

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;
Brandi Jones, Associate Planner; Jeff Tyler, Code Enforcement Officer; Cathy Huicochea,
Administrative Secretary; Jesus De Anda, Planning Intern

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 February 17, 2016. There were no changes made and Commissioner Hartman motioned to approve the minutes as presented.

MOTION: Commissioner Hartman

SECOND: Commissioner Chico

Ayes: Commissioner Corpis, Commissioner Hartman, Commissioner Chico, Vice-Chair Gonzales,
Chair Tapia

Noes: None

Abstain: None

2. NEW BUSINESS

There were no New Business items to report.

3. OLD BUSINESS

There were no Old Business items to report.

4. PUBLIC HEARINGS

A. CONDITIONAL USE PERMIT NO. 04-2013; ZONE VARIANCE NO. 01-2016 (JOSHUA ELLEDGE, DESIGN GROUP FACILITY SOLUTIONS)

Associate Planner Brandi Jones reported that this is a request by the applicant, Ready Pac Produce, to legalize an existing satellite parking lot on property located at 4401 Irwindale Avenue at the corner of Edna Place and Irwindale Avenue and approve a variance for distance requirements to an off-site parking facility. The parking lot currently occupies an existing 23,086 square foot lot within the C-M (Commercial Manufacturing) Zone and needs to be legalized with a Conditional Use Permit and Variance.

The following details were shared for proposed project:

- A previous approval was granted in 2003 for a video game repair facility. However the facility was never constructed and the approval expired. •

- Applicant originally applied for Administrative Approval of a Site Plan and Design Review in 2013; however, once staff completed their analysis, it was determined that a Conditional Use Permit was instead required.
- Parking lot provides an additional 55 standard-size parking stalls and is currently enclosed with a 5'-0" chain link fence with locking gates.
- Parking area consists of 3" asphaltic pavement materials and parking stalls will be striped properly and maintained.
- Parking lot meets the minimum required driveway width, parking stall size and landscaping.
- Subsection 17.36.015(1) of the IMC requires construction of a 6'-0" decorative masonry wall where such facilities abut residentially zoned or agriculturally zoned properties. Although properties to the north are located within unincorporated Los Angeles County, they are still zoned A-1 (Agricultural) and the masonry wall is required.
- There are currently 728 parking stalls provided at the ReadyPac main facility and includes the 55 standard-size parking stalls of the satellite parking lot.
- Since there is no proposed change to the occupancy of Ready Pac Produce, the required parking will not change.

Associate Planner Jones completed her report and staff's recommendation was 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.

The floor was opened for comments and inquiries for staff and the following items were addressed:

- In response to an inquiry by Commissioner Chico, staff replied that access to the parking lot is from Edna Place and that Edna Place is a public street. Also, there is currently no access to the parking lot directly from Irwindale Avenue.
- In response to an inquiry by Chair Tapia, staff replied that the parking lot will remain open for multiple shifts. However the applicant's preference is that it remains open during daytime hours for safety reasons.
- In response to an inquiry by Chair Tapia, staff replied that when the parking lot was initially paved a grading permit had not been issued and the applicant will need to demonstrate to the Building Department that it was constructed in compliance with the Building Code.
- Staff clarified that the applicant's request is for approval of the actual land use identifying development standards necessary for that particular land use. The next step is whether the parking lot was constructed to meet Building Code requirements. This particular issue is similar to a building that is an unpermitted structure.

There were no further questions and the public hearing was opened. Since there was no public input the public hearing was closed and the floor was opened for further comments or inquiries.

The following additional issues were brought up and addressed by staff:

- In response to an inquiry by Chair Tapia, staff replied that for manufacturing zones, the IMC references maximum decibel levels depending on the time of day. Staff was uncertain if the parking lot would exceed those levels especially being located next to Irwindale Avenue. The parking lot, however, has been in use for the past year and a half and during that time no complaints have been received from any adjacent properties regarding excessive noise. The masonry wall will, however, provide some noise attenuation and regardless, the applicant will still be required to comply with the City's noise regulations.
- In response to comments made by Commissioner Chico, a discussion was held regarding employees accessing Edna Place as a public connection from the parking lot to the Ready Pac facility. During this discussion, a concern was raised over an increase in liability to the applicant due to the fact that basically anyone can have access to Edna Place.

In light of the liability concerns that were raised, Assistant City Attorney Guerra suggested that a possible indemnification can be pursued which would need to be negotiated with the applicant. If the Planning Commission was interested in this he suggested continuing the public hearing so that he and staff can explore the matter with the applicant. Being that the parking lot is already in use, there would be no interruption while this matter is being pursued.

Staff was directed to pursue the matter and since there was no further discussion the floor was open for a motion. Commissioner Chico motioned to leave the public hearing open and to continue it to the next regular meeting of April 20, 2016.

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

B. CONDITIONAL USE PERMIT NO. 08-2012 (LORRAINE NORIEGA)

Associate Planner Brandi Jones reported this item is a request for approval of the continued operation of one (1) existing automobile dismantling operation on property located at 722 Alpha Street.

The following information was included in the presentation:

- This request was originally presented on May 20, 2015 and subsequently until July 15, 2015, at which time the item was continued to a date uncertain in order to continue resolving any potential Building Code and State of California accessibility code compliance issues.
- How auto dismantling uses first began in the City, how the businesses came to be relocated onto Alpha Street and reasons why each property has different Conditional

Use Permit expiration dates. The expiration date for 722 Alpha Street was set to expire on October 11, 2013.

- Public outreach meetings have been held with the auto dismantling operators and another is scheduled for March 17, 2016.
- On May 14, 2014, the City Council approved Ordinance No. 676 which created an "Automotive Dismantling Planned Development Overlay" zone and also Ordinance No. 677 which amended the IMC and added a new chapter specifically for automotive dismantling.
- Spoke about Subsection 17.100.080.C(1) of the IMC which specifies that one (1) operator is allowed for every 20,000 square feet of yard area. Based on this site's 43,866 square foot area, no more than two (2) operators would be allowed.
- Applicant is proposing to maintain the one existing operator at 722 Alpha Street. The operation has an existing portable office, seven (7) parking stalls, storage containers, covered work areas, parts racks, and vehicle storage areas. These operations include the dismantling of vehicles, storage and sale of parts, draining and storage of fluids and there are no proposed modifications or intensifications to the existing business operations.
- Operator/tenant has a valid business license and no current violations. The proposed site meets the minimum requirements of the Overlay and M-2 (Heavy Manufacturing) Zones. The location of the existing parking and structures currently meets 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.

Associate Planner Jones completed her report and staff's recommendation was 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.

The floor was opened for comments and inquiries for staff and the following item was addressed:

- In response to an inquiry by Commissioner Chico regarding a time limitation on the Conditional Use Permit, staff replied that the new ordinance in Chapter 17.100 calls for a limited fifteen-year approval with a single five-year automatic extension after fifteen years for compliant operations.

There were no other questions and the public hearing was opened.

David Noriega, 734 Alpha Street, Irwindale, CA

Auto dismantling business owner/operator David Noriega introduced himself and shared that his mother is the property owner of 722 and 734 Alpha Street. He was pleased to have the Planning Commission consider his request and spoke about a few issues. He recently received written notification that a methane gas assessment report will be required as part of the Public

Works/Building and Safety Conditions of Approval. He had done his own research and found that this can be very costly. He asked for clarification on a few of the Conditions of Approval and referenced one in which the applicant will be required to obtain a building permit for any storage racks above 5'-9" in height. He also spoke about vehicle stacking and past core testing by the City. His main concern, however, was with the methane gas assessment report.

Community Development Director replied that after speaking with Public Works Director William Tam regarding the methane gas assessment report, he was informed that the report is only required if an operator needs to be issued any type of building permit after their Conditional Use Permit is approved. Public Works Director Tam also indicated there may also be a way to perhaps perform a blanket report so that individual reports would not be necessary for each individual property. Each operator or owner would contribute towards the cost of the report which is financially more feasible and the City's Building Official would be open to this as opposed to having individual reports. If the applicant is agreeable, an amendment can be made to Public Works Condition of Approval No. C.2 to indicate this option. The option can also be discussed at the upcoming all hands meeting with the owners and operators.

With regard to storage racks, staff clarified the applicant is not limited to a 5'-9" storage rack; a building permit would only be required for storage racks exceeding 5'-9" in height. Staff responded to a second inquiry and replied that anything existing and legal on the property is valid. If the applicant would like something legalized, such as a new construction, it would need to meet the requirements.

David Noriega

Mr. Noriega shared his concern regarding completing the Public Works/Building and Safety Conditions of Approval within the referenced 180 day period. He demonstrated the difficulties he would experience due to his busy operation and asked if the 180 day period can be extended a little further.

Director Romo replied this shouldn't be problematic because typically with building permits, once an inspection has been performed, applicants are granted another 180 days from that point; the Building Official also has the option of granting additional extensions. He explained that staff has been working with the applicants for some time now; there has been a lot of flexibility and Mr. Noriega has been one of the most cooperative operators.

In response to an inquiry by Chair Tapia, Director Romo replied that code violations would play into whether or not an extension can be granted. Any operator who is taking advantage and is a repeat offender is a sign to staff that no extensions will be allowed.

With regard to the methane gas assessment report, Director Romo proposed adding the following sentence at the end of Public Works/Building and Safety Condition No. C.2: ***"For purposes of cost efficiency, the Applicant shall have the option of combining this report with the assessment of other properties as a blanket report for the entire area."*** This will allow the applicant to confer with other operators on sharing the costs of hiring just one engineer to assess the whole area. The operators also need to realize they will all be conditioned to provide a methane gas assessment report so sharing the costs makes sense. Staff will also keep in mind who participates and would like to ensure that all operators cooperate and put in their fair share.

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

Associate Planner Jones indicated that if the Applicant is in agreement, staff recommended adding a new Planning Condition No. B.9, which would state that the parking stalls for this site shall be at 90

degrees. Since the parking stalls are currently angled, a turnaround area would be required; at 90 degrees, a turnaround area would not be necessary.

Commissioner Chico suggested adding language to Public Works/Building and Safety Condition No. C.2 in that all operators should share in the cost of the methane gas assessment reports. Assistant City Attorney Guerra replied that consideration needs to be given to the fact that only this applicant can be regulated at this time; other operators can be regulated when their requests come before the Planning Commission. He added that this applicant can be conditioned with the option to combine the report with the assessment of other properties. If he is successful in finding other operators to participate it would be to his advantage.

Director Romo stated that in order to give the applicant some comfort level, it can be identified that the Building Official shall have the discretion to extend timelines. He referenced Planning Condition No. B.6 which states the following: ***"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."*** He also suggested revising Public Works/Building and Safety Condition No. C.2, by replacing the 180 day completion date with a one (1) year completion date to be consistent.

Additional discussions were held regarding the timelines and a two minute break was taken by staff to confer with legal counsel on the issue. Once back in session, Director Romo stated that upon conferring with legal counsel, staff recommended revising Public Works/Building and Safety Condition No. C.1 to read as follows: ***"The following Conditions of Approval shall be completed within one (1) year 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."*** This would indicate that all Public Works/Building and Safety Conditions of Approval shall be completed within a one (1) year period as opposed to 180 days. He also clarified that the 180 day period for a Building Permit is separate and based on a different timeline.

In response to an inquiry by Commissioner Chico, staff clarified that the amendment to a one (1) period is a maximum one (1) year period without any chance of extension. Therefore, the previous recommendation to give the Building Official additional discretion to grant an extension is no longer a recommendation.

There was no further discussion and the floor was open for a motion. Assistant City Attorney Guerra stated that the appropriate motion would be to approve the proposed resolution with the addition of the following:

- Planning Condition No. B.9 – a new condition which requires that parking stalls shall be 90 degrees
- Public Works/Building and Safety Condition No. C.1 – modify by changing the 180 days to one (1) year
- Public Works/Building and Safety Condition No. C.2 – modify by adding the statement regarding the methane gas assessment report being allowed to be produced in conjunction with the other properties.

Commissioner Chico motioned to adopt Resolution No. 673(16) with revised Conditions of Approval approving Conditional Use Permit No. 08-2012.

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

Chair Tapia commended Mr. Noriega for not having any code violations and the fact the operation has been in compliance is clearly evident by what is stated in staff's agenda report.

C. CONDITIONAL USE PERMIT NO. 04-2015 (LORRAINE NORIEGA)

Associate Planner Jones reported this item is a request for approval for the continued operation of one (1) existing automobile dismantling operation at 734 Alpha Street. This item also was continued on May 20, 2015 and subsequently until July 15, 2015 where it was continued to a date uncertain in order to continue resolving any potential Building Code and State of California accessibility code compliance issues. As with Conditional Use Permit No. 08-2012, this property has the same history as do all 28 properties on Alpha Street.

The following information was also reported:

- Per Subsection 17.100.080.C(1) of the IMC, one (1) operator is allowed for every 20,000 square feet of yard area. Based on this site's 43,538 square foot area, the site would allow for no more than two (2) operators; however the applicant is proposing to maintain one existing operator onsite.
- The property currently has an existing office, thirteen (13) parking stalls, covered parts storage, workshop, storage container and a mobile car crusher and there are no proposed modifications or intensifications to the existing business operation.
- These operations include the dismantling of vehicles, storage and sale of parts, draining and storage of fluids, and the operations also include a car crusher.
- This operator/tenant has a valid business license and also no current code enforcement violations. The proposed site meets the minimum 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 and additional noise, odor or wastes and minimal traffic. Therefore, the impact of the facility on the surrounding properties is expected to be insignificant.
- This property has existing 90 degree parking so there is no turnaround area required.

Associate Planner Jones stated staff is recommending the following revisions to the stated Conditions of Approval:

Public Works/Building and Safety Condition No. C.1

Modify Condition No. C.1 to read as follows: ***"The following Conditions of Approval shall be completed within one (1) year 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."

Public Works/Building and Safety Condition No. C.2

Modify Condition No. C.2 by adding the following language at the very end: ***"For purposes of cost efficiency, the Applicant shall have the option of combining this report with the assessment of other properties as a blanket report for the entire area."***

Associate Planner Jones completed her report and staff's recommendation was 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 yard pursuant to Chapter 17.100, entitled "Automobile Dismantling Planned Development Overlay Zone" of the IMC and subject to the attendant Conditions of Approval.

The floor was opened for comments and inquiries for staff. There were none at this time and the public hearing was opened.

David Noriega, 734 Alpha Street, Irwindale

Mr. David Noriega reintroduced himself and thanked the Planning Commission for considering approval of the continued operation of this auto dismantling operation.

Since there was no further public input the public hearing was closed and the floor was open for further discussion. Seeing none, the floor was open for a motion.

Commissioner Chico motioned to adopt Resolution No. 674(16) with the revised Conditions of Approval approving Conditional Use Permit No. 04-2015.

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

D. CONDITIONAL USE PERMIT NO. 09-2012 (JAMES LAURITSON)

Associate Planner Jones reported this item is a request for approval for the continued operation of two (2) existing automobile dismantling operations at 740 and 744 Alpha Street. These operations were first brought to the Planning Commission on April 15, 2015 and the public hearing also was continued to a date uncertain in order to continue resolving any potential Building Code and State of California accessibility code compliance issues.

The following information was also reported:

- This lot is a 43,568 square foot parcel which would allow for no more than two dismantling operations.
- There are two existing operators and the applicant is proposing to maintain two operators onsite.
- The parcel is divided into two (2) separate 21,784 square foot dismantling yards for each operator and each operation is separated by a chain link fence and has an existing portable office, five (5) parking stalls and vehicle storage area.

- There are no proposed modifications or intensifications to the existing business operation which includes the dismantling of vehicles, storage and sale of parts, and draining and storage of fluids.
- Both operations have valid business licenses and on June 2, 2015 there was a fire at 744 Alpha Street and the existing office trailer was destroyed along with some stored materials.
- A new trailer was installed without permits and must be permitted per the requirements of the Building and Safety Division. There are no current code violations, however, for 740 Alpha Street.
- These properties also have existing 90 degree parking so there is no turnaround area required.

Staff is recommending the same modifications to the Conditions of Approval for these auto dismantling operations as follows:

Public Works Building/and Safety Condition No. C.1

Modify Condition No. C.1 to read as follows: *"The following Conditions of Approval shall be completed within one (1) year 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."*

Public Works/Building and Safety Condition No. C.2

Modify Condition No. C.2 by adding the following language at the very end: *"For purposes of cost efficiency, the Applicant shall have the option of combining this report with the assessment of other properties as a blanket report for the entire area."*

Associate Planner Jones completed her report and staff's recommendation is that the Planning Commission adopt Resolution No. 675(16) approving Conditional Use Permit No. 09-2012 for the proposed continued operation of automobile dismantling operations pursuant to Chapter 17.100, entitled "Automobile Dismantling Planned Development Overlay Zone" of the IMC and subject to the attendant Conditions of Approval.

The floor was opened for comments and inquiries for staff. There were none at this time and the public hearing was opened. Since there was no public input the public hearing was closed and the floor was open for further discussion. Seeing none, the floor was open for a motion.

Commissioner Chico motioned to adopt Resolution No. 675(16) with revised Conditions of Approval approving Conditional Use Permit No. 09-2012.

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

5. DISCUSSION ITEMS

Chair Tapia inquired about the difference between "Discussion Items" and the "Community Development Director's Report". Director Romo replied that "Discussion Items" are primarily for issues the Planning

Commission or staff would like to have brought up and might instead be brought up during "Commissioner Comments" or the "Community Development Director's Report".

Chair Tapia Art recalled at one point that "Discussion Items" was not originally on the meeting agendas and was added later on. He added that it does not actually specify if items will be discussed by the Planning Commission or by staff or by both the Planning Commission and staff.

Assistant City Attorney Guerra suggested leaving this agenda item as is for any items the Planning Commission would like to have discussed at a future meeting. Staff and the Planning Commission concurred and it was decided to leave "Discussion Items" on meeting agendas for the time being.

6. COMMISSIONER COMMENTS

Commissioner Hartman:

- Spoke about north side of Alpha Street against the residential area and asked for verification if the six foot setback from the block wall on the Alpha Street side needs to be kept clear. Staff confirmed that the setback area does in fact need to be kept clear. Staff also provided information in response to a few other inquiries regarding the block wall height, vehicle stacking and grading for both the residential and auto dismantling properties.

Chair Tapia:

- Shared that he had recently picked up my wife from the Irwindale Gold Line Station and while he was parked and waiting for her he kept hearing noises coming from the nearby area where the shrubbery and trees are located. He indicated that the shrubbery is very close to the gate for entering and exiting the train station. He said it was difficult for him to see through the shrubbery and because of its density anyone can hide in the area without being noticed. He spoke about women's safety and stressed that the area should to be kept clear of all the shrubbery. He would hate to see anyone assaulted and again stressed that the area should be kept clear and maybe replaced with some other type of plant life. He also suggested that the tops of the existing trees can remain full and maybe they can be trimmed so that Irwindale Avenue is visible. Director Romo replied that the matter will definitely be reported to Public Works Director Tam for follow up. He recalled a comment was made at the last City Council meeting regarding cleanup of shrubbery and they may have been identifying the same location. It's also possible Public Works Director Tam is currently looking into the issue but staff will make sure to bring it to his attention.

7. CITY MANAGER'S REPORT

A discussion was held regarding this agenda item and an agreement was made that the title will be changed to "City Manager's Report/Legal Counsel Comments". Moving on, Assistant City Attorney Guerra shared that a Public Hearing Process Summary had been prepared and distributed to the Planning Commission and if anyone had any questions to feel free to call or email him. In response to a request by Chair Tapia, Mr. Guerra replied that he would be happy to share items of interest with staff and the Planning Commission that he felt would be beneficial.

8. COMMUNITY DEVELOPMENT DIRECTOR'S REPORT

Community Development Director Romo stated that a few items will be presented by both himself and by Code Enforcement Officer Jeff Tyler. The first item shared was a recap on the upcoming 6.26 Golden Streets to be held on Sunday, June 26, 2016.

The second item was a presentation and update given by Code Enforcement Office Jeff Tyler regarding an issue that has been brought up during the past few meetings on the existing vans that are being parked in the parking lot area of 5300 Irwindale Avenue.

The third item was an update by Code Enforcement Officer Jeff Tyler on the pending Conditional Use Permit for the existing transportation storage yard, which is located at the former lumberyard site on Gladstone Street.

The fourth item was an update by Code Enforcement Officer Jeff Tyler regarding auto dismantling operations on Alpha Street. The update focused on a variety of issues such as problem properties, repeat offenders, non-compliance issues, parking violations, vehicle stacking height restrictions and illegal parking of dismantled vehicles in customer parking and red curb areas.

Chair Tapia thanked Code Enforcement Officer Jeff Tyler for the information that was shared and that he would appreciate him returning with further updates as issues are being resolved

9. **ADJOURNMENT**

There being no further business to conduct, the meeting was adjourned at 7:55 pm.


Chair Arthur R. Tapia

ATTEST:


Cathy Huicochea, Administrative Secretary

Approved as presented at the meeting held April 20, 2016.