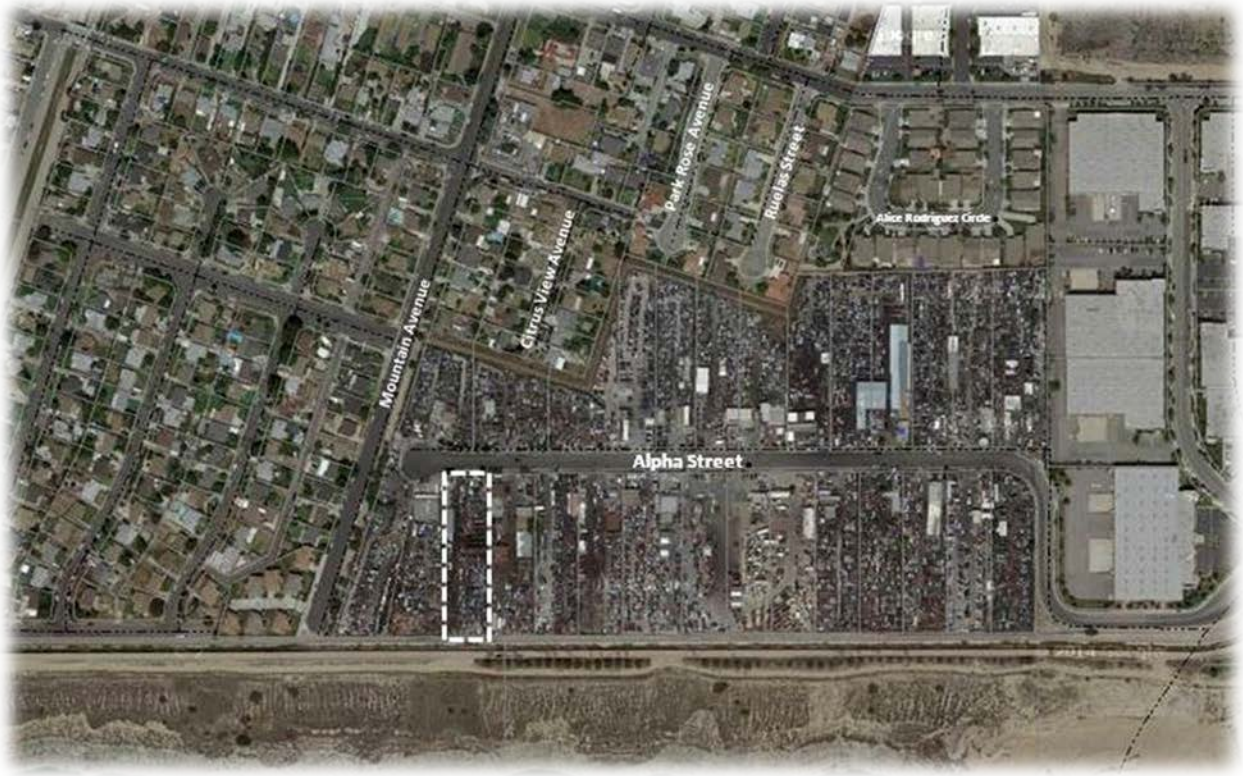
Project Planner: Brandi Jones, Associate Planner

Project: Conditional Use Permit No. 08-2012; (Automobile Dismantling)

Applicant: Lorraine Noriega

Property Owners: David and Lorraine Noriega

Project Location: 722 Alpha Street (APN 8533-013-036)



Staff Recommendation: That the Planning Commission approve Conditional Use Permit No. 08-2012 subject to the attached Conditions of Approval.

REQUEST

This request is for a Conditional Use Permit to continue the operation of one (1) existing automobile dismantling operation on a single, ±43,866 square-foot parcel.

CONTINUANCE

On May 20, 2015, this project was originally brought before the Planning Commission for the approval of a Conditional Use Permit to an automobile dismantling operation. The public hearing was continued to the June 17, 2015 and July 15, 2015 Planning Commission meetings. At the July 15, 2015 Planning Commission, the item was continued to a date uncertain in order to continue researching and resolving any potential Building Code and State of California accessibility code compliance issues.

LOCATION AND SITE HISTORY

All current automobile dismantling operations within the City are located on Alpha Street. Auto dismantling/salvage yards were established in Irwindale in the 1980s along Alpha Street on the site of a 30+ acre former un-compacted landfill (aka the "Alpha Pit"). All of the properties along Alpha Street originally were purchased by the Irwindale Community Redevelopment Agency (ICRA) for the purpose of relocating all of the dismantlers previously scattered throughout the City to a single location on Alpha Street. According to a memorandum from the City's Finance Director to the City Manager dated September 27, 1993[1], "The parcels along Alpha Street were sold by the ICRA to the auto dismantlers at favorable terms as an incentive to relocate to this area so that the properties throughout the City occupied by the auto dismantlers could be redeveloped." Each property was given a 25-year use limitation, which began upon recordation of a grant deed from the ICRA to the individual dismantlers with the Los Angeles County Recorder's Office. Due to the staggered recordation of each grant deed over a span of a few years, each property has a different CUP expiration date. The CUP for this particular property was set to expire on October 11, 2013.

On May 14, 2014, after many years of research, public outreach, and workshops, the City Council approved Ordinance No. 676, which created an "Automobile Dismantling Planned Development Overlay" zoning designation and Ordinance No. 677, which amended Chapters 5.12, 17.08, 17.56 and 17.64 and added Chapter 17.100 of the Irwindale Municipal Code pertaining to automobile dismantling, in order to clarify existing standards and establish new standards for automobile dismantling. These changes also restrict automobile dismantling operations outside of Alpha Street.

GENERAL PLAN AND ZONING

The site is designated in the General Plan as Industrial/Business Park. The site is currently zoned Automobile Dismantling Planned Development Overlay with a base zone of M-2 (Heavy Manufacturing).

[1] Memo from Finance Director Abe De Dios to City Manager Dave Caretto dated September 27, 1993.

The site is surrounded by the following zones and uses:

Direction	Existing Land Use	Zoning District
North	Automobile Dismantling Operation	Automobile Dismantling Planned Development Overlay/M-2 (Heavy Manufacturing) base zone
South	United Pit No. 2	Q, Quarry
East	Automobile Dismantling Operation	Automobile Dismantling Planned Development Overlay/M-2 (Heavy Manufacturing) base zone
West	Automobile Dismantling Operation	Automobile Dismantling Planned Development Overlay/M-2 (Heavy Manufacturing) base zone

ENVIRONMENTAL REVIEW
The proposed project is exempt from the California Environmental Quality Act (CEQA), pursuant to Section 15301 (Class 1; Existing Facilities) of the CEQA Guidelines. If action is taken to approve the project, a Notice of Exemption (NOE) will be filed with the County Clerk. The NOE is on file in the Community Development Department and available for review by the public.

CONDITIONAL USE PERMIT
The use is located within the Automobile Dismantling Planned Development Overlay Zone and, therefore, requires a Conditional Use Permit per IMC Subsections 17.100.040(A) and 17.100.080.A(1).

PROJECT DESCRIPTION
Subsection 17.100.080.C(1) of the IMC allows for one (1) operator per each 20,000 square feet of yard area. Based on the site's ±43,866 square-foot area, this site would allow for no more than two (2) operators on this parcel.

The applicant is proposing to maintain the one (1) existing operator on-site:

1. <u>722 Alpha Street (YLM Auto Dismantling)</u>

This parcel has one (1) ±43,866 square-foot dismantling yard in operation. This operation has an existing portable office, seven (7) parking stalls, storage containers, covered work areas, parts racks, and vehicle storage areas. There are no proposed modifications or intensifications to the existing business operations. These operations include the dismantling of vehicles, storage and sale of parts, and draining and storage of fluids.

ANALYSIS
Before any Conditional Use Permit is granted, the applicant must show, to the satisfaction of the Commission or the Council, the existence of the following findings of fact. Staff has determined that the findings can be made based on the analysis shown:

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

The site is a rectangular-shaped, ±43,866 square-foot parcel and has adequate area for one (1) existing operator based on the code requirements of one (1) operator per every 20,000 square feet of yard area. The site allows for on-site circulation, parking, offices, and storage pursuant to code requirements and has received clearance and standard Conditions of Approval from all applicable departments, including City Engineering and Fire.

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

Ingress and egress are provided by a single, 42'-8" wide driveway. The lot exceeds the minimum required five (5) parking stalls per operator. Alpha Street is a cul-de-sac and is substandard in width; both sides of the street are permanently "red curbed" and all on-street parking is prohibited. This proposal does not increase the total number of operators on the site so there is little to no net increase in traffic.

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

The new overlay zone has specific performance standards that aim to reduce past issues. This includes increased setbacks abutting sensitive receptors (i.e. residences on Alice Rodriguez Circle, Ruelas Street, Park Rose, Mountain and Citrus View Avenues), material storage height limits, increased rear yard setbacks, noise assessment for certain crushing and smashing operations, landscaping and general maintenance and upkeep, yearly inspection requirements, and an operator oversight fund that hold operators responsible for the costs incurred for substantiated Code Enforcement claims. This facility is on the south side of the street and abuts a flood control channel and a rock quarry beyond that.

Code Enforcement Issues
This operation has a valid Business License and no current Code Enforcement cases.

Site/Operation Analysis
The proposed site layout meets the requirements of the Overlay and M-2 (Heavy Manufacturing) zones. The location of the existing parking and structures currently meet the new ordinance with regard to setbacks, parking and landscaping. The proposed use is not anticipated to generate any additional noise, odor or wastes and minimal traffic. Therefore, the impact of the facility on the surrounding properties is expected to be insignificant.

RECOMMENDATION
That the Planning Commission adopt Resolution No. 673(16) approving Conditional Use Permit No. 08-2012 for the proposed continued operation of an automobile dismantling yard pursuant to Chapter 17.100, entitled "Automobile Dismantling Planned Development Overlay Zone" of the IMC and subject to the attendant Conditions of Approval.

ATTACHMENTS
Exhibit A: Resolution No. 673(16) with Conditions of Approval
Exhibit B: Site Plan

RESOLUTION NO. 673(16)

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF IRWINDALE APPROVING CONDITIONAL USE PERMIT NO. 08-2012 TO ALLOW FOR THE CONTINUED OPERATION OF ONE (1) EXISTING AUTOMOBILE DISMANTLING BUSINESS ON A SINGLE PARCEL LOCATED AT 722 ALPHA STREET (APN 8533-013-036), IRWINDALE IN THE (AUTOMOBILE DISMANTLING PLANNED DEVELOPMENT OVERLAY) ZONE/M-2 (HEAVY MANUFACTURING) ZONE, SUBJECT TO CONDITIONS AS SET FORTH HEREIN AND MAKING FINDINGS IN SUPPORT THEREOF

A. RECITALS.

(i) Lorraine Noriega, 1955 Liliano Drive, Sierra Madre, CA 91024, the Applicant, has made a request for a Conditional Use Permit pursuant to IMC Subsections 17.100.040(A) and 17.100.080.A(1), to allow for the continued operation of one (1) existing automobile dismantling business on a single parcel.

(ii) The Subject Property is located on the south side of Alpha Street, just north of United Rock Pit #2, on an existing ±43,866 square-foot parcel. The Subject Property is zoned Automobile Dismantling Planned Development Overlay/M-2 (Heavy Manufacturing). Hereinafter in this Resolution, the subject Conditional Use Permit shall be referred to as the "Application."

(iii) On May 20, 2015, the Planning Commission conducted a duly noticed public hearing, as required by law, on the Application, took testimony on the Application, and continued the public hearing to the June 17, 2015 Planning Commission meeting.

(iv) On June 17, 2015, the Planning Commission conducted a duly noticed public hearing, as required by law, on the Application, took testimony on the Application, and continued the public hearing to the July 15, 2015 Planning Commission meeting

(v) On July 15, 2015, the Planning Commission conducted a duly noticed public hearing, as required by law, on the Application, took testimony on the Application, and continued the public hearing to a date uncertain.

(vi) On March 16, 2016, the Planning Commission conducted a duly noticed public hearing, as required by law, on the Application, took testimony on the Application and conditionally approved the Application at the same meeting subject to the approval of a Resolution, which would detail the specific Conditions under which the Application was approved.

(vii) All legal prerequisites to the adoption of this Resolution have occurred.

B. RESOLUTION.

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

1. The Planning Commission hereby specifically finds that all of the facts set forth in Recitals, Part A, of this Resolution are true and correct.

2. Based upon substantial evidence presented to this Planning Commission during the public hearing conducted with regard to the Application, including written staff reports, verbal testimony, site plans and Conditions of Approval ("Conditions") attached hereto as Exhibit "A," this Planning Commission hereby specifically finds as follows:

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

The site is a rectangular-shaped, ±43,866 square-foot parcel and has adequate area for the one (1) existing operator based on the code requirements of one (1) operator per every 20,000 square feet of yard area. The site allows for on-site circulation, parking, offices, and storage pursuant to code requirements and has received clearance and standard Conditions of Approval from all applicable departments, including City Engineering and Fire.

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

Ingress and egress are provided by a single, 42'-8" wide driveway. This lot exceeds the minimum required five (5) parking stalls per operator. Alpha Street is a cul-de-sac and is substandard in width; both sides of the street are permanently "red curbed" and all on-street parking is prohibited. This proposal does not increase the total number of operators on the site so there is little to no net increase in traffic.

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

The new overlay zone has specific performance standards that aim to reduce past issues. This includes increased setbacks abutting sensitive receptors (i.e. residences on Alice Rodriguez Circle, Ruelas Street, Park Rose, Mountain and Citrus View Avenues), material storage height limits, increased rear yard setbacks, noise assessment for certain crushing and smashing operations, landscaping and general maintenance and upkeep, yearly inspection requirements, and an operator oversight fund that hold operators responsible for the costs incurred for substantiated Code Enforcement claims. This facility is on the south side of the street and abuts a flood control channel and a rock quarry beyond that.

3. The City, as the Lead Agency, determined that the project as proposed is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15301 (Class 1; Existing Facilities), which exempts the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination of the CEQA Guidelines.

4. Based upon the substantial evidence and conclusions set forth herein above, this Planning Commission hereby approves the Application subject to the conditions set forth in Exhibit "A" attached hereto and by this reference incorporated herein, which conditions are deemed necessary to protect the public health, safety and general welfare and are reasonable and proper in accordance with the intent and purposes of Title 17 of the Irwindale Municipal Code.

5. The Secretary shall:

a. Certify to the adoption of this Resolution; and

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

ADOPTED AND APPROVED this 16th day of March 2016.

_____
Chairman

ATTEST:

_____
Secretary

I, Gus Romo, 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 2016, by the following vote:

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

_____
Secretary

EXHIBIT "A"

PLANNING COMMISSION RESOLUTION NO. 673(16)

Conditional Use Permit No. 08-2012
722 Alpha Street (YLM Auto Dismantling)

FINAL CONDITIONS OF APPROVAL

A. GENERAL CONDITIONS

1. The activities authorized by this Conditional Use Permit are for the continued operation of one (1) existing automobile dismantling business on a single, ±43,866 square-foot parcel, which shall commence within twelve (12) months from the date of approval. Thereafter, if the activities have been abandoned for ninety (90) or more days, the Conditional Use Permit approval shall expire and become null and void, unless a written request for extension is received by the Community Development Director at least thirty (30) days prior to such expiration or abandonment. The granting body, upon good cause shown by the Applicant, may extend the time limitations imposed by this section for a period not to exceed one (1) year.

2. The Applicant shall agree and consent, in writing, to each and every condition of permit approval set forth herein within twenty (20) days from the adoption of this Resolution by the Planning Commission approving the Conditional Use Permit.

3. The signed Final Conditions of Approval shall be photocopied and included as a sheet in the plans.

4. Plans for any proposed site improvements shall be submitted to the Los Angeles County Fire Department and City Building Department for review and approval prior to the issuance of Building Permits.

5. All graffiti shall be adequately and completely removed or painted over within 48 hours of notification to the operator and/or property owner of such graffiti being affixed on any structure or fence at the site.

6. This Conditional Use Permit may be revoked for any violation of or noncompliance with any of these conditions or other codes, regulations of standards enforced by or beneficial to the City of Irwindale in accordance with IMC Section 17.80.140 and Subsection 17.100.080.A(3).

7. The Applicant shall defend, indemnify and hold harmless the City of Irwindale, its agents, officers, or employees from any claims, damages, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void or annul, and approval of the City, its advisory agencies, appeal boards, or legislative body concerning Conditional Use Permit No. 08-2012. The City will promptly notify the permittee of any such claim, action or proceeding against the City and will cooperate fully in the defense.

8. City inspectors shall have access to the site to reasonably inspect the site during normal working hours to assure compliance with these conditions and other codes with a 48-hour notification to YLM Auto Dismantling to ensure complete accessibility.

9. The facility and use thereof shall be maintained in full compliance with all codes, standards, policies and regulations imposed by the City, County, State or Federal agencies with jurisdiction over the facility.

10. Any and all fees required to be paid to any public agency shall be paid prior to obtaining any permit for this project.

11. Each operator shall obtain all applicable permits and licenses required by the following agencies: City of Irwindale, State of California, Department of Motor Vehicles, County of Los Angeles Fire Department, Franchise Tax Board, State of California Water Resources Control Board, South Coast Air Quality Management District and any other applicable agency.

12. All appropriate practices shall be adopted to control dust, odor and vermin.

13. Upon receipt of a complaint related to any condition of approval imposed by this Conditional Use Permit, the City shall notify the Applicant of the alleged violation, and the Applicant shall commence to cure within ten (10) days after the receipt of the notice.

14. The Subject Site shall be maintained free and clear of any accumulations of trash, debris, waste, and combustible and/or flammable materials, other than the related materials specifically authorized under this Conditional Use Permit.

15. The use and improvements authorized by this Conditional Use Permit shall conform to the plans as finally approved by the City as conditioned herein, and any appreciable modification as determined by the Community Development Director shall require the prior approval of the Planning Commission.

B. <u>COMMUNITY DEVELOPMENT DEPARTMENT</u>

1. The project shall substantially conform to submitted plans date-stamped March 10, 2016, except as modified herein. Future modifications that are not in substantial conformance, as determined by the Community Development Director, shall require modification of this approval subject to the provisions of IMC Section 17.80.160 “Modification.”

2. Each operator is subject to the provisions of Chapter 17.100, entitled “Automotive Dismantling Planned Development Overlay Zone” and shall abide by all the regulations prescribed therein as amended.

3. Non-automobile dismantling uses shall be subject to the standards of the base M-2 (Heavy Manufacturing) zone.

4. This Conditional Use Permit shall be for the authorization for the continued operation of one (1) existing automobile dismantling operation on a single parcel.

5. Staff shall provide a yearly update to the Planning Commission to monitor and determine compliance with the approved Conditions of Approval.

6. The property owners and applicants shall have adequate time to obtain Building Permits, commence and conclude construction. This process shall not exceed one (1) year from the effective date of this Conditional Use Permit.

7. Retail and wholesale automobile sales shall be incidental to the primary dismantling use.

8. Automobiles for sale shall not occupy any required parking stalls.

C. <u>PUBLIC WORKS/BUILDING AND SAFETY</u>

1. The following Conditions of Approval shall be completed within 180 days from the approval of the CUP. All references to the Los Angeles Building Code are based on the City of Irwindale's adoption of same pursuant to Irwindale Municipal Code section 15.04.010.

2. Pursuant to Los Angeles County Building Code Section 110.3, the applicant shall submit an assessment report prepared by a licensed professional to address the effect of methane gas mitigation potential for the site. No permit will be issued unless this report is reviewed and accepted by the City Building and Safety Division**.**

3. Pursuant to Los Angeles County Building Code Section 11B-206.2.1, the applicant shall provide accessibility to and from any potential structures or points of sale locations. A site plan prepared by a licensed professional shall be submitted for approval. No permit will be issued unless this plan is approved by the City Building and Safety Division**.**

4. Pursuant to Los Angeles County Building Code Chapter 2 Section 106, the applicant shall obtain a building permit for all new permanent trailer/building structures. The applicant shall retain a licensed professional to evaluate if the existing site condition meets the current building code standard for a new trailer/building structure to be built or the applicant shall file for a Building Code Modification pursuant to the Los Angeles County Building Code Section 104.2.7. No permit will be issued unless this condition is satisfied and approved by the City Building and Safety Division.

5. Pursuant to Los Angeles County Building Code Section 2209 (Rack Manufacturers Institute RMI 2.6.1), the applicant shall obtain a building permit for any storage racks over 5'-9" high.

6. Pursuant to Irwindale Municipal Code Section 8.28.090 and the Los Angeles County Building Code Section J110.8, the applicant shall retain a licensed professional to prepare an onsite storm water pollution prevention plan that includes all necessary improvements for site treatment of storm water runoff before discharges to the public

right-of-way or to any adjacent parcels. The applicant shall obtain a grading permit and complete the construction of all required improvements within 90 days from the issuance of the grading permit.

7. Where any existing modular buildings exists does not have a record of a building permit issued, the applicant shall demonstrate that such modular unit(s)/structure(s) is state-approved unit carrying a clear insignia that is affixed to the modular unit If the existing trailer/modular building is not state approved, it shall be removed.

CITY OF IRWINDALE
PLANNING COMMISSION STAFF REPORT

COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION

Date: March 16, 2016 **Agenda Item No. 4-C**

To: Honorable Chair and Members of the Planning Commission

From: Gustavo Romo, Community Development Director

Project Planner: Brandi Jones, Associate Planner

Project: Conditional Use Permit No. 04-2015; (Automobile Dismantling)

Applicant: Lorraine Noriega

Property Owners: David and Lorraine Noriega

Project Location: 734 Alpha Street (APN 8533-013-035)

Staff Recommendation: That the Planning Commission approve Conditional Use Permit No. 04-2015 subject to the attached Conditions of Approval.

REQUEST

This request is for a Conditional Use Permit to continue the operation of one (1) existing automobile dismantling operations on a single, ±43,538 square-foot parcel.

CONTINUANCE

On May 20, 2015, this project was originally brought before the Planning Commission for the approval of a Conditional Use Permit to an automobile dismantling operation. The public hearing was continued to the June 17, 2015 and July 15, 2015 Planning Commission meetings. At the July 15, 2015 Planning Commission, the item was continued to a date uncertain in order to continue researching and resolving any potential Building Code and State of California accessibility code compliance issues.

LOCATION AND SITE HISTORY

All current automobile dismantling operations within the City are located on Alpha Street. Auto dismantling/salvage yards were established in Irwindale in the 1980s along Alpha Street on the site of a 30+ acre former un-compacted landfill (aka the "Alpha Pit"). All of the properties along Alpha Street originally were purchased by the Irwindale Community Redevelopment Agency (ICRA) for the purpose of relocating all of the dismantlers previously scattered throughout the City to a single location on Alpha Street. According to a memorandum from the City's Finance Director to the City Manager dated September 27, 1993[1], "The parcels along Alpha Street were sold by the ICRA to the auto dismantlers at favorable terms as an incentive to relocate to this area so that the properties throughout the City occupied by the auto dismantlers could be redeveloped." Each property was given a 25-year use limitation, which began upon recordation of a grant deed from the ICRA to the individual dismantlers with the Los Angeles County Recorder's Office. Due to the staggered recordation of each grant deed over a span of a few years, each property has a different CUP expiration date. The CUP for this particular property was set to expire on October 11, 2013.

On May 14, 2014, after many years of research, public outreach, and workshops, the City Council approved Ordinance No. 676, which created an "Automobile Dismantling Planned Development Overlay" zoning designation and Ordinance No. 677, which amended Chapters 5.12, 17.08, 17.56 and 17.64 and added Chapter 17.100 of the Irwindale Municipal Code pertaining to automobile dismantling, in order to clarify existing standards and establish new standards for automobile dismantling. These changes also restrict automobile dismantling operations outside of Alpha Street.

GENERAL PLAN AND ZONING

The site is designated in the General Plan as Industrial/Business Park. The site is currently zoned Automobile Dismantling Planned Development Overlay with a base zone of M-2 (Heavy Manufacturing).

[1] Memo from Finance Director Abe De Dios to City Manager Dave Caretto dated September 27, 1993.

The site is surrounded by the following zones and uses:

Direction	Existing Land Use	Zoning District
North	Automobile Dismantling Operation	Automobile Dismantling Planned Development Overlay/M-2 (Heavy Manufacturing) base zone
South	United Pit No. 2	Q, Quarry
East	Automobile Dismantling Operation	Automobile Dismantling Planned Development Overlay/M-2 (Heavy Manufacturing) base zone
West	Automobile Dismantling Operation	Automobile Dismantling Planned Development Overlay/M-2 (Heavy Manufacturing) base zone

ENVIRONMENTAL REVIEW

The proposed project is exempt from the California Environmental Quality Act (CEQA), pursuant to Section 15301 (Class 1; Existing Facilities) of the CEQA Guidelines. If action is taken to approve the project, a Notice of Exemption (NOE) will be filed with the County Clerk. The NOE is on file in the Community Development Department and available for review by the public.

CONDITIONAL USE PERMIT

The use is located within the Automobile Dismantling Planned Development Overlay Zone and, therefore, requires a Conditional Use Permit per IMC Subsections 17.100.040(A) and 17.100.080.A(1).

PROJECT DESCRIPTION

Subsection 17.100.080.C(1) of the IMC allows for one (1) operator per each 20,000 square feet of yard area. Based on the site's ±43,538 square-foot area, this site would allow for no more than two (2) operators on this parcel.

The applicant is proposing to maintain the one (1) existing operator on-site:

1. 734 Alpha Street (Dave's Truck & Auto Dismantling)

This parcel has one (1) ±43,568 square-foot dismantling yard in operation. The property currently has an existing portable office, thirteen (13) parking stalls, covered part storage, workshop, storage container and a mobile car crusher. There are no proposed modifications or intensifications to the existing business operations. These operations include the dismantling of vehicles, storage and sale of parts, and draining and storage of fluids.

ANALYSIS

Before any Conditional Use Permit is granted, the applicant must show, to the satisfaction of the commission or the council, the existence of the following findings of fact. Staff has determined that the findings can be made based on the analysis shown:

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

The site is a rectangular-shaped ±43,538 square-foot parcel and has adequate area for one (1) existing operator and/or tenant based on the code requirements of one (1) operator per every 20,000 square feet of yard area. The site allows for on-site circulation, parking, offices, and storage pursuant to code requirements and has received clearance and standard Conditions of Approval from all applicable departments, including City Engineering and Fire.

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

Ingress and egress is by a single 32'-11" wide driveway. The lot provides the minimum required five (5) parking stalls per operator. Alpha Street is a cul-de-sac and is substandard in width; both sides of the street are permanently "red curbed" and all on-street parking is prohibited. This proposal does not increase the total number of operators on the site so there is little to no net increase in traffic.

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

The new overlay zone has specific performance standards that aim to reduce past issues. This includes increased setbacks abutting sensitive receptors (i.e. residences on Alice Rodriguez Circle, Ruelas Street, Park Rose, Mountain and Citrus View Avenues), material storage height limits, increased rear yard setbacks, noise assessment for certain crushing and smashing operations, landscaping and general maintenance and upkeep, yearly inspection requirements, and an operator oversight fund that hold operators responsible for the costs incurred for substantiated Code Enforcement claims. This facility is on the south side of the street and abuts a flood control channel and a rock quarry beyond that.

Code Enforcement Issues
The operator/tenant has a valid Business License and no current Code Enforcement cases.

Site/Operation Analysis
The proposed site layout meets the requirements of the Overlay and M-2 (Heavy Manufacturing) zones. The location of the existing parking and structures currently meet the new ordinance with regard to setbacks, parking and landscaping. The proposed use is not anticipated to generate any additional noise, odor or wastes and minimal traffic. Therefore, the impact of the facility on the surrounding properties is expected to be insignificant.

RECOMMENDATION
That the Planning Commission adopt Resolution No. 674(16) approving Conditional Use Permit No. 04-2015 for the proposed continued operation of an automobile dismantling operation pursuant to Chapter 17.100, entitled "Automobile Dismantling Planned Development Overlay Zone" of the IMC and subject to the attendant Conditions of Approval.

ATTACHMENTS
Exhibit A: Resolution No. 674(16) with Conditions of Approval
Exhibit B: Site Plan

RESOLUTION NO. 674(16)

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF IRWINDALE APPROVING CONDITIONAL USE PERMIT NO. 04-2015 TO ALLOW FOR THE CONTINUED OPERATION OF ONE (1) EXISTING AUTOMOBILE DISMANTLING BUSINESS ON A SINGLE PARCEL LOCATED AT 734 ALPHA STREET (APN 8533-013-035), IRWINDALE IN THE (AUTOMOBILE DISMANTLING PLANNED DEVELOPMENT OVERLAY) ZONE/M-2 (HEAVY MANUFACTURING) ZONE, SUBJECT TO CONDITIONS AS SET FORTH HEREIN AND MAKING FINDINGS IN SUPPORT THEREOF

A. RECITALS.

(i) Lorraine Noriega, 1955 Liliano Drive, Sierra Madre, CA 91024, the Applicant, has made a request for a Conditional Use Permit pursuant to IMC Subsections 17.100.040(A) and 17.100.080.A(1), to allow for the continued operation of one (1) existing automobile dismantling business on a single parcel.

(ii) The Subject Property is located on the south side of Alpha Street, just north of United Rock Pit #2, on an existing ±43,538 square-foot parcel. The Subject Property is zoned Automobile Dismantling Planned Development Overlay/M-2 (Heavy Manufacturing). Hereinafter in this Resolution, the subject Conditional Use Permit shall be referred to as the "Application."

(iii) On May 20, 2015, the Planning Commission conducted a duly noticed public hearing, as required by law, on the Application, took testimony on the Application, and continued the public hearing to the June 17, 2015 Planning Commission meeting.

(iv) On June 17, 2015, the Planning Commission conducted a duly noticed public hearing, as required by law, on the Application, took testimony on the Application, and continued the public hearing to the July 15, 2015 Planning Commission meeting

(v) On July 15, 2015, the Planning Commission conducted a duly noticed public hearing, as required by law, on the Application, took testimony on the Application, and continued the public hearing to a date uncertain.

(vi) On March 16, 2016, the Planning Commission conducted a duly noticed public hearing, as required by law, on the Application, took testimony on the Application and conditionally approved the Application at the same meeting subject to the approval of a Resolution, which would detail the specific Conditions under which the Application was approved.

(vii) All legal prerequisites to the adoption of this Resolution have occurred.

B. RESOLUTION.

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

1. The Planning Commission hereby specifically finds that all of the facts set forth in Recitals, Part A, of this Resolution are true and correct.

2. Based upon substantial evidence presented to this Planning Commission during the public hearing conducted with regard to the Application, including written staff reports, verbal testimony, site plans and Conditions of Approval ("Conditions") attached hereto as Exhibit "A," this Planning Commission hereby specifically finds as follows:

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

The site is a rectangular-shaped, ±43,538 square-foot parcel and has adequate area for the one (1) existing operator based on the code requirements of one (1) operator per every 20,000 square feet of yard area. The site allows for on-site circulation, parking, offices, and storage pursuant to code requirements and has received clearance and standard Conditions of Approval from all applicable departments, including City Engineering and Fire.

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

Ingress and egress are provided by a single shared, 32'-11" wide driveway. This lot provides the minimum required five (5) parking stalls per operator. Alpha Street is a cul-de-sac and is substandard in width; both sides of the street are permanently "red curbed" and all on-street parking is prohibited. This proposal does not increase the total number of operators on the site so there is little to no net increase in traffic.

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

The new overlay zone has specific performance standards that aim to reduce past issues. This includes increased setbacks abutting sensitive receptors (i.e. residences on Alice Rodriguez Circle, Ruelas Street, Park Rose, Mountain and Citrus View Avenues), material storage height limits, increased rear yard setbacks, noise assessment for certain crushing and smashing operations, landscaping and general maintenance and upkeep, yearly inspection requirements, and an operator oversight fund that hold operators responsible for the costs incurred for substantiated Code Enforcement claims. This facility is on the south side of the street and abuts a flood control channel and a rock quarry beyond that.

3. The City, as the Lead Agency, determined that the project as proposed is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15301 (Class 1; Existing Facilities), which exempts the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible

or no expansion of use beyond that existing at the time of the lead agency's determination of the CEQA Guidelines.

4. Based upon the substantial evidence and conclusions set forth herein above, this Planning Commission hereby approves the Application subject to the conditions set forth in Exhibit "A" attached hereto and by this reference incorporated herein, which conditions are deemed necessary to protect the public health, safety and general welfare and are reasonable and proper in accordance with the intent and purposes of Title 17 of the Irwindale Municipal Code.

5. The Secretary shall:

   a. Certify to the adoption of this Resolution; and

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

ADOPTED AND APPROVED this 16th day of March 2016.

_____
Chairman

ATTEST:

_____
Secretary

I, Gus Romo, 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 2016, by the following vote:

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

_____
Secretary

EXHIBIT "A"

PLANNING COMMISSION RESOLUTION NO. 674(16)

Conditional Use Permit No. 04-2015
734 Alpha Street (Dave's Truck and Auto Dismantling)

FINAL CONDITIONS OF APPROVAL

A. <u>GENERAL CONDITIONS</u>

1. The activities authorized by this Conditional Use Permit are for the continued operation of one (1) existing automobile dismantling business on a single, ±43,538 square-foot parcel, which shall commence within twelve (12) months from the date of approval. Thereafter, if the activities have been abandoned for ninety (90) or more days, the Conditional Use Permit approval shall expire and become null and void, unless a written request for extension is received by the Community Development Director at least thirty (30) days prior to such expiration or abandonment. The granting body, upon good cause shown by the Applicant, may extend the time limitations imposed by this section for a period not to exceed one (1) year.

2. The Applicant shall agree and consent, in writing, to each and every condition of permit approval set forth herein within twenty (20) days from the adoption of this Resolution by the Planning Commission approving the Conditional Use Permit.

3. The signed Final Conditions of Approval shall be photocopied and included as a sheet in the plans.

4. Plans for any proposed site improvements shall be submitted to the Los Angeles County Fire Department and City Building Department for review and approval prior to the issuance of Building Permits.

5. All graffiti shall be adequately and completely removed or painted over within 48 hours of notification to the operator and/or property owner of such graffiti being affixed on any structure or fence at the site.

6. This Conditional Use Permit may be revoked for any violation of or noncompliance with any of these conditions or other codes, regulations of standards enforced by or beneficial to the City of Irwindale in accordance with IMC Section 17.80.140 and Subsection 17.100.080.A(3).

7. The Applicant shall defend, indemnify and hold harmless the City of Irwindale, its agents, officers, or employees from any claims, damages, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void or annul, and approval of the City, its advisory agencies, appeal boards, or legislative body concerning Conditional Use Permit No. 04-2015. The City will promptly notify the permittee of any such claim, action or proceeding against the City and will cooperate fully in the defense.

8. City inspectors shall have access to the site to reasonably inspect the site during normal working hours to assure compliance with these conditions and other codes with a 48-hour notification to Dave's Truck and Auto Dismantling to ensure complete accessibility.

9. The facility and use thereof shall be maintained in full compliance with all codes, standards, policies and regulations imposed by the City, County, State or Federal agencies with jurisdiction over the facility.

10. Any and all fees required to be paid to any public agency shall be paid prior to obtaining any permit for this project.

11. Each operator shall obtain all applicable permits and licenses required by the following agencies: City of Irwindale, State of California, Department of Motor Vehicles, County of Los Angeles Fire Department, Franchise Tax Board, State of California Water Resources Control Board, South Coast Air Quality Management District and any other applicable agency.

12. All appropriate practices shall be adopted to control dust, odor and vermin.

13. Upon receipt of a complaint related to any condition of approval imposed by this Conditional Use Permit, the City shall notify the Applicant of the alleged violation, and the Applicant shall commence to cure within ten (10) days after the receipt of the notice.

14. The Subject Site shall be maintained free and clear of any accumulations of trash, debris, waste, and combustible and/or flammable materials, other than the related materials specifically authorized under this Conditional Use Permit.

15. The use and improvements authorized by this Conditional Use Permit shall conform to the plans as finally approved by the City as conditioned herein, and any appreciable modification as determined by the Community Development Director shall require the prior approval of the Planning Commission.

B. <u>COMMUNITY DEVELOPMENT DEPARTMENT</u>

1. The project shall substantially conform to submitted plans date-stamped March 10, 2016, except as modified herein. Future modifications that are not in substantial conformance, as determined by the Community Development Director, shall require modification of this approval subject to the provisions of IMC Section 17.80.160 "Modification."

2. Each operator is subject to the provisions of Chapter 17.100, entitled "Automotive Dismantling Planned Development Overlay Zone" and shall abide by all the regulations prescribed therein as amended.

3. Non-automobile dismantling uses shall be subject to the standards of the base M-2 (Heavy Manufacturing) zone.

4. This Conditional Use Permit shall be for the authorization for the continued operation of one (1) existing automobile dismantling operation on a single parcel.

5. Staff shall provide a yearly update to the Planning Commission to monitor and determine compliance with the approved Conditions of Approval.

6. The property owners and applicants shall have adequate time to obtain Building Permits, commence and conclude construction. This process shall not exceed one (1) year from the effective date of this Conditional Use Permit.

7. Retail and wholesale automobile sales shall be incidental to the primary dismantling use.

8. Automobiles for sale shall not occupy any required parking stalls.

C. <u>PUBLIC WORKS/BUILDING AND SAFETY</u>

1. The following Conditions of Approval shall be completed within 180 days from the approval of the CUP. All references to the Los Angeles Building Code are based on the City of Irwindale's adoption of same pursuant to Irwindale Municipal Code section 15.04.010.

2. Pursuant to Los Angeles County Building Code Section 110.3, the applicant shall submit an assessment report prepared by a licensed professional to address the effect of methane gas mitigation potential for the site. No permit will be issued unless this report is reviewed and accepted by the City Building and Safety Division**.**

3. Pursuant to Los Angeles County Building Code Section 11B-206.2.1, the applicant shall provide accessibility to and from any potential structures or points of sale locations. A site plan prepared by a licensed professional shall be submitted for approval. No permit will be issued unless this plan is approved by the City Building and Safety Division**.**

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right-of-way or to any adjacent parcels. The applicant shall obtain a grading permit and complete the construction of all required improvements within 90 days from the issuance of the grading permit.

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CITY OF IRWINDALE
PLANNING COMMISSION STAFF REPORT

COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION

Date: March 16, 2016 **Agenda Item No. 4-D**

To: Honorable Chair and Members of the Planning Commission

From: Gustavo Romo, Community Development Director

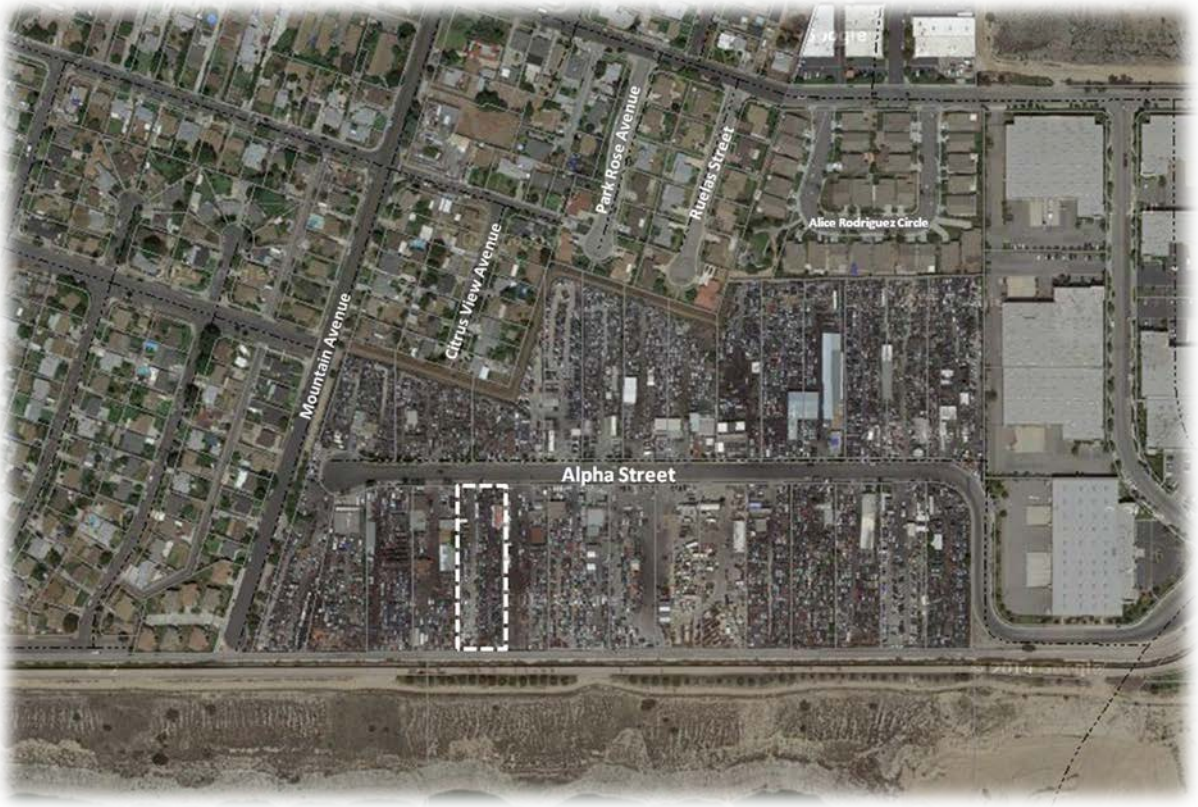
Project Planner: Brandi Jones, Associate Planner

Project: Conditional Use Permit No. 09-2012;
(Automobile Dismantling)

Applicant: James Lauritson

Property Owners: James and Renee Lauritson

Project Location: 740 and 744 Alpha Street (APN 8533-013-034)



Staff Recommendation: That the Planning Commission approve Conditional Use Permit No. 09-2012 subject to the attached Conditions of Approval.

REQUEST

This request is for a Conditional Use Permit to continue the operation of two (2) existing automobile dismantling operations on a single, ±43,568 square-foot parcel.

CONTINUANCE

On April 15, 2015, this project was originally brought before the Planning Commission for the approval of a Conditional Use Permit to an automobile dismantling operation. The public hearing was continued to the May 20, 2015; June 17, 2015 and July 15, 2015 Planning Commission meetings. At the July 15, 2015 Planning Commission, the item was continued to a date uncertain in order to continue researching and resolving any potential Building Code and State of California accessibility code compliance issues.

LOCATION AND SITE HISTORY

All current automobile dismantling operations within the City are located on Alpha Street. Auto dismantling/salvage yards were established in Irwindale in the 1980s along Alpha Street on the site of a 30+ acre former un-compacted landfill (aka the "Alpha Pit"). All of the properties along Alpha Street originally were purchased by the Irwindale Community Redevelopment Agency (ICRA) for the purpose of relocating all of the dismantlers previously scattered throughout the City to a single location on Alpha Street. According to a memorandum from the City's Finance Director to the City Manager dated September 27, 1993[1], "The parcels along Alpha Street were sold by the ICRA to the auto dismantlers at favorable terms as an incentive to relocate to this area so that the properties throughout the City occupied by the auto dismantlers could be redeveloped." Each property was given a 25-year use limitation, which began upon recordation of a grant deed from the ICRA to the individual dismantlers with the Los Angeles County Recorder's Office. Due to the staggered recordation of each grant deed over a span of a few years, each property has a different CUP expiration date. The CUP for this particular property was set to expire on October 11, 2013.

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GENERAL PLAN AND ZONING

The site is designated in the General Plan as Industrial/Business Park. The site is currently zoned Automobile Dismantling Planned Development Overlay with a base zone of M-2 (Heavy Manufacturing).

[1] Memo from Finance Director Abe De Dios to City Manager Dave Caretto dated September 27, 1993.

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North	Automobile Dismantling Operation	Automobile Dismantling Planned Development Overlay/M-2 (Heavy Manufacturing) base zone
South	United Pit No. 2	Q, Quarry
East	Automobile Dismantling Operation	Automobile Dismantling Planned Development Overlay/M-2 (Heavy Manufacturing) base zone
West	Automobile Dismantling Operation	Automobile Dismantling Planned Development Overlay/M-2 (Heavy Manufacturing) base zone

ENVIRONMENTAL REVIEW
The proposed project is exempt from the California Environmental Quality Act (CEQA), pursuant to Section 15301 (Class 1; Existing Facilities) of the CEQA Guidelines. If action is taken to approve the project, a Notice of Exemption (NOE) will be filed with the County Clerk. The NOE is on file in the Community Development Department and available for review by the public.

CONDITIONAL USE PERMIT
The use is located within the Automobile Dismantling Planned Development Overlay Zone and, therefore, requires a Conditional Use Permit per IMC Subsections 17.100.040(A) and 17.100.080.A(1).

PROJECT DESCRIPTION
Subsection 17.100.080.C(1) of the IMC allows for one (1) operator per each 20,000 square feet of yard area. Based on the site's ±43,568 square-foot area, this site would allow for no more than two (2) operators on this parcel.

The applicant is proposing to maintain the two (2) existing operators on-site:

1. 740 Alpha Street (S & J Auto Dismantling)

2. 744 Alpha Street (744 Duarte Auto Dismantling)

The parcel is divided into two separate, ±21,784 square foot dismantling yards for each operator. Each operation is separated by a chain link fence and has an existing portable office, five (5) parking stalls, and vehicle storage areas. There are no proposed modifications or intensifications to the existing business operations. These operations include the dismantling of vehicles, storage and sale of parts, and draining and storage of fluids.

ANALYSIS
Before any Conditional Use Permit is granted, the applicant must show, to the satisfaction of the Commission or the Council, the existence of the following findings of fact. Staff has determined that the findings can be made based on the analysis shown:

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

The site is a rectangular-shaped ±43,568 square-foot parcel and has adequate area for the two (2) existing operators based on the code requirements of one (1) operator per every 20,000 square feet of yard area. The site allows for on-site circulation,

parking, offices, and storage pursuant to code requirements and has received clearance and standard conditions of approval from all applicable departments, including City Engineering and Fire.

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

Ingress and egress are provided by a single shared 48'-7" wide driveway. Each lot provides the minimum required five (5) parking stalls per operator. Alpha Street is a cul-de-sac and is substandard in width; both sides of the street are permanently "red curbed" and all on-street parking is prohibited. This proposal does not increase the total number of operators on the site so there is little to no net increase in traffic.

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

The new overlay zone has specific performance standards that aim to reduce past issues. This includes increased setbacks abutting sensitive receptors (i.e. residences on Alice Rodriguez Circle, Ruelas Street, Park Rose, Mountain and Citrus View Avenues), material storage height limits, increased rear yard setbacks, noise assessment for certain crushing and smashing operations, landscaping and general maintenance and upkeep, yearly inspection requirements, and an operator oversight fund that hold operators responsible for the costs incurred for substantiated Code Enforcement claims. This facility is on the south side of the street and abuts a flood control channel and a rock quarry beyond that.

Code Enforcement Issues

Both operations have valid Business Licenses. On June 2, 2015, there was a fire at 744 Alpha Street. The existing office trailer was destroyed along with some stored materials. A new trailer was installed without permits and will must permitted per the requirements of Building and Safety. There are no current Code Enforcement cases for 740 Alpha Street.

Site/Operation Analysis

The proposed site layout meets the requirements of the Overlay and M-2 (Heavy Manufacturing) zones. The location of the existing parking and structures currently meet the new ordinance with regard to setbacks, parking and landscaping. The proposed use is not anticipated to generate any additional noise, odor or wastes and minimal traffic. Therefore, the impact of the facility on the surrounding properties is expected to be insignificant.

RECOMMENDATION

That the Planning Commission adopt Resolution No. 675(16) approving Conditional Use Permit No. 09-2012 for the proposed continued operation of an automobile dismantling operation pursuant to Chapter 17.100, entitled "Automobile Dismantling Planned Development Overlay Zone" of the IMC and subject to the attendant Conditions of Approval.

ATTACHMENTS

Exhibit A: Resolution No. 675(16) with Conditions of Approval
Exhibit B: Site Plan

RESOLUTION NO. 675(16)

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF IRWINDALE APPROVING CONDITIONAL USE PERMIT NO. 09-2012 TO ALLOW FOR THE CONTINUED OPERATION OF TWO (2) EXISTING AUTOMOBILE DISMANTLING BUSINESSES ON A SINGLE PARCEL LOCATED AT 740 AND 744 ALPHA STREET (APN 8533-013-034), IRWINDALE IN THE (AUTOMOBILE DISMANTLING PLANNED DEVELOPMENT OVERLAY) ZONE/M-2 (HEAVY MANUFACTURING) ZONE, SUBJECT TO CONDITIONS AS SET FORTH HEREIN AND MAKING FINDINGS IN SUPPORT THEREOF

A. RECITALS.

(i) James Lauritson, 1242 Liverpool Court, San Dimas, CA 91773, the Applicant, has made a request for a Conditional Use Permit pursuant to IMC Subsections 17.100.040(A) and 17.100.080.A(1), to allow for the continued operation of two (2) existing automobile dismantling businesses on a single parcel.

(ii) The Subject Property is located on the south side of Alpha Street, just north of United Rock Pit #2, on an existing ±43,568 square-foot parcel. The Subject Property is zoned Automobile Dismantling Planned Development Overlay/M-2 (Heavy Manufacturing). Hereinafter in this Resolution, the subject Conditional Use Permit shall be referred to as the "Application."

(iii) On April 15, 2015, the Planning Commission conducted a duly noticed public hearing, as required by law, on the Application, took testimony on the Application, and continued the public hearing to the May 20, 2015 Planning Commission meeting.

(iv) On May 20, 2015, the Planning Commission conducted a duly noticed public hearing, as required by law, on the Application, took testimony on the Application, and continued the public hearing to the June 17, 2015 Planning Commission meeting.

(v) On June 17, 2015, the Planning Commission conducted a duly noticed public hearing, as required by law, on the Application, took testimony on the Application, and continued the public hearing to the July 15, 2015 Planning Commission meeting.

(vi) On July 15, 2015, the Planning Commission conducted a duly noticed public hearing, as required by law, on the Application, took testimony on the Application, and continued the public hearing to a date uncertain.

(vii) On March 16, 2016, the Planning Commission conducted a duly noticed public hearing, as required by law, on the Application, took testimony on the Application and conditionally approved the Application at the same meeting subject to the approval of a Resolution, which would detail the specific Conditions under which the Application was approved.

(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.

2. Based upon substantial evidence presented to this Planning Commission during the public hearing conducted with regard to the Application, including written staff reports, verbal testimony, site plans and Conditions of Approval ("Conditions") attached hereto as Exhibit "A," this Planning Commission hereby specifically finds as follows:

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

The site is a rectangular-shaped ±43,568 square-foot parcel and has adequate area for the two (2) existing operators based on the code requirements of one (1) operator per every 20,000 square feet of yard area. The site allows for on-site circulation, parking, offices, and storage pursuant to code requirements and has received clearance and standard conditions of approval from all applicable departments, including City Engineering and Fire.

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

Ingress and egress are provided by a single shared 48'-7" wide driveway. Each lot provides the minimum required five (5) parking stalls per operator. Alpha Street is a cul-de-sac and is substandard in width; both sides of the street are permanently "red curbed" and all on-street parking is prohibited. This proposal does not increase the total number of operators on the site so there is little to no net increase in traffic.

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

The new overlay zone has specific performance standards that aim to reduce past issues. This includes increased setbacks abutting sensitive receptors (i.e. residences on Alice Rodriguez Circle, Ruelas Street, Park Rose, Mountain and Citrus View Avenues), material storage height limits, increased rear yard setbacks, noise assessment for certain crushing and smashing operations, landscaping and general maintenance and upkeep, yearly inspection requirements, and an operator oversight fund that hold operators responsible for the costs incurred for substantiated Code Enforcement claims. This facility is on the south side of the street and abuts a flood control channel and a rock quarry beyond that.

3. The City, as the Lead Agency, determined that the project as proposed is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15301 (Class 1; Existing Facilities), which exempts the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination of the CEQA Guidelines.

4. Based upon the substantial evidence and conclusions set forth herein above, this Planning Commission hereby approves the Application subject to the conditions set forth in Exhibit "A" attached hereto and by this reference incorporated herein, which conditions are deemed necessary to protect the public health, safety and general welfare and are reasonable and proper in accordance with the intent and purposes of Title 17 of the Irwindale Municipal Code.

5. The Secretary shall:

a. Certify to the adoption of this Resolution; and

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

ADOPTED AND APPROVED this 16th day of March 2016.

_____
Chairman

ATTEST:

_____
Secretary

I, Gus Romo, 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 2016, by the following vote:

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

_____
Secretary

EXHIBIT "A"

PLANNING COMMISSION RESOLUTION NO. 675(16)

Conditional Use Permit No. 09-2012
740 Alpha Street (S & J Auto Dismantling)
744 Alpha Street (Duarte Auto Dismantling)

FINAL CONDITIONS OF APPROVAL

A. GENERAL CONDITIONS

1. The activities authorized by this Conditional Use Permit are for the continued operation of two (2) existing automobile dismantling businesses on a single, ±43,568 square-foot parcel, which shall commence within twelve (12) months from the date of approval. Thereafter, if the activities have been abandoned for ninety (90) or more days, the Conditional Use Permit approval shall expire and become null and void, unless a written request for extension is received by the Community Development Director at least thirty (30) days prior to such expiration or abandonment. The granting body, upon good cause shown by the Applicant, may extend the time limitations imposed by this section for a period not to exceed one (1) year.

2. The Applicant shall agree and consent, in writing, to each and every condition of permit approval set forth herein within twenty (20) days from the adoption of this Resolution by the Planning Commission approving the Conditional Use Permit.

3. The signed Final Conditions of Approval shall be photocopied and included as a sheet in the plans.

4. Plans for any proposed site improvements shall be submitted to the Los Angeles County Fire Department and City Building Department for review and approval prior to the issuance of Building Permits.

5. All graffiti shall be adequately and completely removed or painted over within 48 hours of notification to the operator and/or property owner of such graffiti being affixed on any structure or fence at the site.

6. This Conditional Use Permit may be revoked for any violation of or noncompliance with any of these conditions or other codes, regulations of standards enforced by or beneficial to the City of Irwindale in accordance with IMC Section 17.80.140 and Subsection 17.100.080.A(3).

7. The Applicant shall defend, indemnify and hold harmless the City of Irwindale, its agents, officers, or employees from any claims, damages, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void or annul, and approval of the City, its advisory agencies, appeal boards, or legislative body concerning Conditional Use Permit No. 09-2012. The City will promptly notify the permittee of any such claim, action or proceeding against the City and will cooperate fully in the defense.

8. City inspectors shall have access to the site to reasonably inspect the site during normal working hours to assure compliance with these conditions and other codes with a 48-hour notification to Duarte Auto Dismantling or S&J Auto Dismantling to ensure complete accessibility.

9. The facility and use thereof shall be maintained in full compliance with all codes, standards, policies and regulations imposed by the City, County, State or Federal agencies with jurisdiction over the facility.

10. Any and all fees required to be paid to any public agency shall be paid prior to obtaining any permit for this project.

11. Each operator shall obtain all applicable permits and licenses required by the following agencies: City of Irwindale, State of California, Department of Motor Vehicles, County of Los Angeles Fire Department, Franchise Tax Board, State of California Water Resources Control Board, South Coast Air Quality Management District and any other applicable agency.

12. All appropriate practices shall be adopted to control dust, odor and vermin.

13. Upon receipt of a complaint related to any condition of approval imposed by this Conditional Use Permit, the City shall notify the Applicant of the alleged violation, and the Applicant shall commence to cure within ten (10) days after the receipt of the notice.

14. The Subject Site shall be maintained free and clear of any accumulations of trash, debris, waste, and combustible and/or flammable materials, other than the related materials specifically authorized under this Conditional Use Permit.

15. The use and improvements authorized by this Conditional Use Permit shall conform to the plans as finally approved by the City as conditioned herein, and any appreciable modification as determined by the Community Development Director shall require the prior approval of the Planning Commission.

B. <u>COMMUNITY DEVELOPMENT DEPARTMENT</u>

1. The project shall substantially conform to submitted plans date-stamped March 10, 2016, except as modified herein. Future modifications that are not in substantial conformance, as determined by the Community Development Director, shall require modification of this approval subject to the provisions of IMC Section 17.80.160 “Modification.”

2. Each operator is subject to the provisions of Chapter 17.100, entitled “Automotive Dismantling Planned Development Overlay zone” and shall abide by all the regulations prescribed therein as amended.

3. Non-automobile dismantling uses shall be subject to the standards of the base M-2 (Heavy Manufacturing) zone.

4. This Conditional Use Permit shall be for the authorization for the continued operation of two (2) existing automobile dismantling operations on a single parcel.

5. Staff shall provide a yearly update to the Planning Commission to monitor and determine compliance with the approved Conditions of Approval.

6. The property owners and applicants shall have adequate time to obtain Building Permits, commence and conclude construction. This process shall not exceed one (1) year from the effective date of this Conditional Use Permit.

7. Retail and wholesale automobile sales shall be incidental to the primary dismantling use.

8. Automobiles for sale shall not occupy any required parking stalls.

C. <u>PUBLIC WORKS/BUILDING AND SAFETY</u>

1. The following Conditions of Approval shall be completed within 180 days from the approval of the CUP. All references to the Los Angeles Building Code are based on the City of Irwindale's adoption of same pursuant to Irwindale Municipal Code section 15.04.010.

2. Pursuant to Los Angeles County Building Code Section 110.3, the applicant shall submit an assessment report prepared by a licensed professional to address the effect of methane gas mitigation potential for the site. No permit will be issued unless this report is reviewed and accepted by the City Building and Safety Division**.**

3. Pursuant to Los Angeles County Building Code Section 11B-206.2.1, the applicant shall provide accessibility to and from any potential structures or points of sale locations. A site plan prepared by a licensed professional shall be submitted for approval. No permit will be issued unless this plan is approved by the City Building and Safety Division**.**

4. Pursuant to Los Angeles County Building Code Chapter 2 Section 106, the applicant shall obtain a building permit for all new permanent trailer/building structures. The applicant shall retain a licensed professional to evaluate if the existing site condition meets the current building code standard for a new trailer/building structure to be built or the applicant shall file for a Building Code Modification pursuant to the Los Angeles County Building Code Section 104.2.7. No permit will be issued unless this condition is satisfied and approved by the City Building and Safety Division.

5. Pursuant to Los Angeles County Building Code Section 2209 (Rack Manufacturers Institute RMI 2.6.1), the applicant shall obtain a building permit for any storage racks over 5'-9" high.

6. Pursuant to Irwindale Municipal Code Section 8.28.090 and the Los Angeles County Building Code Section J110.8, the applicant shall retain a licensed professional to prepare an onsite storm water pollution prevention plan that includes all necessary

improvements for site treatment of storm water runoff before discharges to the public right-of-way or to any adjacent parcels. The applicant shall obtain a grading permit and complete the construction of all required improvements within 90 days from the issuance of the grading permit.

7. Where any existing modular buildings exists does not have a record of a building permit issued, the applicant shall demonstrate that such modular unit(s)/structure(s) is state-approved unit carrying a clear insignia that is affixed to the modular unit If the existing trailer/modular building is not state approved, it shall be removed.