

RESOLUTION NO. 2021-10-3272

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE ADOPTING GENERAL PLAN AMENDMENT NO. 02-2016 TO CHANGE THE GENERAL PLAN LAND USE DESIGNATION FROM COMMERCIAL TO COMMERCIAL/INDUSTRIAL ON PROPERTY LOCATED AT 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 for a General Plan Amendment to allow for the construction and operation of a Materials Recovery Facility and Transfer Station (MRF/TS) with a convenience store and public gas station located at 2200 Arrow Highway – APN 8535-001-911 (“Project”). This General Plan Amendment is being processed concurrently with Zoning Ordinance Amendment No. 04-2016; Development Agreement No. 02-2016; Conditional Use Permit No. 08-2016; and Site Plan and Design Review (DA) Permit No. 06-2016.
- (ii.) The proposed 265,228 square foot building area will include a MRF/TS, convenience store and public gas station on a 17.22-acre site that is zoned M-2 (Heavy Manufacturing).
- (iii.) On January 20, 2021, the Planning Commission conducted a duly noticed 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, adopt Resolution No. 791 (21) recommending that the City Council adopt General Plan Amendment No. 02-2016.
- (iv.) On February 24, 2021, the City Council conducted a duly noticed public hearing, as required by law, on the Application and approved the Application at that same meeting subject to the adoption of this Resolution.
- (v.) The City has not received any comments or additional information constituting substantial new information requiring recirculation of any portion of the environmental review for the Project under Public Resources Code section 21092.1 and State CEQA Guidelines section 15088.5.
- (vi.) All the requirements of CEQA, the State CEQA Guidelines, and the City of Irwindale’s Local CEQA Guidelines have been satisfied by the City in the 2020 FEIR, which is sufficiently detailed such that all of the potentially significant effects of the Project have been adequately evaluated.

(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 City Council of the City of Irwindale as follows:

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

SECTION 2. The City Council hereby specifically finds and determines that the project, as proposed, and including General Plan Amendment No. No. 02-2016, has been adequately analyzed in the 2020 Final Environmental Impact Report (2020 FEIR) (SCH#2013051029). In making this determination, the City Council, as Lead Agency, has reviewed and considered the information in the 2020 FEIR, the written and oral testimony provided to the City, and the remainder of the administrative record for the project. The City Council has separately certified, via City Council Resolution No. 2021-08-3270 that the 2020 FEIR has been completed in compliance with the California Environmental Quality Act (Pub. Resource Code, § 21000 et seq.), reflects the City of Irwindale's independent judgment and analysis, and that all mitigation measures available to reduce to the project's impacts to the extent feasible have been adopted in the project's Mitigation Monitoring and Reporting Program. The City Council has also separately adopted a Statement of Overriding Considerations and CEQA Findings of Fact, attached as Exhibit A to Resolution 2021-08-3270. A copy of the 2020 FEIR and Mitigation Monitoring and Reporting Program was posted on the City's website.

SECTION 3. Based upon substantial evidence presented to this City Council during the public hearing conducted with regard to this Application, including written staff reports and verbal testimony, and evidence in the City's record for the project, this City Council hereby specifically finds as follows:

- a. The approval of the proposed General Plan Amendment for property located at 2200 Arrow Highway (APN 8535-001-911) will resolve the inconsistency between the M-2 (Heavy Manufacturing) Zoning designation and the Commercial General Plan land use designation. Therefore, the proposed general plan amendment is consistent with Section California Government Code Section 65358(a) (Amendments), "If it deems it to be in the public interest, the legislative body may amend all or part of an adopted general plan."
- b. The 17.22-acre site located at 2200 Arrow Highway is adequate in size, shape, topography, location, and other factors to accommodate the use and development proposed by the Project.
- c. Adequate street access and traffic capacity are or will be available to serve the proposed Project and anticipated development in the

surrounding area in that the site has direct access from Arrow Highway. Emergency access will also be provided from Live Oak Avenue.

- d. Adequate utilities and public services are or will be available to serve the proposed development, as well as existing and anticipated development in the surrounding area in that 2200 Arrow Highway has direct access to utilities and public services.
- e. The use and development, as described herein, will be compatible with the existing and intended character of the area, in that the site is located in an area predominantly zoned with industrial uses and is surrounded by uses of similar and greater intensity. The Santa Fe Dam Recreation Area is located northeast of the site across Arrow Highway. However, the recreation area is separated from the site by the dam. Therefore, the proposed use is compatible with the surrounding uses.
- f. The proposed use, as described herein, will not be materially detrimental to the public welfare or injurious to the adjacent properties in that the proposed uses of 2200 Arrow Highway will be industrial and commercial, consistent with neighboring uses.

SECTION 4. Based upon the substantial evidence and conclusions set forth herein above, and upon other oral evidence presented at the public hearing, and based on the City Council's concurrent consideration and certification of the 2020 FEIR (SCH# 2013051029), the City Council hereby adopt General Plan Amendment No. 02-2016 amending the General Plan Land Use Map (Exhibit "A"), from Commercial to Commercial/Industrial.

SECTION 5. The documents and materials that constitute the record of proceedings on which this Resolution has been based are located at 5050 N. Irwindale Avenue, Irwindale, California. The custodian for these records is the Community Development Manager. This information is provided in compliance with Public Resources Code section 21081.6.

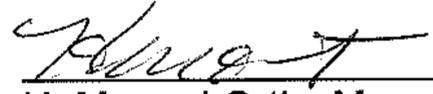
SECTION 6. This resolution shall be effective upon adoption.

SECTION 7. A Notice of Determination shall be filed with the County of Los Angeles and the California State Clearinghouse within five working days of final project approval.

SECTION 8. The Chief Deputy City Clerk shall:

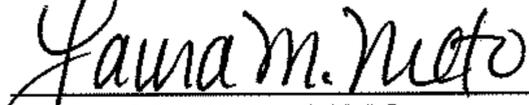
- a. Certify to the adoption of this Resolution; and
- b. Forthwith transmit a certified copy of this Resolution, by certified mail, to the Applicant at the address of record set forth in the Application

PASSED, APPROVED AND ADOPTED this 24th day of February 2021.



H. Manuel Ortiz, Mayor

ATTEST:



Laura M. Nieto, MMC
Chief Deputy City Clerk

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

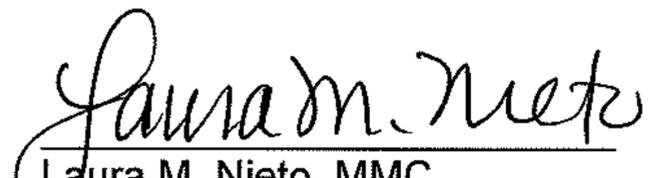
I, Laura M. Nieto, Chief Deputy City Clerk of the City of Irwindale, do hereby certify that the foregoing Resolution No. 2021-10-3272 was duly adopted by the City Council of the City of Irwindale, at a regular meeting held on the 24th day of February 2021, by the following vote:

AYES: Councilmembers: Ambriz, Breceda, Burrola, Garcia, Mayor Ortiz

NOES: Councilmembers: None

ABSENT: Councilmembers: None

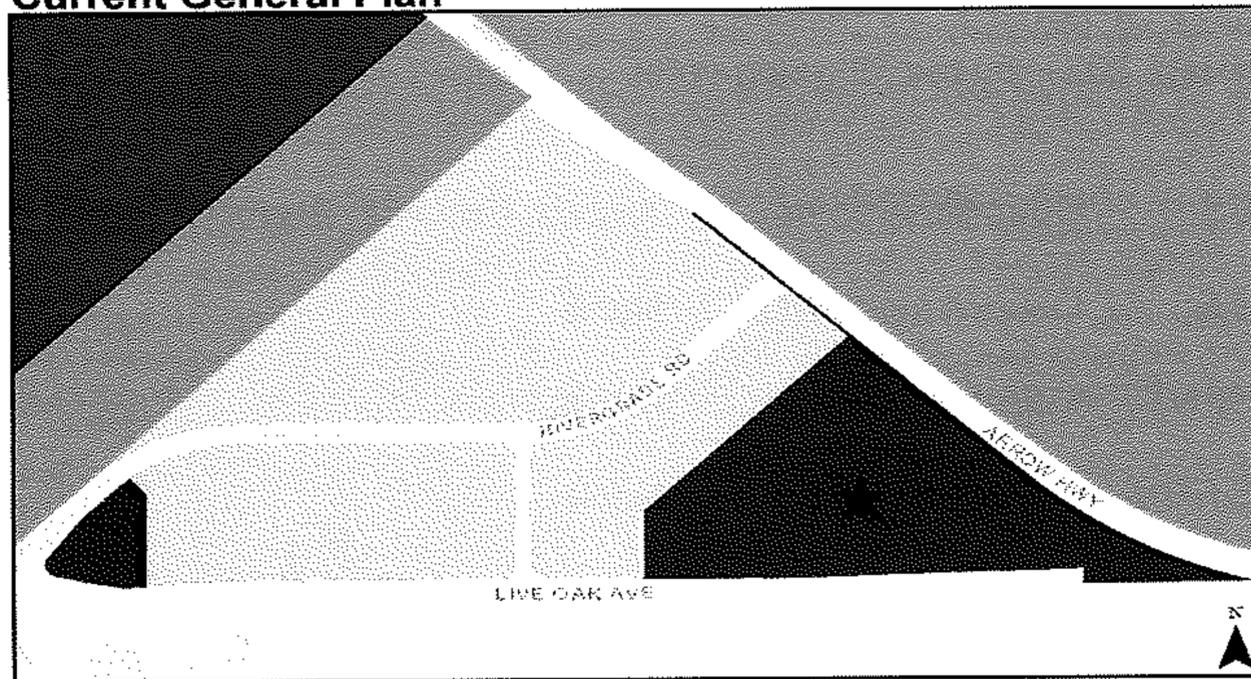
ABSTAIN: Councilmembers: None



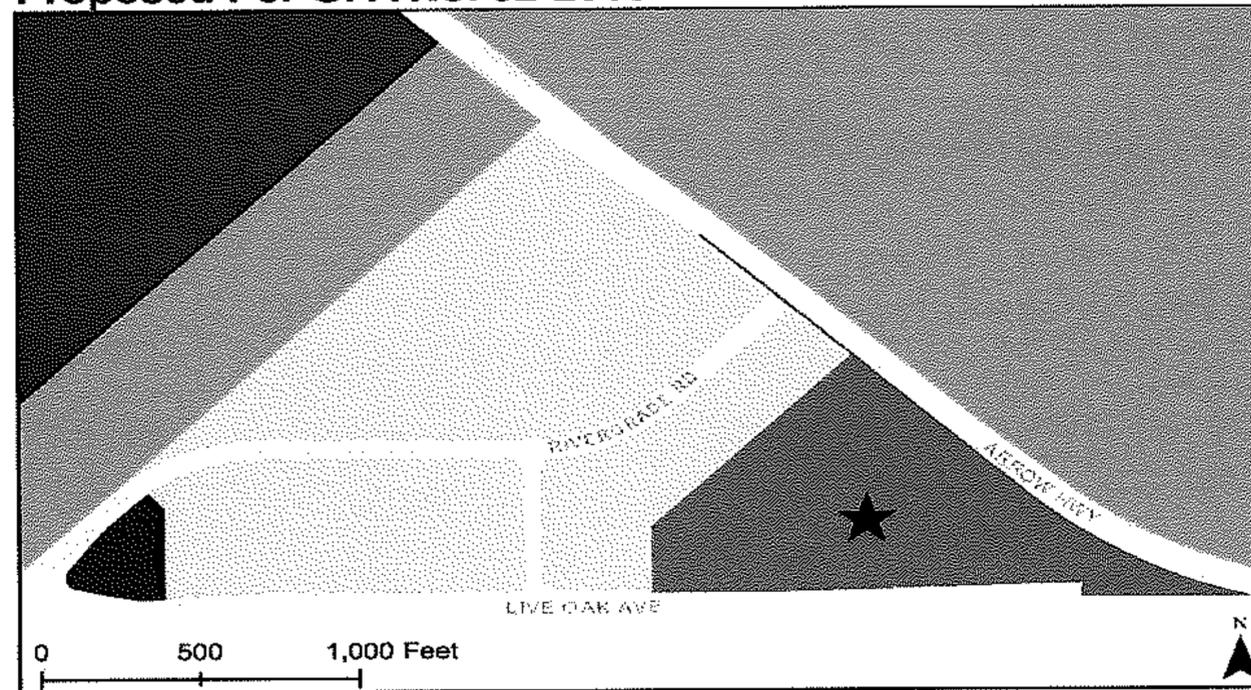
Laura M. Nieto, MMC
Chief Deputy City Clerk

Exhibit "A"

Current General Plan



Proposed Per GPA No. 02-2016



Service Layer Credits: City of Irwindale, ESRI, SCAG

-  Commercial
-  Commercial / Industrial
-  Regional Commercial
-  Industrial / Business Park
-  Open Space
-  Subject Site