

**CITY OF MONTEBELLO
PLANNING COMMISSION
MINUTES**

October 20, 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

6:40 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, Josephine Pham and Michael Donovan

3. PLEDGE OF ALLEGIANCE

Commissioner Ramirez

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 pursuant to the most current Order issued by the Governor Gavin Newsom. For the record, staff received 1 request from the public to speak on Item 8.A during tonight's meeting.

6. APPROVAL OF MINUTES:

A. October 6, 2020

MOTION: Commissioner Briseno motions to approve minutes for October 6, 2020.

SECOND: Commissioner Ramirez

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 05-12-M1)

The Applicant seeks a modification to Conditional Use Permit No. 5-12 to allow the installation of six (6) 40,000-lb vessels for a new water treatment facility at 916 Carob Way.

Director Palombi – Madam Chair and members of the Commission, Item 8.A. relates to a request from California Water Service Company to modify Conditional Use Permit No. 05-12 to allow the installation of a new water treatment facility in connection with existing water well for the property located at 916 Carob Way. Josephine Pham will be providing a brief presentation regarding this item. Thank you.

Josephine Pham (Associate Planner) - Good evening, Commissioner Chair Lomeli and members of the Planning Commission. I will be presenting the modification to Conditional Use Permit 5-12 under case number CUP 5-12-M1 for the California Water Service Company. The existing lot is north of Washington Boulevard and east of South Montebello Boulevard towards the corner of Jacmar Drive and Carob Way. The total lot area is 19,096 square feet or 0.44 acres. The property is located in an R-3, Multiple-Family Residential, zone surrounded by other R-3 zoned properties. The immediate surrounding uses are Multiple-Family Residential averaging two to three-story properties. Here is the project overview. The Applicant is proposing to install six 40,000-lb vessels for a new water treatment facility which shall to be filled with granular activated carob (GAC) used to treat the pumped raw water. This proposal stemmed from a response from Assembly Bill 756 that was passed in February of this year. The California State Water Resources Control Board, or SWRCB, provided procedures to notify their customers when Perfluorooctanesulfonic (PFOS) and Perfluorooctanic acid (PFOA) if detection levels exceeded the newly established notification levels.

Back in 1912, the project site was improved with two residential dwelling units with a total floor area of approximately 3,477 square feet. In December 2005, the building was demolished. And in August of this year, the Applicant submitted a complete application, requesting the Planning Commission to review for Site Plan Review and Zone Variance. Here's an existing image of the site. On September 17th of this year, the Applicant

submitted the application to modify the existing CUP to allow the installation of (6) 40,000-lb vessels for a new water treatment facility at the rear of the property. Here is the site plan. The property outlined in blue and is currently developed towards the front of the property. The modifications shall be towards the rear of the property highlighted in yellow. The vessels shall be placed in pairs, shown in red. Here is the elevation of the water well. The water well shall be approximately 25 feet in height and 14 feet in diameter.

Here is the Planting Plan. The water wells shall be screened with the existing 6-foot-high concrete block wall and adding 12 Cupaniopsis Anacardioides or California Big Trees, along the sides. The pictures are shown to the left. The trees measures 28 feet high at maturity, with a trunk circumference of 31 inches and a crown spread of 31 feet. The landscaping has been conditioned in the resolution to be maintained regularly. The screening of the water vessels shall be compatible with the residential land use and will not have an adverse impact on adjacent or abutting properties. Here is an image of the Vessels provided by the Vender. And here is the Conceptual Rendering.

The Conditional Use Permit Modification ("CUP 5-12-M-1") is considered a "project," per the California Environmental Quality Act ("CEQA") definition of a "project." An Addendum to the Mitigated Negative Declaration has been prepared per Section 15162(a) and 15164(b). Staff has concluded that the project is a minor necessary addition that will follow Section 15162(a) and 15164(b) of the CEQA Guidelines. The project's potential impacts shall be mitigated using the previous Mitigated Negative Declaration which will require 20-foot walls for soundproofing during project construction and the condition to provide landscaping to screen the water wells. Upon completion of the project, the noise level and air quality shall be back to normal.

Pursuant to MMC Section 17.78 (Public Hearings, Notices, and Appeals), the following noticing was performed: On October 8, the Public Hearing Notice was published in the Daily Journal (Whittier Daily News); On October 7, the Public Hearing Notice was mailed to owners/occupants within the 300-foot radius from the exterior boundaries of the subject property.

Staff consulted with various departments and received no comments from other departments. Staff did receive one comment from a resident who will be in the call with us shortly. With that, staff recommends approval of Case No. CUP-5-12-M1.

If there are any other questions, I will be happy to answer them and the Applicant will be available to answer them as well.

Director Palombi - Madam Chair, we do have one request from the public to speak on this item. We are going to go ahead and call the resident and there will be three minutes allowed for public comment.

Stephanie Hardy (Resident) – My first question is what impact will the water treatment facility construction make on our neighborhood? I only live a block and a half away. What is the date, length and time of the construction and the noise of construction? I have leukemia, so I would like to know impact of the construction on my autoimmune problem with the chemicals and other pollutions that could impact me. That is my first question which has four parts. My second question is, after it is fully functioning how often will they be turning it on or using it, will it have noise, will it continue to have any impact on me and my community and will it impact the South Montebello Irrigation District ground water and will it impact quality and quantity of our water. This is for the north end, East Los Angeles water, part of the California Water Service and we are South Montebello on this location. I have two questions but they have four parts each.

Director Palombi – Does that conclude your testimony?

Stephanie Hardy (Resident) – These are my questions, I just wanted to mention we are in the south Montebello irrigation district and they are building all this on the north end and I wanted to know why they built the well here and now they are going to build a water treatment plant here instead of in the north instead of where this water is used. So yes, those are all my questions that I have asked you.

Chair Lomeli - Director Palombi would the applicant or staff be answering the questions from the resident?

Director Palombi – Yes Madam Chair, we do have the applicant on the line. Why don't we go ahead for the record introduce yourself and then answer the questions that you can address and if not then Josephine can help out.

Jim Crawford (Applicant) – I am the District Manager for California Water Service. I also have on the line the engineering team who is assisting with this project, our Operations Staff that is assisting with the project in addition to our Special Project Consultant. I would allow them jump in and answer the questions. I'm sure I can answer some but I think they can cover them in detail. Ms. Hardy, just so you know we did receive the correspondence from you and we have planned on directly calling you.

Stephanie Hardy (Resident) – Perfect, it's the same exact questions. My first question, how long for the date and time of construction, what is the noise of the construction? I have leukemia and also on my street we are closely associated. We have a street organization of women there, and they all

want to know about the autoimmune deficiency because I have cancer, we have a man who is on dialysis and another woman who has severe autoimmune deficiency problems. We have many young children under the age of eight on our street. We want to know about the chemical and pollution during the construction. That's question number one. Question number two was, what impact will a full functioning water treatment facility have? How often will it be on? Is it noisy? Does it impact us with the autoimmune deficiency problems? Will it have an impact on the South Montebello Irrigation District ground water quality and quantity?

Jim Crawford (Applicant) - We also have a virtual event that we are going to have next week on the 27th. I believe you have received the flyer on that. We consulted with the City prior to sending that out. I believe a few of these basic ones I can answer. The engineering team may be able to assist. I think a few of these we might need to get back to you on, the health specific items. As far as the impact on the South Montebello Irrigation quantity and quality, there will be no impact what so ever. We have an existing well there already that is producing. This is actually to maintain the quality of that water. So the water that is going from that well will go to a different part of the Montebello system which we do provide 20 percent of the system for Montebello. The construction dates are going to take a little bit of time because we have to proceed with approvals. Once we have that approval we will have some more define dates for that. As far as the noise of constructions it should be very minimal and if needed we can put sound protection. I don't foresee much noise as everything we are doing is on the property and I don't foresee major noise. Those are the questions I can answer now. John or Michael do you have any comments?

Stephanie Hardy (Resident) – Do you just bring tanks in, put them down and put underground pipes to the tank? Is that how it is when you mention the 46,000 pound tanks, is that what that is, all above ground?

Mike Serna (Representative – Project Manager) – This is the Project Manager that is essentially it; this is a little over simplified. These are large vessels so there is some foundation that needs to be poured and some excavation to support that. At a high level the vessels are essentially preassembled, there are some minor tweaks we do onsite, but at a high level, yes the vessels are coming in and we connect to our existing facilities with piping.

Stephanie Hardy (Resident) - Is the size like the one is East LA?

Director Palombi – Madam Chair, we have dialogue between the applicant and the public speaker. Maybe the City attorney can give us some guidance on protocols but I believe we should allow the presentation to take place.

Legal Counsel Ramirez – We can continue on with the applicants presentation and then have the applicant note or staff note the remaining of the questions that can be answered and addressed at a later time. I think the three minutes is up for the public comments.

Stephanie Hardy (Resident) – Thank you for the opportunity to call in.

Director Palombi – Mr. Crawford, if you want to complete your presentation and then we will conclude the staff presentation at that point.

Jim Crawford (Applicant) – Mike or John if you would like to proceed with the final presentation.

Mike Serna (Representative – Project Manager) - As mentioned we are hosting a virtual event to give further details to the local residents who were invited to make comment and the City will be invited as well. That is the only comment I have.

Director Palombi – Madam Chair that will conclude the presentation.

Chair Lomeli – Do any of the commissioners have any questions?

Commissioner Briseno - I have a comment, I didn't hear anyone say this but if she is still on the line, when it comes to the noise level I know that the City of Montebello it will require a 20 foot sound wall. It's a 20 foot high wall which is barrier for sounds and that should help with noise.

Chair Lomeli – Do any of the commissioners have any questions or comments for the applicant?

Commissioner Ramirez – I have two questions. The 20 foot high sound wall is it going to be for the whole perimeter of the site and what is that wall going to be made of if it's going to be temporary? My second question, on the landscaping plan I see that you're going to put up approximately 28 foot high trees but it stops right where the vessels stop at the apartments that are adjacent to the property which one is a two story and the other is a one story, it can still view the vessels from their windows. I'm assuming some of these are bedroom windows. To me the trees provide more of an esthetic for these residents to not have to look at these vessels while looking out their windows. The quality of life for them it gets diminished. I'm not sure what color the vessels are going to be some of them become bright, some of them have logos so it looks very industrial when they look out their window. That is a concern of mine why the trees are not planted from end to end. Also from the rear, I know that there is an existing garage there but there is also a two story structure that could possibly see these vessels at the rear side of that property. To me it would be a much better

project if we extended that landscape barrier from end to end, almost creating a "U" shape. Just a comment on the report, the report states that we will be putting in carob but it's actually carbon. It's under the project description on page 12. I know that there's a decibel report on the construction. I feel like the highest decibel is in the one hundreds. My question is the same as the applicant. How long is this construction is going to last and how long is the highest noise level going to last for residents and how effective is this sound wall and has this sound wall been used in other projects where we can effectively compare the affects that it's going to have on the residents. Those are all my questions and comments.

Josephine Pham (Associate Planner) – For the landscaping in the rear, we can add that as a condition. Jim, do you think that would be possible for your project?

Jim Crawford (Applicant) – I'm going to let John answer that question in a second and Mike could assist with the last questions.

John Collazo (Representative – Engineering Manager) – Hi everybody, this is John Collazo with Cal Water. In terms of the landscaping we can definitely revisit that to see where we can extend that to provide more coverage and work with the State to see what works. Keep in mind that we do have facilities there, and take into consideration any impact that roots may have on our underground facility but we will take another look at the design and see what else we can add in terms of coverage to the property. Also, I wanted to go back to the question regarding sound attenuation and temporary wall structure. What we plan to do is have a sound specialist come out and help us evaluate the needed sound attenuation during construction. We have successfully done this for other types of work that is noisier such as constructing new wells is a really good example of that where there is drilling involved and it is more noisy activity. It is has been very successful with that type of technology where it has dampened that noise. So our plan is to bring in a consultant specialist to help us with identifying that and picking the right design for this temporary setup. Again we have used it in similar circumstances and other types of projects where it is noisier actually.

Scott Cusac (Representative – Construction Manager) - I will also add that the nature of this construction is with relatively small equipment due to the size constraint of the site. It's not large equipment that emits a lot of sound and all of the work is done during the working hours in the City of Montebello. There are no late hours, after hours or no night time work or anything like that. It is just normal construction work with what would generally be described as normal back hose if that's a familiar term with everybody. As John pointed out that would be covered in the sound attenuation evaluation.

Jim Crawford (Applicant) – Is there one more question related to schedule? Is that the last one we need to cover?

Michael Serna (Representative – Project Manager) - I can answer the question regarding schedule. Right now the total project schedule is we anticipate is four months with the heavy duty equipment is closure to six to eight weeks. When we talk about the digging, the standard back hose would likely consist of six to eight weeks. Then there are other phases of the project, start up, commissioning, so the total project length we are anticipating is about four months with the heavy construction work for about six to eight weeks.

Commissioner Briseno – Is the resident still on the phone?

Josephine Pham (Associate Planner) – No.

Commissioner Briseno - She also asked about chemical and pollution, and I wanted to point out that Montebello is going to require all the equipment that is going to be used during construction that it's going to have filters and they are going to be obligated to meet all the South Coast Quality Management mandates. I just wanted to communicate that to her but she is not on the phone.

Chair Lomeli – Commissioner Ramirez, was the applicants explanation sufficient or did you have any other questions or comments?

Commissioner Ramirez – I do, I understand this is a necessary construction that needs to be done and it's actually a good thing that we are adding to facilitate the quality of water that is coming to our community but the concern with the schedule is I don't know how urgent that this construction is because this is a multi-family area where there is a lot of families here and everybody right now a lot adults are working from home and all the children are learning from home. Having a child learning from home I know as well that having a lot of noise can be very distracting can have a negative effect at this time. I don't know when this is scheduled to start but I don't know the feasibility of this being able to wait until school starts because this is a big construction that is going to be happening that's going to have a big impact on them.

Chair Lomeli – I agree. Staff, do you have any recommendation as to how we can go about this project.

Director Palombi – Madam Chair, I'm not sure what type of constraints they have regarding this project but this is definitely something that we can work out, a timeframe, that coincides with the reopening of schools but then again

we don't know when that will occur. We may want to look at this a little delicately and maybe the applicant can answer this question. What are the constraints that you are under to implement this new treatment facility?

Jim Crawford (Applicant) - We actually are trying to get this in process as soon as possible, it's a reliability issue for our customers which includes 20 percent of the City of Montebello. So we are trying to improve the water and get that back in service because we don't know that there's always liable water from our local central basin, there's a lot of grey area, but our goal is to get that in service. I know the other agencies in the City of Montebello that include San Gabriel Water and Montebello Land and Water, I believe they are being impacted with the similar constituents that we are trying to work through. In our eyes it is a high priority and our goal is to have that less impacted because of the result of that water well station down is that we are paying almost double or more the cost to now put that water in the system which is a direct impact to the rate payers including the City of Montebello residents, so it definitely impacts our rate base.

Chair Lomeli – Can staff assist in suggestions with Commissioner Ramirez concerns and proceeding with the process?

Legal Counsel Ramirez – I believe that the conditions of approval require some mitigating conditions that have to take place. Taking into considerations like Commissioner Ramirez and Briseno stated obviously this is a big factor during these times and this is why the conditions of approvals are very specific and very focused on particular concerns but at the same time I would advise the Commission to consider that this is a project that is required and has to be complied with in order to guarantee that the City is abiding by the clean water requirements. I think that the City is doing its best in providing and mitigating these issues and to work with the applicant to make sure that they're done as best as possible.

Commissioner Mooradian – Having heard the City Attorneys comments and the concerns of this being a residential area, having a children zoom classes and I work from home sometimes and the gardener disturbing the focus and concentration, I totally agree. It's important to understand that we are dealing with unprecedented times and we really don't have a date as to when everything will go back to normal. So to put off the necessary construction, as the City Attorney said, its required to provide clean water just doesn't seem feasible. I would recommend that we move forward with the recommendations and factors. To stop until things go back to normal is unfeasible.

Chair Lomeli – Any other commissioners have questions or concerns?

Commissioner Ramirez - Not knowing the specifics on the temporary sound wall or how much it sound's going to mitigate. If we could just get an example of another project that it's been effective with. It sounds like a good technology that can relieve our concerns because this is a necessary construction that will have a positive impact when it is done. It's just the construction period that is most concerning for me.

Josephine Pham (Associate Planner) – In 2012 they did have the sound proof walls that were installed. That is what we are going off of, the mitigation measure, and it doesn't seem that there were any comments or concerns while that was going on.

John Collazo (Representative - Engineering Manager) – We can definitely provide a more recent example of another project that had significant construction. We basically installed the temporary sound attenuation walls. It's basically a metallic structure framing with very heavy duty type sound attenuation material. Again we can provide a very good example of that and provide specifics of that on how much the sound was brought down using that technology.

Commissioner Mooradian - This project is a four month project, is it possible that when the project starts, if it's an issue about noise we could ask code enforcement, or do a sound analysis and see where it goes from there. I don't want to stop the project mid-way but if it's not as promised that the sound walls are not creating that buffer then that needs to be taken care of or mitigated. Is that something that is possible or once it starts it needs to finish?

Commission Briseno – When they are doing freeway construction a lot of the work starts after business hours. Is that something that we can consider and discuss with the community and if there is a preference for all these surrounding apartment buildings if maybe the work starts after five and is that doable?

Director Palombi – With regards to construction hours, there are set times within the municipal codes and we would not be able to deviate from the constructions hours that are established. Gloria, correct me if I am wrong but there would need to be some type of variance correct?

Legal Counsel Ramirez – Correct.

Director Palombi – Can we get some dialogue from the applicant to help us understand what exactly will be taking place in other projects where you have been able to mitigate any disturbances coming from the construction itself to a level that doesn't impact the surround area.

Michael Serna (Representative – Project Manager) – As Josephine mentioned the construction that we performed, the well construction; in 2012 we did the initial drilling of the well. I believe that noise generally is a lot noisier than we anticipate for this project. The activities associated where we are generating a lot of noise would be a back hose, digging a trench, digging a pit for the concrete foundation, maybe concrete trucks coming in for the concrete pour. Those are generally trucks for material delivery; those are generally the activities where we anticipate heavy noise. The schedule is six to eight weeks and we try to give ourselves a buffer where we don't want to exceed that timeframe but we don't want to sell ourselves short and promise something that we cannot achieve. As far as the sound attenuation and the sound walls we can provide previous projects where we had our consultant have before and after and perform the sound study while the construction is being performed. We can provide product sheets for the product as well.

Jim Crawford (Applicant) – I also want to add that six to eight weeks of construction doesn't translate to being noisy the whole time. There's going to be times that it will be less noisy. There will be times where we are excavating and we have heavier equipment in there for installing pipes. If we are delivering materials, assembling materials, it's going to be less noisy. I just want everyone to be clear that it's not going to be six to eight weeks of constant noise there will be some down time in between there. Just one more point to add, I think on the noisier work there is opportunity for us to coordinate windows during the allowed construction hours where we can communicate ahead of time when the noisier work is going to happen. I think we can work with the City to see if there are windows where we can focus on doing the noisier work. We are open to looking into that.

Director Palombi – I understood that you are having a community outreach effort in the next week or so and maybe during that effort you can get some feedback from the residents as to the timeframes that would be appropriate, maybe in the later afternoon hours when students aren't in school and maybe is a more appropriate time. That would be something that we could definitely condition as we move forward here.

Jim Crawford (Applicant) – Yes we can absolutely do that.

Commissioner Ramirez – That is a great idea. The window of the noise level and the notification to the residents and maybe a 24 hours' notice so maybe they can leave the facility for that time being, I think that's a great solution to what we are talking about. I think in the long term having the landscape along the three sides of the perimeter I would agree to the project with those solutions.

MOTION: Commissioner Mooradian motions to approve a modification to Conditional Use Permit No. 5-12 to allow the installation of six (6) 40,000-lb vessels for a new water treatment facility at 916 Carob Way

SECOND: Commissioner Briseno

ACTION: 5-0-0-0

B. Site Plan Review

(Case No. PC-2020-0016-SPR)

A Site Plan Review to allow the installation of a 10-foot-high perimeter electric security fence pursuant to Montebello Municipal Code Section 17.10.130.E et seq. for the property located at 936 and 944 S Greenwood Avenue.

Director Palombi - Madam Chair and members of the Commission, Item 8.B. relates to a request from Amarak LLC on behalf of Ryder for Site Plan Review to allow the installation of an electric security fence per Montebello Municipal Code Section 17.10.130.E for the property located at 936 and 944 S. Greenwood Avenue. Michael Donovan will be providing a brief presentation regarding this item. Thank you.

Michael Donovan (Assistant Planner) – Good Evening Madam Chair and members of the Commission for tonight's project I'll be giving a quick project description and I'll then be handing it over to the applicant for their presentation. For a quick overview, the applicant is proposing the installation of a 12 volt direct current battery operated 10-foot high electric security perimeter fences within the existing barrier fence at the property located at 936 and 944 S. Greenwood Avenue, the project site. This is pursuant to Montebello municipal code section 17.10.130.E and the purpose of the fence is to ultimately protect the property against theft and crime. The existing site is comprised of three individual lots, 936 S. Greenwood, 936 S. Greenwood unit 944 and 944 S. Greenwood. It's a total of 98,196 square feet and all three properties are located in the CM heavy commercial limited industrial zone and that is with an existing permitted use for the retail of trucks under Ryder Vehicles Sales LLC. Per exhibit A of the attachments, the Site Plan, the surrounding uses abiding the project site include Greenwood Elementary School to the north. Retail, restaurants, commercial and residential uses to the south and industrial use to the east along with commercial uses to the west, across the street. Per exhibit A of the attachments, the Site Plan, the proposed 10-foot high electric fence will be located on the perimeter of the project site at least 12-inches behind the existing perimeter chain link fence with a flex mesh

behind the existing fence and proposed electric fence. This is pursuant to Montebello Municipal Code. Staff has included condition number 5 to the resolution and this is requiring that the electric fence only be active during the hours of 5:30 pm to 6:00am, Monday through Friday and then allowed 24 hours a day on Saturdays and Sundays. This condition is meant to nullify any harm the fence may cause to the neighboring Greenwood Elementary School and residential uses. A site plan is being required in accordance with Montebello Municipal Code section 17.10.130 and that is due to the existing property being within 150 feet of residential use. The site plan is considered a project per CEQA and is categorically exempt per section 15301, existing facilities. We have the applicant on the line to present the rest of the presentation. Thank you.

Keith Kaneko (Applicant) - Thank you very much for this opportunity. I do want to first say that I hope you and your loved ones are safe and healthy during this unprecedented times. I also want to say thank you to the Commission for your support last year for this code amendment which is why we are all here today. Ryder is the one who initiated the original request to install an electrified security fence in Montebello and that is what resulted in us being required to amend the Montebello Municipal Code.

I want to do a quick refresher; it's been about a year since you've seen our presentation, we've updated our presentation I want to quickly run through it and refresh your memory so you know what is under consideration this evening. We are requesting approval for a monitored perimeter security system at Ryder 936 S. Greenwood Ave. and requesting approval for PC-2020-0016-SPR.

Just to recap on who we are we are nationwide perimeter security company. We have thousands of installations across the United States and we've worked well over a thousand municipalities. We are relatively new to the City of Montebello. Our business focuses on protecting businesses that are bound to storing their assets in an outdoor yard, meaning they are not able to keep their equipment in an indoor building. Our focus is to provide that level of security. There are four elements to our security. We are certainly looking at deterrent, defense, detect and deployment.

As we take a look specifically at Ryder, Ryder is a respected business of the community and they contribute to Montebello by providing residents with jobs, as well as paying taxes and they have been at this location for quite some time. Crimes have escalated, and in the past three years they have a

thirty thousand dollar in loss that they have experienced. It had been broken into ten times in the last three years. Unfortunately, the criminals see this as a regular place to hit and take advantage of the valuables that need to be stored outside in the yard. They are breaking in various areas from the property. They are breaking in from the back, the side and even through the front.

Police reports have been filed in numerous occasions and unfortunately the police reporting have not prevented crime either. These criminals act with speed and by the time law enforcement shows up they are just looking at evidence that there was a breach on the property. If you may recall the first element of our system is deterrent and it is the yellow warning sign. It forewarns the criminal that's checking out the property that there is an electrified security fence. The defense element is if a criminal is so brave to attempt to enter the property which means he or she will have to cut through, break through and climb through the perimeter barrier and then come in contact with the electrified security fence that is where those wires that do carry a pulse electrical charge as an added deterrent. When the fence portion detects that the wire has been cut or that there has been a low voltage return, those wires are a loop design if the loop gets cut, if it gets tampered with meaning there's some low voltage that gets returned to the brain of the unit, which is the alarm unit, it will detect that there is some tampering going on and it will detect us which there are audible alarm and it will also call the monitoring service. The monitoring service is available twenty four seven and they monitor these properties that are secured by our system and will then alert the business owner or branch manager and will get the call at 2am in the morning alerting that there has been a detected breach on the property. At that point it will be the responsibility of the business to verify if there has been a breach on the property and they will tell the monitoring service and request that they call law enforcement. This will avoid of having to respond to false alarms.

There has to be a point where we have to discuss safety. The electrified security fence is installed in the interior of the perimeter barrier and in this case it is a chain link fence. This system is only going to be activated during non-business hours and that was clarified in condition number five. As well as this system is solely powered by DC 12 volt battery and it is not connected to the grid. Number one for safety and number two it's also so that it's independent of the grid meaning the criminals can't get clever and cut the main power and have the whole security go down. This maintains its effectiveness even when there is a power outage. The electricity that

goes through this electrified security fence is pulse electricity and it is not continuous current. Continuous current is dangerous, pulse electricity is not. Every 1.3 seconds it sends a millisecond pulse of electricity through this system. Pulse duration is 0.0003 seconds. This has been deemed medically safe. A study was done on our system and confirmed that it meets International State as well North America Safety Standards and verified, while unpleasant, it is not dangerous. Our system complies with numerous standards such as the International Electrotechnical Commission (IEC-60335-2-76) and it also complies with the ASTM standards (F3296-19). We are sustainable type of energy with solar charge battery which is completely independent of the grid. We offer the KNOX key switch to emergency responders to shut off the system when they need to get in the property we want to make sure that the system is deactivated. We don't sell this system they effectively either lease it or rent it from us. Our design is visibly transparent our wires are thinner than hanger wire. The reason why we prefer to have the fence taller, it helps the effectiveness of it and creates a little bit of a challenge for the criminal. The site plan shows that we are looking to secure the entire property. It does comply with the municipal code and we are one foot behind the existing barrier. They are also adding an additional mesh barrier to the perimeter fencing. This system is only going to be activated during non-business hours which are specified by condition five in the staff report and the ordinance. We will have all parties Amarok, the business owner and property owner sign the Montebello issued Hold Harmless Agreement. We are consistent the land use element number one and commercial policy number one and five. We do support your General Plan in helping commercial businesses and enhancing visibility of crime prevention and of course we do meet the standard of the state code as well as the Montebello ordinance 2420. This security product is medically safe, keeps the community safe by discouraging criminals in the area and targeting the property. It also helps the police by deterring crime and allows them to focus their energy on more serious crimes. I want to thank everyone in the Planning Commission this was a large and lengthy process to get to this stage and well worth it and request you approval. Thank you.

Chair Lomeli – If any of the commissioners have any questions or comments for the applicant?

Commissioner Mooradian –When this applicant originally brought this matter, and from what recall that we set several conditions including the requestor to change

code and so I want to commend the applicant for going through the process and coming back with a detailed and informative presentation.

Commissioner Ramirez – Yes I'd like to thank the applicant for a very thorough presentation. I'm very appreciative of the quality of the work that you bring forth and to our City. So I do commend you on that. I do have a concern that it is adjacent to an elementary school. I understand that we have a condition where the fence isn't going to be turned on until 5:30pm. My question regarding that is that , is the fence set on a timer where the fence automatically shuts off or is it manpowered where it is someone's job to turn it on and off every single day? That is my first question. Sometimes at school they have events like open house or back to school night and I'm curious if coordination can be set placed but that's very minimal. The other question I have is aesthetically I understand we have a chain link fence 6 feet; we have a mesh that is behind that fence that's 12 inches and then the 10 foot electrical fence. I'm looking at the images and I looked at the elevation of the mesh and I'm looking at the property and this property in particular has very little to no landscape at all. When someone goes to that school my concern is that it's going to look like a prison to them. That school also lacks a lot of landscape in the rear of that property. So anyone parking their car there it just looks very industrial. There's no landscape bordering the private property and there's a lot of vehicles and so some of those emissions can come through to that school but aesthetically and environmentally my concern is with the lack of landscape. I understood the code to have a minimum landscape requirement, I'm not sure when that Ryder business came in before or after those regulations but I don't see any landscape order there. Maybe soften the aesthetic only on the property where the school is located, perhaps the mesh can be rainbow color or different colors or with a graphic or vines, just to aesthetically soften that electric prison like fence to the school children. That is one of my main concerns to that school.

Keith Kaneko (Applicant) – It is not on a timer the system must be activated and deactivated by the employee so it's not on a set schedule. In regard to your concern regarding the abutting school, let me clarify that the chain link fence separating the Ryder property and the school is 10 feet tall with mesh applied on the school side, that's what exists. Our proposed security fencing is also 10 feet high and we are also going to be adding an additional mesh on Ryder's side, so there are basically 3 layers to the barrier before you can even encounter the electrified security fence and with the electrified security fence being the same height as the existing chain link fence, no one from the school is going to see it. I just wanted to clarify that, the other areas of the

property yes there is the security fence is 2 feet taller than the perimeter 6 foot chain link fence but on the school side there's a 10 foot chain link fence already existing with green mesh applied from the school side.

Commissioner Ramirez – Thank you for clarifying that, I didn't realize that the mesh was on the school side. There's nothing that you can do because their mesh would be covering yours, correct?

Keith Kaneko (Applicant) – Correct, they have mesh applied from their parking lot side but we are going to add another layer of mesh on Ryders side. Ryder wants to make sure that they have an additional barrier put up as well. It's going to be very well separated from the school and they won't see it because there won't be additional height to the security fence. Your code limits us to 10 feet tall that's why we are the exact same height as the existing 10 foot chain link fence.

Commissioner Ramirez – The chain link fence, with the mesh, does that allow anyone to climb the fence on the school side?

Keith Kaneko (Applicant) – Because of the mesh it really makes it difficult and really impossible for anyone to climb it because the mesh covers all the openings in the chain link fence. We are also going to add mesh on the other side so it's going to be a solid barrier.

Commissioner Ramirez - I'm just concerned that human error could occur where someone forgets to turn it off at 6am. I'm just trying to find combat all the safety precautions as much as possible.

Keith Kaneko (Applicant) – Keep in mind that anyone whether it be the school side or any side of the property they have to get through an existing chain link fence before they even come in contact with the security fence.

Commissioner Ramirez- You have answered my questions. Thank you for that.

MOTION: Commissioner Mooradian motions to approve a Site Plan Review to allow the installation of a 10-foot-high perimeter electric security fence pursuant to Montebello Municipal Code Section 17.10.130.E et seq. for the property located at 936 and 944 S Greenwood Avenue.

SECOND: Commissioner Ramirez

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

9. CONSENT ITEM (S)

None

10. STAFF COMMUNICATIONS TO THE PLANNING COMMISSION

Director Palombi - Madam Chair and members of the Commission, after the posting of today's agenda staff realized that the next regularly scheduled Planning Commission meeting falls on Election Day. As a result, the next regularly scheduled meeting for November 3rd will be cancelled and with direction from the Chair a special Planning Commission meeting will be held on Wednesday, November 4, 2020. Please note that the meeting will be called "special" because it does not fall on a regularly scheduled meeting date. This concludes staff communications. Thank you

11. ORAL COMMUNICATIONS –CONTINUED

None

12. PLANNING COMMISSION ORALS

Chair Lomeli

Vice-Chair Briseno

Commissioner Aliksanian

Commissioner Ramirez

Commissioner Mooradian – In the last commission meeting I brought up the occurrences and my prayers are with the families. I also wanted to share that here in Montebello the residents have made efforts to hold a fundraiser at XIMPA located 586 N. Montebello Blvd. They are doing a Taco Tuesday and fundraising on Wednesday and Thursday. They are contributing 50 percent of the fundraiser. The second item is the Haunted House Train Ride on October 30, 2020 at 6:30pm. Reservations are required and Parks & Recreation can provide more information. The City is trying to make its efforts to have children enjoy Halloween.

13. ADJOURNMENT

The meeting adjourned at 8:16 p.m.



Joseph Palombi, Planning Commission Secretary