

Exhibit C

RESOLUTION NO. 738(17)

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF IRWINDALE RECOMMENDING THAT THE CITY COUNCIL APPROVE DEVELOPMENT AGREEMENT NO. 02-2016 ATHENS SERVICES TO ALLOW THE CONSTRUCTION AND OPERATION OF A MATERIALS RECOVERY FACILITY AND TRANSFER STATION, CONVENIENCE STORE AND FUELING STATION ON PROPERTY LOCATED AT THE 2200 ARROW HIGHWAY (APN 8535-001-911) SUBJECT TO CONDITIONS AS SET FORTH HEREIN AND MAKING FINDINGS IN SUPPORT THEREOF

A. RECITALS.

- (i) Athens Services, 14048 Valley Boulevard, City of Industry, CA 91746, the Applicant, has made a request to enter into a Development Agreement with the City of Irwindale to construct and operate a Materials Recovery Facility and Transfer Station (MRF/TS) with a convenience store and fueling station on a property located at 2200 Arrow Highway – APN 8535-001-911. The proposed Development Agreement (DA No. 02-2016) is attached hereto as Attachment 1 and incorporated herein.
- (ii) The Property is located on a 17.22-acre parcel on the south side of Arrow Highway. The convenience store will be approximately 2,587 square feet and there will be eight gas or diesel pumps on an island with an overhead canopy. The convenience store will sell beer and wine. The Subject Property is zoned M-2 (Heavy Manufacturing).
- (iii) On June 8, 2016, the City Council, at a public hearing, certified Final Environmental Impact Report (FEIR) (SCH#2013051029) which analyzed potential environmental impacts from the proposed MRF/TS project.
- (iv) Addendum No. 1 to the FEIR has been prepared to address minor, internal site plan adjustments made in the final design of the Materials Recovery Facility and Transfer Station project.
- (v) The City, as the Lead Agency, has analyzed the project and has determined that the proposed project has been adequately analyzed in the certified FEIR and Addendum No. 1 to the FEIR.
- (vi) On September 20, 2017, the Planning Commission, at a public hearing, at which time they received input from staff, the City Attorney, and the Applicant; heard public testimony; discussed the proposed project; closed the public hearing; and, after discussion, approved this Resolution.
- (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. The Planning Commission hereby specifically finds and determines that the project, as proposed, pursuant to the authority and criteria contained in the California Environmental Quality Act (CEQA) of 1970, as amended, and the City of Irwindale environmental guidelines, the City, as the Lead Agency, has analyzed the project and on June 8, 2016 certified the Final Environmental Impact Report (FEIR) (SCH#2013051029). A copy of the EIR and Mitigation Monitoring and Reporting Program was posted on the City's website.
3. The Planning Commission hereby specifically finds and determines the project, as proposed, pursuant to the authority and criteria contained in CEQA of 1970, as amended, the 2017 State CEQA Guidelines Section 15164, and with reference to Section 15162, and the City of Irwindale environmental guidelines, the City, as the Lead Agency, has reviewed Addendum No. 1 to the FEIR and determines that the minor project modifications would not result in new significant impacts, increase the severity of significant impacts, or otherwise trigger additional review.
4. Based upon the substantial evidence and conclusions set forth herein above, this Planning Commission hereby recommends to the City Council approval of the Development Agreement subject to the terms and conditions set forth in the Development Agreement 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. That the provisions of the proposed Development Agreement are consistent with the general plan, as amended by General Plan Amendment No. 02-2016. The project site land use designation will be Commercial/Industrial, which permits light industry, heavy industry, and commercial uses, consistent with the proposed MRF/TS and convenience store/fueling station project.

Development Agreement

The Planning Commission recommends that the City Council approve Development Agreement No. 02-2016.

6. The Secretary shall:

a. Certify to the adoption of this Resolution; and

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

ADOPTED AND APPROVED this 20th day of September 2017.

Chair

ATTEST:

Secretary

I, William Tam, Development Services Director/City Engineer 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 20th day of September 2017, by the following vote:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

Secretary

**ATTACHMENT 1
DEVELOPMENT AGREEMENT NO. 02-2016**