



AGENDA
**REGULAR MEETING OF THE PLANNING
AND ECONOMIC DEVELOPMENT
COMMISSION OF THE CITY OF DUARTE**

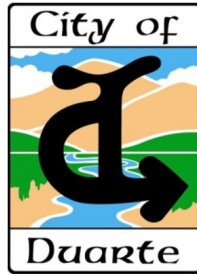
MONDAY, MARCH 18, 2024
7:00 PM

DUARTE COMMUNITY CENTER, 1600
HUNTINGTON DRIVE, DUARTE, CA 91010

MISSION STATEMENT

With integrity and transparency, the City of Duarte provides exemplary public services in a caring and fiscally responsible manner with a commitment to our community's future

1. CALL TO ORDER AND NOTATION OF ANY ABSENCES
2. PLEDGE OF ALLEGIANCE
3. APPROVAL OF MINUTES.Â December 18, 2023
 - A. [PC 12/18/23 Agenda Minutes](#)
4. ORAL COMMUNICATIONS - ITEMS NOT IN THE AGENDA
5. PUBLIC HEARINGS:
 - A. [Conditional Use Permit 23-03:](#)
A request to allow the on-site sale of beer and wine in conjunction with an existing bona fide eating place. (Type-41 Alcoholic Beverage Control license) for Redwood Pizza located at 2229 Huntington Drive.
6. ITEMS FROM DIRECTOR
7. ITEMS FROM COMMISSIONERS
8. ADJOURNMENT:



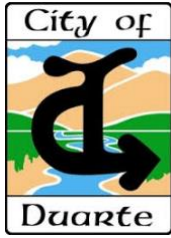
ITEM: 3.A

PC 12/18/23 Agenda Minutes

Recommended Action:

Attachments:

[PC Min - 12-18-23.pdf](#)



MINUTES
CITY OF DUARTE
PLANNING AND ECONOMIC
DEVELOPMENT COMMISSION

December 18, 2023

Commissioners
Tina Heany, Chair
Wally Wolff, Vice-Chair
Daniel Becker
Yesenia Paez
Brian Quandt

1. CALL TO ORDER AND NOTATION OF ANY ABSENCES:

Vice Chair Wolff called the meeting to order at 7:18 p.m. The following were in attendance:

PRESENT:	Quandt, Paez, Wolff
ABSENT:	Becker, Heany
STAFF:	Bautista, Golding, Hensley, Nash, Gonzales, Abdul-Ahad
CITY ATTORNEY:	None

2. PLEDGE OF ALLEGIANCE:

Commissioner Paez led the Pledge of Allegiance.

3. APPROVAL OF MINUTES:

Commissioner Quandt motioned to approve the September 18, 2023 minutes. Seconded by Commissioner Paez. The motion carried 3-0-0-2. (Yes: Paez, Quandt; Wolff No: None; Abstain: None; Absent: Heany, Becker).

4. ORAL COMMUNICATIONS - ITEMS NOT ON THE AGENDA:

None

5. PUBLIC HEARINGS:

- A. Conditional Use Permit 22-04 and Site Plan and Design Review 22-42.** hour operations in the Commercial-General zoning district within 300' of a residential zone. The project consists of 12 charging dispensers, 26 parking stalls, an approximate 785 square foot lounge/restroom building, and two fueling canopies (1,350 and 810 square feet).

RESOLUTION PC 23-10

A RESOLUTION OF THE PLANNING AND ECONOMIC DEVELOPMENT COMMISSION OF THE CITY OF DUARTE APPROVING CONDITIONAL USE PERMIT 22-04 TO ALLOW A NEW ELECTRIC VEHICLE CHARGING STATION AND 24-HOUR OPERATIONS (KNOWN AS BP PULSE) AT 2107 HUNTINGTON DRIVE

PC RESOLUTION 23-11

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DUARTE APPROVING SITE PLAN AND DESIGN REVIEW 22-42, FOR THE CONSTRUCTION OF A NEW ELECTRIC VEHICLE CHARGING STATION, LOCATED AT 2107 HUNTINGTON DRIVE

AT 2174 HUNTINGTON DRIVE MEETS THE REQUIRED FINDINGS DESCRIBED UNDER DUARTE DEVELOPMENT CODE 19.114.050(B) AND THUS APPROVES CONDITIONAL USE PERMIT 22-02 SUBJECT TO CONDITIONS OF APPROVAL

Golding presented the staff report and explained the design, amenities, and zoning for the proposed electric vehicle charging station. Golding answered questions from the commissioners regarding fire prevention and Southern California Edison's involvement on the project.

Vice Chair Wolff opened the Public Hearing at 7:34 p.m.

Comments from the public

Jesse Kent Developer representing the BP Pulse Company commented in the importance of the EV charging station and why Duarte has been chosen for the location.

Lauren Paletta Program Manager from BP Pulse answered questions from commissioners regarding accessibility, hours of operation, types of charging that will be available, hours of operation and safety.

Resident Lorraine Laberthon voiced her concerns regarding homelessness, noise, fire concerns and traffic that would be caused by a 24-hour business with no management on site.

Vice Chair Wolff closed the Public Hearing at 8:17 p.m.

Action

Motion made by Commissioner Paez to approve Conditional Use Permit 22-04 and Site Plan and Design Review 22-42. Seconded by Vice Chair Wolff. The motion carried 3-0-0-2. (Yes: Paez, Quandt, Wolff; No: None; Abstain: None; Absent: Heany, Becker).

- B. Conditional Use Permit 23-04.** A request to allow the operation of a health and fitness facility over 2,000 square feet operating as early as 5:00am and as late as 11:30pm at 2137Huntington Drive. The business offers it's patrons the use of exercise machines and limited personal training, no group exercise classes will be provided.

RESOLUTION PC 23-12

RESOLUTION OF THE PLANNING AND ECONOMIC DEVELOPMENT COMMISSION OF THE CITY OF DUARTE APPROVING CONDITIONAL USE PERMIT 23-04 TO ALLOW A LATE-NIGHT HEALTH & FITNESS FACILITY (KNOWN AS 360 FITNESS) AT 2137 HUNTINGTON DRIVE.

Nash presented the staff report and explained why the City is requesting a Conditional Use Permit to allow the operation of a late night health and fitness facility

Vice Chair Wolff opened the Public Hearing at 8:20

Comments from the public

Applicant Francisco Rodriguez spoke in regards to having the opportunity to open a facility. Thanked the commissioners for their time.

Vice Chair Wolff closed the Public Hearing at 8:23 p.m.

Action

Motion made by Commissioner Quandt to approve Conditional Use Permit 23-04 Seconded by Commissioner Paez. The motion carried 3-0-0-2. (Yes: Paez, Quandt; Wolff; No: None; Abstain: None; Absent: Heany, Becker).

6. BUSINESS ITEMS:

None

7. ITEMS FROM DIRECTOR:

Director Hensley provided updates on several items and projects throughout the city.

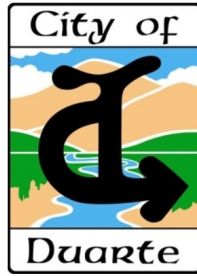
8. ITEMS FROM COMMISSIONERS:

None

9. ADJOURNMENT:

Vice Chair Wolff motioned to adjourn at 8:28 p.m.

Craig Hensley, Secretary



ITEM: 5.A

Conditional Use Permit 23-03:

Recommended Action: A request to allow the on-site sale of beer and wine in conjunction with an existing bona fide eating place. (Type-41 Alcoholic Beverage Control license) for Redwood Pizza located at 2229 Huntington Drive.

Attachments:

[CUP 23-03_Redwood Pizza_Staff Report.pdf](#)
[CUP 23-03_Redwood Pizza_ExbA_Resolution.pdf](#)
[Exb-B_Business Plan.pdf](#)
[Exb-C_Floor and Security Plan.pdf](#)
[Exb-D_Vicinity Map and Photos.pdf](#)
[Exb-E_ABC License Map.pdf](#)



PLANNING AND ECONOMIC DEVELOPMENT COMMISSION STAFF REPORT

Date: March 18, 2024

Subject: Conditional Use Permit 23-03 for approval of a Type-41 alcohol license to allow the sale of beer and wine for on-site consumption in connection with a sit-down restaurant

Location: 2229 Huntington Drive

Applicant: Redwood Pizza

SUMMARY

The applicant, Ruben Cruz, is requesting approval of a Conditional Use Permit (CUP) to allow the sale of beer and wine for on-site consumption at Redwood Pizza, which is an existing restaurant located at 2229 Huntington Drive within a shopping center northwest of the Mount Olive and Huntington Dr. intersection (ReStore Center).

The project site is located within the Commercial General (C-G) zone, which permits sit-down restaurants without late-night hours by right and conditionally permits on-site alcohol consumption that is incidental to an eating and drinking establishment. The CUP for the on-sale of alcohol requires review and approval by the Planning and Economic Development Commission. As such, staff recommends the Planning Commission adopt PC Resolution 24-01 to approve the sale of beer and wine for on-site consumption as an accessory component of the full-service restaurant operation, based on the information provided in the staff report and subject to conditions of approval.

BACKGROUND

The proposed tenant space (2229 Huntington Drive) is an approximately 1,920 square foot suite that is part of an overall 23,776 square foot retail building built in 1968 within the shopping center located at the northwest corner of Huntington Drive and Mount Olive Drive. The tenant space was previously occupied by “Duarte Pizza” since 2000, Redwood Pizza opened in 2020 which included expanding into the tenant space next door to the west. The operation of the restaurant is a permitted use within the Commercial General Zone (C-G).

The State Department of Alcoholic Beverage Control (ABC) allows on-site consumption of alcohol with various license types. The applicant is requesting approval for a Type-41 license – on-sale beer and wine (eating place). According to ABC, an application for an alcohol license has never been filed or granted for the subject property. Currently, there are eight (8) restaurant establishments within the City with an active Type-41 license. Two restaurant establishments with an active Type-41 license are close to Redwood Pizza, which is Charm Thai Home Cooking located at 2414 Huntington Drive, operating under CUP 86-9 and The Patio Restaurant located at 2150 Huntington Drive, operating under CUP 15-06.

An application for a Type-41 license has been submitted to ABC for Redwood Pizza. The status of the application is pending approval of the CUP.



PROJECT DESCRIPTION

Redwood Pizza operates as a full-service restaurant offering a variety of dishes primarily focused on pizza and spaghetti. The restaurant staff consists of nine (9) employees consisting of three (3) servers, three (3) cooks, and three (3) delivery drivers. The hours

of operation are 10 AM to 10 PM Sunday through Thursday, 10 AM to 11 PM Fridays and Saturdays.

The alcoholic beverages proposed to be offered, which include bottled/canned beer and wine served in a glass, will only be available to customers who have ordered a meal for dine-in. Alcoholic beverages will be poured into restaurant glasses and/or provided in the manufacturer's individual packaging. Storage of alcoholic beverages will occur in two (2) locations: the 7' x 3' refrigerator behind the employee cash counter, and in the walk-in cooler. Both storage areas and alcohol preparation areas are accessible only to employees.

No new tenant improvements, expansion, or remodeling is proposed at this time, though the business owner hopes to eventually expand into a neighboring tenant space if provided the opportunity. If this business were to expand in the future, the CUP may be called back to a modification hearing before the Planning Commission.

ANALYSIS

Section 19.60.030 of the Duarte Development Code (DDC) provides operational standards for establishments that may be granted a CUP for an ABC license. Through the CUP process, alcohol sales for on-site consumption is permitted as an accessory use to sit-down restaurants. As stated in the DDC, a sit-down restaurant is an area that regularly and in a bona fide manner is used and kept open for the serving of at least lunch or dinner, with a suitable kitchen facility connected to the restaurant containing conveniences for cooking an assortment of meals. This business operates as a bona fide sit-down restaurant.

The DDC operational standards for an ABC license also restrict any lounge/bar areas designed for exclusive alcohol service to a maximum aggregate area. In this proposal, alcoholic beverages will be limited to the only customer dining areas; service areas for alcohol preparation; and alcohol storage and cooler areas. No sort of bar or lounge is proposed. The serving area is separated from the dining area using partition walls to keep the alcohol storage and alcohol preparation areas inaccessible to customers seated in the dining area.

The restaurant does not propose to provide any outdoor dining and all alcohol consumption will occur inside the restaurant's approximately 1,920 square foot dining area. The dining area is arranged with an assortment of accessible seating options, and is open enough to allow unobstructed views to monitor the area from several locations.

Alcohol Sales Training

Employees of Redwood Pizza will verify patrons' age by checking photo identification before completing alcohol orders to prevent unlawful sales of alcohol to minors. Alcohol specific training through ABC's Licensee Education on Alcohol and Drugs (LEAD) program will be provided to reinforce this policy and to prevent other potential concerns related to

alcohol. The proposed conditions of approval will require that all restaurant employees serving or selling alcohol participate in an alcohol sales training program prior to serving or selling alcohol. The proposed conditions of approval also require that the applicant obtain information on alcohol sales training programs and materials from the local ABC district office. Furthermore, all newly hired employees shall participate in the training before completion of their hiring process and all regular employees shall complete the training program annually or on a more frequent basis, if needed. Updates to the training materials shall occur as necessary in accordance with ABC district office guidelines.

Security

Redwood Pizza currently has a six (6) camera closed-circuit television (CCTV) system and a security system through ADT. These cameras are throughout the interior of the restaurant as shown in the Security Floor Plan in Exhibit C. All CCTV cameras will remain on a continuous loop and footage for all cameras will be retained for thirty (30) days. The security camera control center and storage hard-drive will be located in the office near the center/rear of the restaurant. The office has a door with a lock and is only accessible to employees. The security plan has been provided to the Public Safety Department for review. Public Safety Department approval of the security plan and corresponding inspection to ensure proper implementation must occur before the City provides approval correspondence to ABC.

ENVIRONMENTAL

The proposal has been reviewed with respect to environmental impact and staff has determined that the application for a Conditional Use Permit is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301, Class 1 of Title 14 of the California Code of Regulations. No further environmental review is required at this time in accordance with CEQA Guidelines.

RECOMMENDATION

Based on the information provided in the Staff report, Staff recommends the Planning Commission adopt PC Resolution 24-01 (Exhibit A), approving Conditional Use Permit 23-03 for the project proposal at 2229 Huntington Drive.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Scott Nash", with a checkmark at the end.

Scott Nash
Associate Planner

Attachments

- Exhibit A: Resolution PC 24-01, Conditional Use Permit 23-03
- Exhibit B: Business Operations Plan (Provided by Applicant)
- Exhibit C: Floor and Security Plan
- Exhibit D: Photos of Site and Vicinity
- Exhibit E: ABC License Map

RESOLUTION PC 24-01

A RESOLUTION OF THE PLANNING AND ECONOMIC DEVELOPMENT COMMISSION OF THE CITY OF DUARTE APPROVING CONDITIONAL USE PERMIT 23-03 FOR A TYPE-41 ALCOHOL LICENSE FOR REDWOOD PIZZA RESTAURANT LOCATED AT 2229 HUNTINGTON DRIVE

WHEREAS, the Planning and Economic Development Commission (Planning Commission) has been assigned, by the Duarte City Council, the duties and functions of a planning agency under State law and other duties as directed by the City Council; and

WHEREAS, the applicant has submitted an application requesting approval of a Conditional Use Permit for a Type-41 alcohol license allowing the sale of beer and wine for on-site consumption at the Redwood Pizza restaurant located at 2229 Huntington Drive; and

WHEREAS, alcoholic beverage sales associated with sit-down restaurants is a conditionally permitted use pursuant to Duarte Development Code section 19.60.030(D)(1); and

WHEREAS, Section 19.114.040 through 19.114.050 of the Duarte Development Code authorizes the Planning Commission to consider such requests subject to certain findings; and

WHEREAS, notice of a public hearing on the Conditional Use Permit 23-03 was given pursuant to Duarte Development Code Chapter 19.146 and in accordance with applicable State law; and

WHEREAS, the Planning Commission has considered the analysis and recommendation provided in the staff report for Conditional Use Permit application 23-03 and all of the information, evidence and public testimony received at the public meeting held on March 18, 2024 at 7:00 p.m. in the City Council Chambers Conference Room;

NOW THEREFORE, the Planning Commission of the City of Duarte resolves as follows:

SECTION 1. RECITALS

All of the facts set forth in the Recitals of this Resolution are true and correct and incorporated herein by this reference.

SECTION 2. FINDINGS

The Planning Commission finds and determines as follows, findings for Conditional Use Permits, as set forth in DDC Section 19.114.050(B), as:

1. *The proposed use is consistent with the General Plan;*

The Redwood Pizza restaurant is consistent with the City's General Plan in that it furthers the General Plan land use policy 2.1.3 by providing for the shopping and service needs of residents in a conveniently clustered commercial establishment, encouraging "one-stop" shopping.

2. *The proposed use is allowed within the subject zone and complies with all other applicable provisions of this Development Code and the Municipal Code;*

On-site alcohol consumption that is incidental to an eating and drinking establishment is permitted within the Commercial General (C-G) zone with the approval of a Conditional Use Permit. The use follows all regulations of the Duarte Development Code and Municipal Code, and conditions of approval have been included to ensure such compliance.

3. *The design, location, size and operating characteristics of the proposed use are compatible with the allowed uses in the vicinity;*

Redwood Pizza is located within an existing shopping center located at the northwest corner of the Huntington Drive and Mount Olive Drive intersection. It is located within a multi-tenant building that is an integral part of the shopping center. Surrounding businesses include commercial/retail, health/fitness, medical, and other restaurant/food establishments within the shopping center. Commercial and retail developments are located to the east, west, and south of the project site, and multi-family residential is located to the north of the project site. The restaurant is compatible with the project site, uses within the commercial shopping center, and surrounding developments.

4. *Operation of the use at the location proposed would not be detrimental to the harmonious and orderly growth of the City, or endanger, jeopardize, or otherwise constitute a hazard to the public convenience, health, interest, safety, or general welfare of persons residing or working in the neighborhood of the proposed use;*

The addition of beer and wine will not create an adverse impact on surrounding developments, provided that the alcohol sales remain incidental to the full-service restaurant. The restaurant's primary use will be to prepare and serve an assortment of meals to its guests, while the ability to offer beer and wine will allow an opportunity to create a dining experience that is typical of most full-service restaurants. Additionally, conditions of approval and laws regulated by the California Department of Alcoholic Beverage Control will help avoid adverse and detrimental effects on the City and surrounding community.

5. *The subject site is:*

- a. *Physically suitable in terms of design, location, operating characteristics, shape, size, topography, and the provision of public and emergency vehicle (e.g. fire and medical) access and public services and utilities; and*

- b. *Served by highways and streets adequate in width and improvement to carry the kind and quantity of traffic the proposed use would likely generate.*

Redwood Pizza restaurant is located within an existing shopping center on the northwest corner of Huntington Dr. and Mount Olive, in a portion of one of the retail buildings that comprises an integral part of the overall shopping center. Two of the City's main arterial streets, Huntington Drive and Mount Olive Drive, provide primary access to the property, which can efficiently accommodate the demand generated by the business use and operations. The circulation of the shopping center is suitable for efficient access for public and emergency vehicles. The addition of alcohol sales will be accessory to the primary use as a restaurant and should not generate additional traffic to a point that is detrimental to the site and surrounding developments.

SECTION 3. CEQA DETERMINATION

In recommending adoption of this PC Resolution 24-01 for the proposed use, the Planning Commission finds and determines the project is in compliance with the California Environmental Quality Act (CEQA), and State regulations in Title 14 of the California Code of Regulations, (CEQA Guidelines) because the project is categorically exempt from CEQA pursuant to Title 14 California Code of Regulations Section 15301.

SECTION 4. RECOMMENDATION

Staff recommends that the Planning Commission approves PC Resolution 24-01 based on the findings listed in Section 2, and the conditions listed in "Exhibit A-1", for a Type-41 Alcohol License at 2229 Huntington Drive.

APPROVED, AND ADOPTED by the Planning Commission of the City of Duarte at a regular meeting held on the 18th day of March, 2024.

Tina Heany, Chairperson
City of Duarte Planning Commission

ATTEST:

Craig Hensley, Community Development Director

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

I, Craig Hensley, Community Development Director of the City of Duarte, do hereby certify that the foregoing Resolution was adopted at a regular meeting of the Planning and Economic Development Commission of the City of Duarte held on March 18, 2024 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Craig Hensley, Community Development Director

EXHIBIT A-1

Conditions of Approval Conditional Use Permit 23-03

2229 Huntington (Type-41 Alcohol License at Sit-down Restaurant)

1. This approval allows a Type-41 alcohol license issued by the Department of Alcoholic Beverage Control for the on-site sale of beer and wine in conjunction with a bona fide eating place located at 2229 Huntington Drive. Under this Type 41 license, the restaurant may offer alcoholic beverages as a component of the primary operations selling meals for consumption on the premises, as stated in the staff report, described in the applicant's business operational statement, and demonstrated on the Floor Plan on file with the Planning Division.
2. The "cash counter" shall remain staffed with at least one (1) employee at all times that the business is open, in order to prevent unauthorized access to the behind-counter beer and wine refrigerator.
3. Alcohol sales shall be limited to the hours of 10:00 AM to 11:00 PM. Modification to operating hours may be approved by the Community Development Director.
4. The business owner shall provide a Security Plan to the Community Development Department and Public Safety Department for review and approval prior to the City provides correspondence to the Department of Alcoholic Beverage Control informing them of the City's approval of the Conditional Use Permit. Said plan may require security monitoring, a sophisticated camera system, signage, operational contacts, and other requirements that ensure the property is properly monitored and actively managed by the business owner. Cameras shall be installed in locations throughout the property and buildings, as approved by the Community Development and Public Safety Departments. The security plan shall include details on a closed circuit television system consisting of interior and exterior surveillance cameras and a digital video recorder (DVR) for recording surveillance camera footage. The security system hard drive shall save footage/data for a minimum of 30 days. The hard drive shall be locked, secured, and accessible only to the business owner and/or designees. All saved data shall be made available to the Public Safety Department and/or City personnel upon reasonable request. All components of the approved security plan shall be operational prior to implementing any new services allowed by this CUP and shall remain fully operational at all times. Any changes to the security system shall require review from the Community Development Department and Public Safety Department prior to implementing.
5. The applicant must obtain and allow an occupancy inspection of the unpermitted tenant improvements made to the expansion of the restaurant. The previous business, Duarte Pizza, occupied only one tenant space, while Redwood Pizza occupies two. No permits for this change were issued. Based upon the inspection, the applicant must obtain proper permits for said tenant improvements and receive final permit approvals from the City prior to the commencement of alcoholic beverage sales.

6. Alcoholic beverage consumption, storage, service, and preparation area shall only be allowed in areas designated on the approved plans on file with the Community Development Department (Exhibit C of the Planning Commission Staff Report).
7. Incidental alcohol sales shall be limited to beer and wine only. All State of California Department of Alcoholic Beverage Control (ABC) laws and requirements shall be fully complied with. Such requirements shall become conditions of this approval.
8. The sale of alcohol shall remain as an accessory use to the establishment's primary use as a full-service restaurant. Service of lunch and/or dinner shall be available to guests for compensation during all hours of operation.
9. The applicant and successors shall operate the subject premises in a safe and sanitary manner at all times, including compliance with curfew and daytime loitering regulations pursuant to the provision of Section 9.56 of the Duarte Municipal Code (DMC). Problems or continued/repeated violations of any municipal, Health Code, or other violations associated with the sale of alcoholic beverages, conditions of approval, or any other governmental regulations, as determined by the City of Duarte, Los Angeles County Health Services Department, ABC, or Los Angeles County Fire Department, may be grounds for initiation of proceedings for the revocation of this Conditional Use Permit before the Planning Commission pursuant to Section 19.152.030 of the Duarte Development Code (DDC).
10. Prior to commencing alcohol sales, the applicant shall obtain the appropriate license from ABC, comply with all of the licensing requirements, and provide evidence of said license to the Planning Division. In the event that there is a conflict between the conditions imposed by the City as part of this Conditional Use Permit approval and those imposed by ABC in relation to the Type-41 license, the more restrictive provisions shall apply.
11. All employees serving or selling alcohol shall be required to participate in an alcohol sales training program prior to serving/selling alcohol. The alcohol sales training program shall include a component related to age verification to prevent the unlawful sale of alcohol to minors. All employees serving or selling alcohol shall verify the age of any patron appearing to be thirty (30) years old or younger. Contact the ABC district office for more information on alcohol sales training programs and materials. Satisfactory proof of completion of the alcohol sales training materials provided by ABC shall be provided to the City prior to sales of alcoholic beverages. The applicant shall also provide current proof of employee training certifications within twenty-four (24) hours of City request.
12. All laws of the Alcoholic Beverage Control Act, as defined by Division 9 of the California Business Professions Code, shall be complied with at all times. Should at any time the Alcoholic Beverage license issued to the applicant be revoked for any purpose, this Conditional Use Permit shall become invalid.

13. All signage related to alcohol sales and/or consumption shall be displayed in accordance with the laws and requirements of ABC.
14. Storefront windows at the south building elevation shall remain clear for visibility and safety purposes, except as otherwise allowed by permitted window signage, as regulated under Ch. 19.42 of the Duarte Development Code.
15. Music, noise-generating equipment, or any other business activities shall be operated at reasonable audible levels, not to exceed City Noise Regulations outlined in Chapter 9.68 of the Duarte Municipal Code or be detrimental to the operations of adjoining businesses. Furthermore, music shall not be played at a volume that is audible outside the business. In no case shall live music or DJ's be permitted in association with this business.
16. Outdoor speakers or other exterior audible devices are prohibited, unless approved by the Community Development Director.
17. In the event of substantiated noise issues, the Community Development Director may require the applicant to pay for the preparation of a noise study, prepared by a professional noise or acoustics consultant of the City's selection. Adherence to the study's recommendations will be required of the applicant. Failure to promptly comply with this requirement will result in a modification/revocation hearing before the Planning Commission.
18. Approval of a conditional use permit is required for any business that operates between the hours of 12:00 a.m. (midnight) and 6:00 a.m.
19. Any signage associated with the business is not included as part of this approval; a separate review and approval process will be required for all proposed signage. All signage shall comply with the Sign Guidelines of the Duarte Development Code.
20. Any outdoor storage associated with this use is prohibited.
21. Operations shall be conducted in a manner that does not create a nuisance. Any such nuisance must be abated immediately upon notice by the City.
22. Any expansion or modification to the approved use authorized as part of Conditional Use Permit 23-03 shall require an application for the modification of the existing permit, or an entirely new Conditional Use Permit.
23. A new or modified conditional use permit will be required at the time of change of business owner when the subsequent business owner/operator proposes changes to the area, configuration, or manner in which the original conditional use permit was approved.
24. The applicant must obtain Planning Division approval as well as Building & Safety Division approval and permits for any tenant improvements and other associated site improvements that may be involved with the proposed use.

25. This entitlement shall be contingent upon the privileges being utilized within twelve (12) months from the effective approval date. Discontinuance of the approved use for twelve (12) consecutive months or more shall constitute an abandonment of the permits and the Conditional Use Permit shall become invalid.
26. The project shall comply with all the regulations of Chapter 19.12 (Commercial Zones) of the Duarte Development Code, including the intent and purpose, permitted uses, development standards, and any other applicable sections.
27. The decision of the Planning Commission may be appealed to the City Council within 15 days from the date of the approval letter. Said appeal must be in writing and filed with the City Clerk's office (DMC 19.144) and include all associated fees. The written appeal shall include reasons for the appeal.
28. The CUP may be called for review or revocation at any time by City Staff, City Council, or Planning Commission if a violation of the approved conditions is alleged, or if it is alleged that the health & fitness facility, or its patrons, are creating a public nuisance, as substantiated by the LA County Sheriff's Department, Public Safety Department, or any other City Department. The applicant and successors shall operate the subject premises in a safe and sanitary manner at all times. Such review of the CUP may include any remedy available to the City that will prevent negative impacts on the property and surrounding developments. Problems or continued/repeated violations of any Municipal Code, conditions of approval or any other governmental regulations may be grounds for initiation of proceedings for the revocation of this CUP before the Planning Commission pursuant to Section 19.152.030 of the Duarte Development Code.
29. That by acceptance of the approval of the project by the City, the applicant shall defend, indemnify and hold harmless the City of Duarte and its agents, officers and employees from any claim, action or proceeding against the City or its agents, officers and employees to challenge, set aside, void or annul the approval of the project or from any other action pertaining to this application or the granting of approval which may be brought within the time period provided for such actions or challenges under applicable law.

Exhibit B



REDWOOD PIZZA LLC

2229 HUNTINGTON DR.,

DUARTE, CA. 91010

BUS: 626-256-4144

Redwoodpizza@outlook.com

Revise Pizza Operational Details

Re: On-Sale Beer & Wine Eating Place

January 24, 2024

Introduction

After careful consideration and planning.

Redwood Pizza is excited to announce. We have applied for a Beer & Wine On-Sale Eating Place License. This is due to the Overwhelming request by loyal customers. Thanks to them. We have expanded our menu and adding Beer & Wine for their enjoyment.

Business Description

Redwood Pizza is now a great Bona-Fide sit down Pizza Establishment in the heart of Duarte, Ca.

Redwood Pizza have spent over 10 years to prefect ionize our **Homemade Pizza** & awesome **Spaghetti & Meat Balls**. Our homemade dough is a versatile and easy-to-work-with and it is used for a variety of our great dishes. Whether you order our pizza, calzones, breadsticks, or even our desserts. Your sure to get fresh dough and great tasting food. One of our secrets is to remember when working with pizza dough, is to keep it at room temperature.

Product & Services

Our Pizzeria business plan is easy and outlines the market and strategy to create a profitable pizza restaurant business. Redwood Pizza offers sit down dinning and fast and free delivered pizza. The pizza, made with unique, secret based recipes and a secret sauce, include a vast array of topping selections, as well as healthy alternatives.

The restaurant operation is the **face of the organization**. The distinct role of operations is to be possessed with the quality of pizzas and the experience that customers receive.

New remodeled Redwood Pizzeria is our dining area, we have placed five 55-inch TVs for kids cartoons and adult sporting events for all to enjoy while eating our great food.

Hours of Operations & Employees

Redwood Pizza in Duarte hours of operations. We are open at 10am to 10pm Sunday thru Thursday and 10am to 11pm Friday, Saturday's.

Customer Service Culture Pizza with a Smile. We will have 3 awesome pizza servers and 3 excellent pizza makers to serve customers daily. We will have 3 pizza delivery employees. All Redwood Pizza employees come with free smiles.

Beer & Wine Service & Security Measures

We expect approximately 82% revenue to come from our great foods, 6% from alcohol sales, and 12% from non-alcohol and other drinks & services. We will employ 2 managers for training. They will process **LEAD** training from Dept of Alcohol. Our employees will have **LEAD** program training to, by managers. This will assure our employees and applicants receive practical information on selling alcoholic beverages safely, responsibly, and legally, with emphasis on preventing sales to minors, sales to obviously intoxicated persons. Also, our management and employees will be well train with food safety and will have a food handlers' certificate from Dept of Environmental Health.

Furthermore, all of our employees are fully train on customer service techniques, such as how to greet customers and taking phone calls. Our etiquette script for new hire is set at a high standard. Our employees are also train for safety concerns while out on deliveries. Safety First.

[See Pizza Revise Floor Plan II](#)

Security Measures

Redwood Pizza has implanted the latest technology security cameras throughout the interior and exterior of store and lighting as well. Even through this is a very low crime area. Precautions for safety is our number 1 priority. Along with our concerns. We will work closely with our local police dept and citizens. We will always hear out concerns of local customers and residents. That is important to us. We want to assure the public. We care. Our Pizzeria atmosphere will be safe for all people to come in and feel safe and enjoy great food.

Positive Impact

Redwood Pizza will add to the efforts to revitalize and improve the local area economy in several positive ways. We will maintain the building and keep it clean and avoid allowing loitering. We will hire locals. We will sponsor local kids sports and provide senior discounts.

To our success, we have entered into a 10-year lease term. We are investing considerable amount in remodeling and improving as needed to the business with upgrades to the exterior and interior. Our long-term lease is an investment to our commitment to the community.

In Closing

Our **Redwood Pizzeria** is not just a pizzeria. It's a family gathering, memorable birthdays, work celebrations or simply a great meal. Its our goal to make sure you always have the best time and ingredients for every occasion.

We need a Beer & Wine License to maintain our customer's request. We lose lots of customers because we don't serve these beverages. We can't afford to lose customers.

We need our approve license to ensure our future staying in business and to keep our business in operation for years to come. We appreciate your help.

Beer & Pizza, like Wine & Spaghetti is a match made in Heaven.

Pizza & Beer seem to go together. For many people, the pair is anchored in tradition.

[See Attach Pizza Revise Floor Plan II](#)

Sincerely,



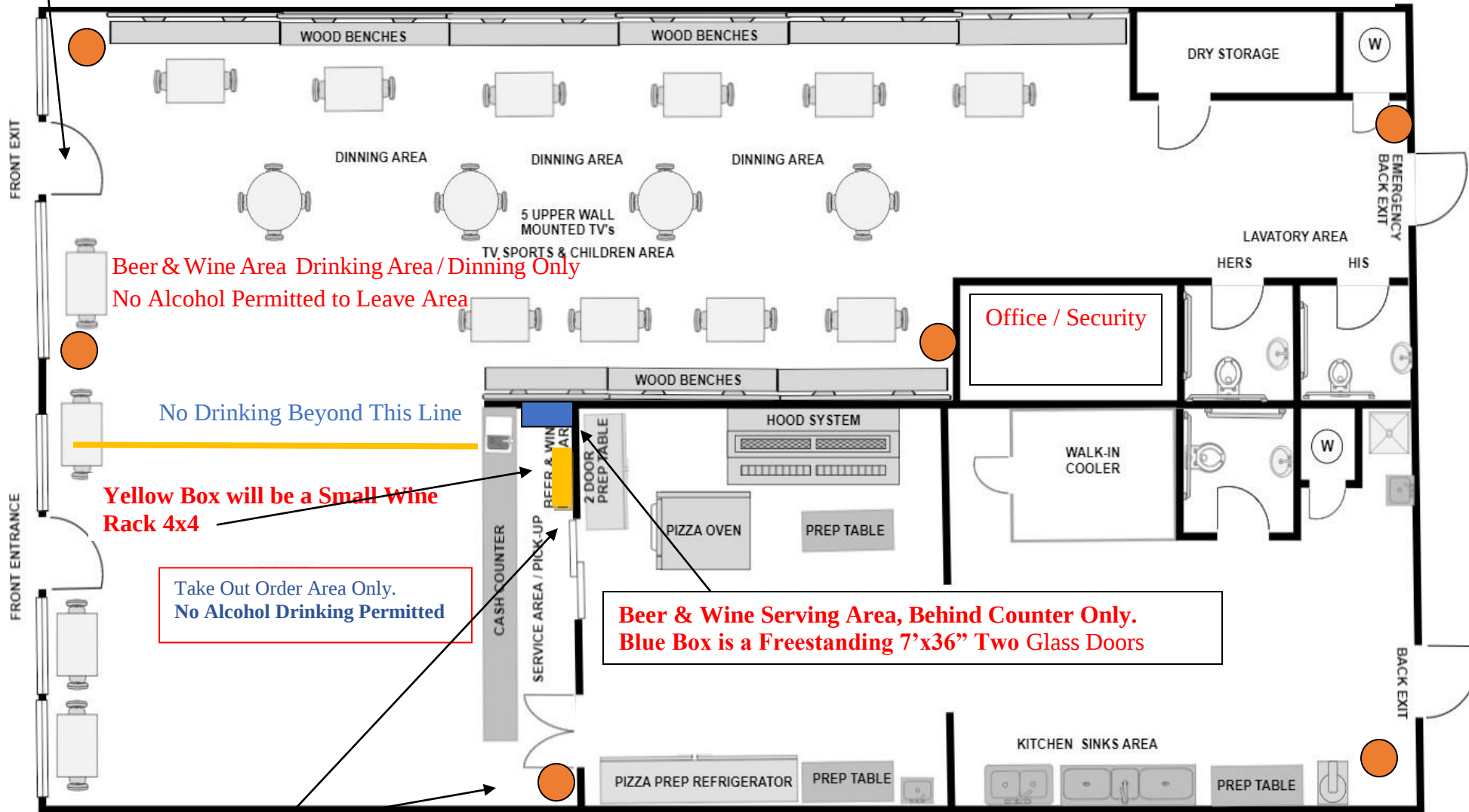
Ruben Cruz, Becky Borger
Redwood Pizza LLC
CEO Operations



Sign will be Placed on Window Door

No Expansion, nor remodeling needed. This is a existing Pizza Parlor. We will pull out permit for new signage for outside **when approved.**

Exhibit C



Yellow Box will be a Small Wine Rack 4x4

Take Out Order Area Only.
No Alcohol Drinking Permitted

Beer & Wine Serving Area, Behind Counter Only.
Blue Box is a Freestanding 7'x36" Two Glass Doors

Orange Dots are Security Cameras. Linked to Duarte Police Dept & ADT Service

IF YOU LOOK UNDER 25
BE PREPARED TO SHOW I.D.

Sign on Wall will be Place

No Keg Service / We Don't want Keg Set-up

PRODUCTS SERVED

Beer Cans- Budweiser, Bud Light, Corona, Modelo Especial
Wine- Red, White Zinfandel, Cabernet



City of Duarte
Community Development Department

EXHIBIT D
VICINITY MAP AND SITE PHOTOS

PROJECT AND SURROUNDING ZONING

<u>Subject Property:</u>	C-G, Commercial General
<u>North:</u>	R-4, Multi-family Residential
<u>South:</u>	C-G, Commercial General
<u>East:</u>	C-G, Commercial General
<u>West:</u>	C-G, Commercial General

SUBJECT PROPERTY-AERIAL





City of Duarte
Community Development Department

Subject Property-Street View





**City of Duarte
Community Development Department**

**West of Subject Business
ReStore and Anytime Fitness**



**East of Subject Business
Donuts, CVS across street**





**City of Duarte
Community Development Department**

**South of Subject Property
Bradbury Apartments and Freeway Intersection**



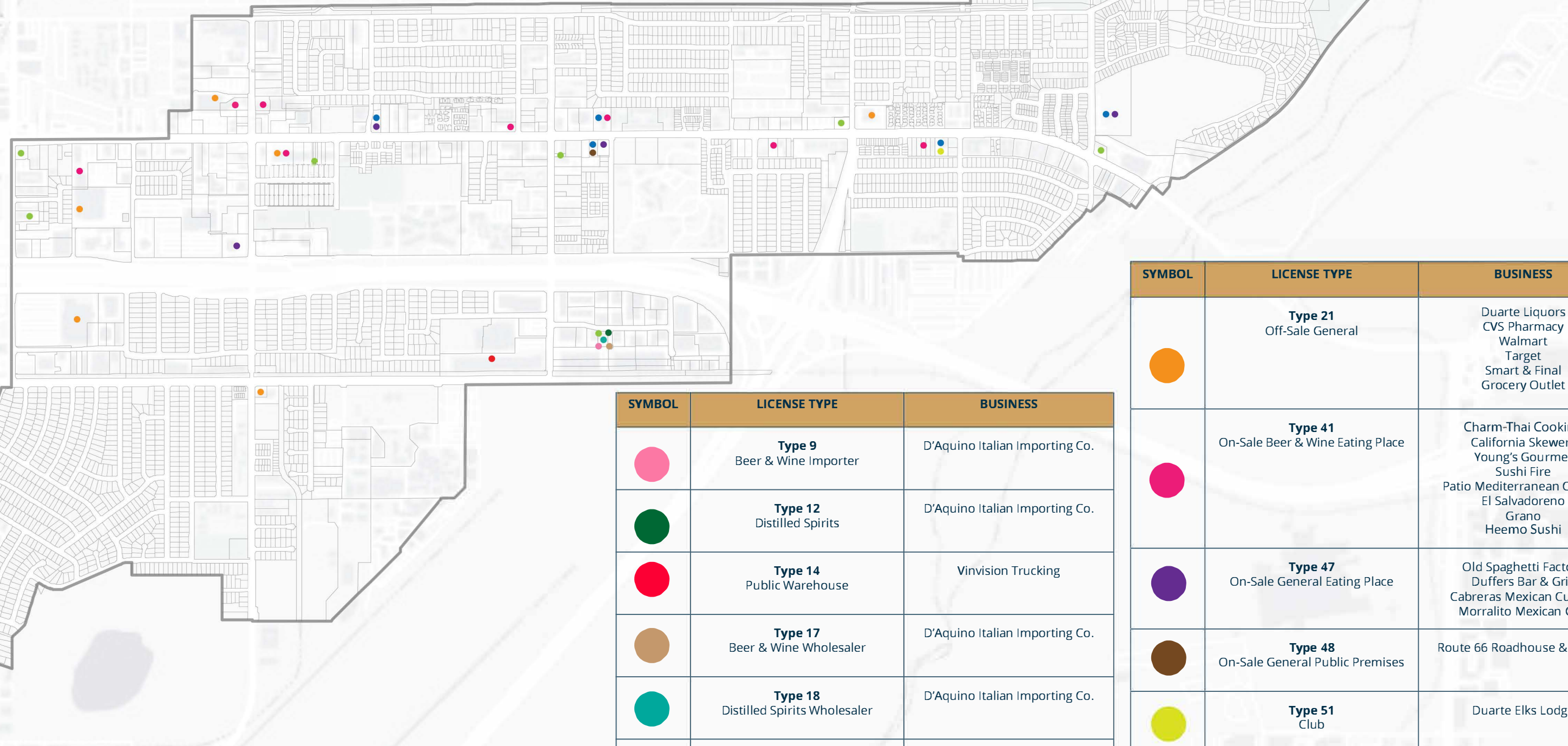
**North of Subject Property
Multi-family Condominiums**



City of Duarte

Exhibit E

ABC LICENSE MAP March 2024



SYMBOL	LICENSE TYPE	BUSINESS
	Type 9 Beer & Wine Importer	D'Aquino Italian Importing Co.
	Type 12 Distilled Spirits	D'Aquino Italian Importing Co.
	Type 14 Public Warehouse	Vinvision Trucking
	Type 17 Beer & Wine Wholesaler	D'Aquino Italian Importing Co.
	Type 18 Distilled Spirits Wholesaler	D'Aquino Italian Importing Co.
	Type 20 Off-Sale Beer & Wine	D'Aquino Italian Importing Co. ARCO AM PM 7 Eleven (x3) Duarte Universal Tropicana Market

SYMBOL	LICENSE TYPE	BUSINESS
	Type 21 Off-Sale General	Duarte Liquors CVS Pharmacy Walmart Target Smart & Final Grocery Outlet
	Type 41 On-Sale Beer & Wine Eating Place	Charm-Thai Cooking California Skewers Young's Gourmet Sushi Fire Patio Mediterranean Cuisine El Salvadoreno Grano Heemo Sushi
	Type 47 On-Sale General Eating Place	Old Spaghetti Factory Duffers Bar & Grill Cabreras Mexican Cuisine Morrallito Mexican Grill
	Type 48 On-Sale General Public Premises	Route 66 Roadhouse & Tavern
	Type 51 Club	Duarte Elks Lodge
	Type 58 Caterer's Permit	Route 66 Roadhouse & Tavern Duarte Elks Lodge Duffers Bar & Grill California Skewers Morrallito Mexican Grill