

**CITY OF MONTEBELLO
PLANNING COMMISSION
MINUTES**

October 6, 2020

Planning Commission meets at 6:30 p.m., on the day scheduled in City Hall Council Chambers
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1. CALL MEETING TO ORDER

6:46 p.m. by Chair Lomeli

2. ROLL CALL

Commissioners Present: Chair Lomeli, Vice-Chair Briseno Commissioner Aliksanian, Commissioner Mooradian, and Commissioner Ramirez

Absent: None

Also present:

Director of Planning and Community Development – Joseph Palombi

Planning Commission Legal Counsel – Gloria Ramirez

Staff - Maria Roman and Louis Morales

3. PLEDGE OF ALLEGIANCE

Commissioner Aliksanian

4. PLANNING COMMISSION SECRETARY –CORRECTION TO AGENDA

None

5. STATEMENT OF PUBLIC ORAL COMMUNICATIONS

Director Palombi - Good evening, Madam Chair and Members of the Commission.

Members of the public wishing to speak or provide public comments during today's Planning Commission meeting were allowed to submit a public comment card via telephone and/or email per the Executive Order issued by the Governor. For the record, staff did not receive any comment cards or requests to speak in connection with today's Planning Commission meeting.

6. APPROVAL OF MINUTES:

A. September 15, 2020

MOTION: Commissioner Mooradian motions to approve minutes for September 15, 2020.

SECOND: Commissioner Lomeli

ACTION: 5-0-0-0

7. STAFF COMMUNICATIONS ON ITEMS OF COMMUNITY INTEREST

None

8. PUBLIC HEARINGS

A. Conditional Use Permit Modification (Case No.: CUP 07-19-M1)

A modification to Conditional Use Permit ("CUP") No. 07-19 to allow indoor cannabis cultivation as part of a previously approved CUP that authorizes cannabis manufacturing and non-store front retail delivery within an existing commercial building located at 728 Vail Avenue (APN 6353-002-005).

Director Palombi – Madam Chair and members of the Commission, Item 8.A. relates to a request from Saints Place LLC to modify Conditional Use Permit No. 07-19 for the property located at 728 Vail Avenue to allow indoor cannabis cultivation. Please note that this site is included in the 24 locations that were previously approved for cannabis activities. Louis Morales will be providing you with a brief presentation regarding this item. The Applicant is also available. Thank you.

Louis Morales (Planning Consultant) - Good evening, Commissioner Chair Lomeli and members of the Planning Commission. This CUP is a modification of the previously approved CUP 07-19 which was approved for cannabis Manufacturing, Distribution, and Non-Store Front Retail Delivery. The applicant, Saints Place, submitted an application to modify the previous CUP and add indoor cannabis cultivation. Previously the applicant was approved for manufacturing, distribution and non-store front retail delivery at the same location. The property is located at 728 Vail Avenue in the M-1, light manufacturing zone. The property is currently developed in a 15,400 square foot building and the property is approximately 18,920 square feet. The building was built in 1969. Just to give you a background, this applicant was approved for CUP 07-19 for manufacturing, distribution and non-store front retail delivery in June 2019. On August 17, 2020 the applicant submitted plans and an application to modify CUP to include indoor cannabis cultivation. Now the reason why it indicates they applied for a CUP modification previously under the Saints Place partnership, a majority of the partner at that time were more focused on manufacturing, distribution, and retail delivery at that time. The partnership was restructured and shift to include indoor cultivation. Due to the modification in the partnership, the applicant will be required to modify their current

Development Agreement to reflect such change so the restructured ownership majority could focus and include indoor cultivation. For City purposes, the actual type of cannabis work would be manufacturing, cultivation, distribution and non-store front delivery. A good portion of all applicants have all four activities. We have one that only has delivery; we have a few that only have manufacturing and distribution. This case here they would like to have all four activities. On September 15, 2020 Planning Commissioner meeting this item was continued to today.

The surrounding properties are surrounded by industrial uses on all four sides. The project is consistent with the General Plan and zone and meets the goals and objectives as outlined in the staff report. The purpose of the modification is to include cultivation. The shift in the actual use of state of the building is going to somewhat change. Previously cultivation was at zero percent square feet. Now approximately 9,000 square feet will be cultivation, 100 square feet for retail delivery, 165 square feet for manufacturing, approximately 2,000 square feet for distribution and common area approximately 3,000 square feet which is approximately a total of 15,000 square feet.

All work will be interior there will not be any exterior modification to the building other than minor things such as painting and so forth. There will be no additions to the building. This does meet standard requirements for building heights, lot size and FAR setbacks. This project is exempt from CEQA under section 15301 under the category of existing facilities. The property will remain as is. There will be no exterior work or no enlargement and will be limited to interior work. Findings are included in the report and the project meets all the findings in a positive manner regarding the shape and size of the site, highway access, and adverse effect adjacent properties and is consistent with the General Plan.

At the time of the report no comments have been received by the public. We did publish the notice in the paper September 3, 2020 in Whittier Daily News and mailed out notices on September 3, 2020. Therefore based on the presentation staff respectfully requested that the Planning Commission open the public hearing, take testimony, close public hearing and adopt resolution 13-20 with recommended conditions of approval and approve CUP 07-19-M1.

Director Palombi – Chris would you like to add to staff's presentation on the proposed modification to your CUP?

Christopher Sarkissian (Applicant) – I sat with Mr. Morales quite a bit and went thoroughly through my project, my design and my intention so I feel confident that he was able to get that to the Commission.

Chair Lomeli- Does any of the Commission have any questions for the applicant?

Commissioner Ramirez – I have a question, because of the grandfathered in parking and we are imposing two of those parking's to be loading. What is the number of employees that is anticipated to work there?

Christopher Sarkissian (Applicant) – Right now we run a similar operation in Downtown Los Angeles that is compliant as well. We have three employees that come and go on two separate shifts, and then once every two weeks we have an outside crew that come in at the most 8 people and that's for one day and they usually come in two vehicles.

Commissioner Ramirez – My other question was for staff. I was looking through the conditions of approval and from what I understand it is just going to amend the original CUP, so some of them do overlap. I couldn't find the condition for the controlling of the scent of the cultivation of the product. Is that something that we can add?

Director Palombi – Yes, we do have the ability to amend the conditions, if approved by the Commission and we can memorialize that into the final resolution.

Commissioner Ramirez – I remember all the other facilities had that specific condition.

Legal Counsel Ramirez – If I can interject, I believe that the Development Agreements with the first 24 applicants with cultivation included that, if, they were to fall within the indoor cultivation category. Now that this applicant is contemplating to fall within that they would also have to meet those requirements. But we can definitely add it just to have that second layer assurance.

Louis Morales (Staff) – We also have modified number 57 that talks about applicant adhering to all applicable codes, standards and/or regulations and shall meeting any all conditions that may be required by the South Coast Air Quality Management District, any and all water boards, Montebello Safety, Montebello Public Works and Montebello Police and Fire.

Commissioner Ramirez – I'm okay with that.

Louis Morales (Staff) – Commissioner another thing regarding parking since you mentioned it. They have about 3 employees and the site plan has 7 parking spaces.

Commissioner Ramirez – Wouldn't it be reduced to 5?

Louis Morales (Staff) – It would be 7 plus the two.

Director Palombi – It's a net increase.

Commissioner Mooradian – So for clarification, Commissioner Ramirez you're ok with the conditions stated in number 57 and no additional language, correct?

Commissioner Ramirez – I remember there being a different language on top of this. Is that correct?

Director Palombi – It is possible that, that is the language on the Development Agreement.

Commissioner Ramirez – Oh and that is not in here?

Director Palombi - Correct.

Commissioner Ramirez – That is why I am not seeing it here.

Legal Counsel Ramirez – But we can definitely add it in.

Commissioner Ramirez – If it is in the Development Agreement then I'm ok with it.

Commissioner Mooradian - My concern would have been, I don't want to suggest adding more language to this one specific entity that we haven't to the others so that we are consistent.

Commissioner Ramirez – Yes, because I remember seeing this in the others. I didn't remember that it was in the DA.

Legal Counsel Ramirez - It is actually a requirement of the State as well. So it is not that we are adding an extra additional requirement. It is a requirement of the State.

MOTION: Commissioner Mooradian motions to approve a modification to Conditional Use Permit ("CUP") No. 07-19 to allow indoor cannabis cultivation as part of a previously approved CUP that authorizes cannabis manufacturing and non-store front retail delivery within an existing commercial building located at 728 Vail Avenue (APN 6353-002-005).

SECOND: Commissioner Lomeli

ACTION: 4-1-0-0 (Briseno)

B. Conditional Use Permit

(Case No. PC-2020-0014-CUP/ENV No. 109-20-CE)

A Conditional Use Permit to allow the on-sale and off-sale dispensing of alcoholic beverages for the property located at 520 W. Whittier Blvd. (APN 6346-025-072).

Director Palombi - Madam Chair and members of the Commission, Item 8.B on tonight's Planning Commission Agenda will be continued to November 3, 2020. When the application was filed it was filed under an incorrect use. It was labeled as a bona fide restaurant and it is not a bona fide restaurant, per the code, which triggers an expanded notification radius. So from 300 we had to go to 500. So therefore we have to renote to the additional owner occupants so we are asking for a continuance on this item to November 3, 2020. The meeting will be at City Hall November 3, 2020. The meeting will begin at 6:30pm. City Hall is located at 1600 W. Beverly Boulevard within the City of Montebello. Thank you.

9. CONSENT ITEM (S)

None

10. STAFF COMMUNICATIONS TO THE PLANNING COMMISSION

None

11. ORAL COMMUNICATIONS –CONTINUED

None

12. PLANNING COMMISSION ORALS

Chair Lomeli – I have a question regarding trees. I see that a lot of trees have been cut down in the City. Is there a reason for that?

Director Palombi – I know our Public Works Department has been active in connection with Paving the Way Project. I don't want to speak for the Director of Public works but I can only speculate that this is part of Paving the Way.

Commissioner Aliksanian – They did cut down two trees and we weren't given any notice.

Director Palombi – It's my understanding that when they remove a tree it may be removed because it's a eucalyptus tree that would cause damage in the future. They replace the trees like a 1:1 or a 2:1 ratio and that was a plan that ultimately would have been approved by City Council. I can check with our Public Works Director to understand and if you could give me that location or general area and I can be more specific when I speak to him tomorrow.

Vice-Chair Briseno – I would like to say why I made my decision for item 8A. They are adding another activity being cultivation and they are supposed to have 21 parking spaces and only have 7. I understand that it's an old building and they are adding another activity so I am not comfortable with that.

Commissioner Mooradian – On a public forum to Montebello's Sister City I want to state my prayers for the Armenians that are in war right now. They are losing their homes and so I want to express my concerns of what is going on.

13. ADJOURNMENT

The meeting adjourned at 7:10 p.m.



Joseph Palombi, Planning Commission Secretary