



**CITY OF DUARTE
PLANNING COMMISSION
MINUTES
April 20, 2020**

**Planning Commission
Commissioners**
Paula Watson-Gardner, Chair
Sara Vasquez, Vice-Chair
George K. Farra
Tina Heany
Wally Wolff

NOTICE: Due to the state and local State of Emergency resulting from the threat of Novel Coronavirus (COVID-19), Governor Newsom has issued Executive Order N-29-20 in which Section 3 supersedes Paragraph 11 of Executive Order N-25-20 (issued on March 12, 2020) addressing Brown Act regulations. This new order states that the City does not need to make a physical location available for members of the public to observe a public meeting and offer public comment. The Order allows the City to hold City Council meetings via teleconferencing and allows for members of the public to observe and address the meeting electronically.

1. CALL TO ORDER AND NOTATION OF ANY ABSENCES:

Chair Watson-Gardner called the meeting to order at 7:07 p.m. The following were in attendance:

PRESENT:	Watson-Gardner, Vasquez, Heany, Farra, Wolff
ABSENT:	None
STAFF:	Hensley, Golding, Baldwin, Hernandez
DEPUTY CITY ATTORNEY:	Thai Phan

2. PLEDGE OF ALLEGIANCE:

None

3. APPROVAL OF MINUTES: [March 16, 2020](#)

Vasquez moved to approve the minutes of March 16, 2020. Seconded by Heany. The motion was approved 5-0-0-0.

4. ORAL COMMUNICATIONS ITEMS NOT ON THE AGENDA:

None

5. PUBLIC HEARINGS:

Because of City Hall Closure (COVID-19) all public comments will be required to be submitted by email prior to the meeting. Please send all emails to: Jason Golding at goldingj@accessduarte.com. Public Comments will be read during the meeting. To participate in the meeting via call-in, please contact the Community Development Department at 626.357.7931 before 4:00 p.m. the day of the meeting and you

will be given a call-in number and issued a personal password that you may not share with others. The applicant will be permitted to make a presentation via call in and will be able to respond to questions asked by the Commission. You will only be able to listen to this exchange if you choose to call in.

A. Conditional Use Permit 2020-01: A request to operate a charter school within a recently remodeled tenant suite located at 1202-1204 Huntington Drive

Attachments: [Staff Report](#) and [Resolution 2020-03](#)

Nick Baldwin, Associate Planner presented a staff report about the new Charter School, located within an existing commercial center on the property shared with El Pollo Loco restaurant and the Duarte Inn.

Hensley provided the Chairperson Watson-Gardner the point of order for the operation of the Zoom meeting.

[Chair Watson-Gardner opened Commissioners' inquiries.](#)

Baldwin answered questions from the Commissioners pertaining to the Monrovia School location, students assigned parking, enforcement of parking conditions, type of laboratory on site, sales tax, city revenue, the appeal process, comments received from nearby businesses, and required notification to property owners. He also explained to the Commission that the applicant was not in favor of restrictions to students parking on the property.

[Chairperson Watson-Gardner opened the Public Hearing.](#)

Richard Moreno, Principal of Opportunities for Learning, a public charter school authorized by Duarte Unified School District (DUSD) presented an extensive statement noting emails of support from students, parents of the community, DUSD and Chamber of Commerce. He provided background information of the different services/programs provided for the students. He discussed the Staff's and student's safety practices and how the school is dealing with COVID19 pandemic crisis; the positive impact for students in the local community during the uncertainty of when they will be returning to school, and the partnership/support of the school district and city.

Principal Moreno answered questions from the Commissioners pertaining to the limited number of parking/mitigation process and alternative transportation/parking measures for staff and students.

Principal Moreno asked Staff for clarification regarding the 35 maximum students permitted and if the students waiting to be picked up would be counted towards the

condition. Baldwin indicated that it was not the Staff intention to count the students in the waiting area as part of the required condition.

Chair Watson-Gardner closed the Public Hearing and opened Commissioners' deliberation.

Hensley spoke about changes in the economy prior to the virus and expressed concern on the future changes to commercial spaces being taken by non-traditional commercial uses. He discussed the importance of addressing the issue of the parking; a section of the code that allows offsite parking with a Conditional Use Permit; and the issue of parking regulation and parking impact to nearby businesses.

Farra commented on how the uses were compatible, the issue of parking, and the appropriateness of allowing the applicant some leeway on the parking restrictions. He discussed alternative options on permitted parking with options including some spaces marked for five minute drop off only, the use of the security guard to prevent blockage of traffic flow for Pollo Loco, and the use of appropriate attire for the security guard.

Hensley addressed these comments and the ones that were sent prior to the meeting from Farra, pertaining to the condition requirements that Public Safety requested regarding the security plan implementation.

Farra discussed an additional comment that was sent to Hensley, regarding the drop off process for students.

Hensley stated that the condition of student drop-off came from the operational plan that was submitted.

There was continued discussion among Farra, Hensley and Moreno regarding an alternative option on the student drop off to alleviate traffic control.

Chair Watson-Garden closed Commissioners' deliberation and called for a vote on the item.

Wolff asked Staff before the motion of the item, about the commission alternatives on approving the item and outcome if parking becomes an issue.

Hensley provided a practical and technical answer to address the alternative options for the Commission.

Vasquez asked Moreno about the parking situation at the Monrovia location. Moreno indicated they have limited parking as well, but street parking was permitted.

Vasquez asked Hensley if there was any permitted street parking near the site. Hensley responded that there is no ability for any street parking near the location and referred to the conditions that were tailored for the site.

Chair Watson-Gardner called for a motion to approve Resolution 20202- 03 and CUP 2020-01.

Farra moved to approve the item with three amendments to the conditions. 1) to allow the school to manage which students and staff get parking; 2) to allow/require the security guard direct traffic to prevent impediment of the flow of traffic in the adjacent business and 3) to allow the security guard or other school staff to check in students from the outside prior to entering into the lobby.

Chair Watson-Gardner called for a Second on the item with Farra's amendments to the conditions, and asked Hensley if the commission can do a second motion. Hensley responded it is possible, if it is the commission's desire. Hensley offered an alternate condition for the commission to consider in order to come to consensus.

Hensley read the alternative condition as follow: up to five (5) students may be allowed to park on site within stalls designated to Opportunities for Learning. The applicant shall prepare a parking management plan approved by the Community Development Department to address onsite students parking demands.

Chair Watson-Gardner stated the Farra's motion died in lack of second and recalled the motion. Chair Watson-Gardner made a motion with amendments as stated by Hensley's alternative condition to designate five (5) parking spaces for students. The motion was seconded by Heany.

Farra called for additional amendments to his previous motion, which are to have the security guard to direct traffic and to have someone checking in students on the outside. Hensley added a comment about the presented condition that does not prohibit the checking in of students.

Vasquez asked Moreno about the process on signing in and out students. Moreno responded that the students are required to sign out only when they are leaving their appointment early and explained the process of students signing in the school.

Chair Watson-Gardner indicated there is no need for the amendment on the checking in of students and recalled the motion and the second for the item with a roll called as followed: Vote: Yes: Heany, Farra, Vasquez, Wolff, Watson-Gardner; No: None; Abstained: None; Absent: None. The motion was approved unanimous.

6. ITEMS FROM DIRECTOR:

Hensley commented on the meeting being different and thanked everyone that participated; provided development updates and answered an inquiry from Heany pertaining to the property for sale on Bradbourne and Huntington.

7. ITEMS FROM COMMISSIONERS:

There were no items from the Commissioners.

8. ADJOURNMENT: Monday, May 18, 2020

Chair Watson-Gardner adjourned the meeting at 8:14 p.m.

Craig Hensley, Secretary